City of Norman, OK

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

Meeting Agenda

Tuesday, October 23, 2012

6:30 PM

Municipal Building Council Chambers

City Council

Mayor Cindy Rosenthal
Council Member Roger Gallagher
Council Member Tom Kovach
Council Member Robert Castleberry
Council Member Greg Jungman
Council Member Dave Spaulding
Council Member Jim Griffith
Council Member Linda Lockett
Council Member Chad Williams

1 **Roll Call**

2 **Pledge of Allegiance**

Minutes

3 APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL FINANCE COMMITTEE MINUTES OF SEPTEMBER 26, 2012
CITY COUNCIL STUDY SESSION MINUTES OF OCTOBER 2, 2012
CITY COUNCIL SPECIAL SESSION MINUTES OF OCTOBER 2, 2012
CITY COUNCIL BUSINESS AND COMMUNITY AFFAIRS MINUTES OF OCTOBER 4, 2012
CITY COUNCIL CONFERENCE MINUTES OF OCTOBER 9, 2012
CITY COUNCIL MINUTES OF OCTOBER 9, 2012
NORMAN UTILITIES AUTHORITY MINUTES OF OCTOBER 9, 2012
NORMAN MUNICIPAL AUTHORITY MINUTES OF OCTOBER 9, 2012
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF OCTOBER 9, 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 of the minutes and direct the filing thereof.

ACTION TAKEN: _____

Award

4 PRESENTATION FROM THE VETERAN'S DAY NATIONAL COMMITTEE FOR THE DEPARTMENT OF VETERANS AFFAIRS DESIGNATING THE CITY OF NORMAN AS A REGIONAL SITE FOR THE OBSERVANCE OF VETERAN'S DAY 2012.

ACTION NEEDED: Allow the presentation from the Veteran's Day National Committee for the Department of Veterans Affairs designating the City of Norman as a regional site for the observance of Veteran's Day 2012.

ACTION TAKEN: _____

Proclamation

5 PROCLAMATION NO. P-1213-7: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF NOVEMBER, 2012, AS NATIVE AMERICAN

HERITAGE MONTH IN THE CITY OF NORMAN.

ACTION NEEDED: Motion to acknowledge receipt of Proclamation No. P-1213-7 proclaiming the month of November, 2012, as Native American Heritage Month in the City of Norman and direct the filing thereof.

ACTION TAKEN: _____

6 PROCLAMATION NO. P-1213-7: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF OCTOBER, 2012, AS NATIONAL BULLYING AWARENESS MONTH IN THE CITY OF NORMAN.

ACTION NEEDED: Motion to acknowledge receipt of Proclamation No. P-1213-8 proclaiming the month of October, 2012, as National Bullying Prevention Month in the City of Norman and direct the filing thereof.

ACTION TAKEN: _____

7 **Consent Docket**

Ordinance

8 CONSIDERATION OF ORDINANCE NO. O-1112-38 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 NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-3, INTENSIVE COMMERCIAL DISTRICT WITH SPECIAL USE FOR A MIXED BUILDING, AND REMOVE THE SAME FROM THE C-1, LOCAL COMMERCIAL DISTRICT, CO, SUBURBAN OFFICE COMMERCIAL DISTRICT, AND R-3, MULTI-FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (LOCATED AT 612 ASP AVENUE, 421-427 BUCHANAN AVENUE, 710 ASP AVENUE, AND THE ADJACENT LOT TO THE SOUTH)

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1112-38 upon First Reading by title.

ACTION TAKEN: _____

9 CONSIDERATION OF ORDINANCE NO. O-1213-8 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING AND RELOCATING A UTILITY EASEMENT LOCATED IN LOT 1, BLOCK 2 OF A REPLAT

OF A REPLAT OF UNIVERSITY NORTH PARK ADDITION, SECTION III, TO THE CITY OF NORMAN, OKLAHOMA, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (LOCATED APPROXIMATELY 840 FEET NORTHWEST OF 24TH AVENUE N.W. ON THE SOUTH SIDE OF CONFERENCE DRIVE)

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1213-8 upon First Reading by title.

ACTION TAKEN: _____---

10 CONSIDERATION OF ORDINANCE NO. O-1213-18 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 3-501 OF THE CODE OF THE CITY OF NORMAN TO ESTABLISH REQUIREMENTS TO KEEP AND MAINTAIN CHICKENS OR LAYING HENS IN R-1, SINGLE FAMILY RESIDENTIAL ZONING DISTRICT, AND ADDING SECTIONS 3-115 AND 3-116 TO INCLUDE DEFINITIONS FOR REQUIRED STRUCTURES; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1213-18 upon First Reading by title.

ACTION TAKEN: _____

Appointment

11 CONSIDERATION OF THE MAYOR'S APPOINTMENTS OF GEORGIA BERRY, ROBIN STAFFORD, ALLYSON FELT, AND JULIE MORRIS TO THE CHILDREN'S RIGHTS COORDINATING COMMISSION; DARREN ALEXANDER, ODETTE HORTON, AND HOLLY ARMSTRONG TO THE ENVIRONMENTAL CONTROL ADVISORY BOARD; DAVID JOHN, O'NEIL ROBINSON, AND ANNA EDDINGS TO THE HISTORIC DISTRICT COMMISSION; THEO POPE, CHERYL WATTLEY, MARY DRYWATER, AND JOSE DELA CRUZ TO THE HUMAN RIGHTS COMMISSION; AND TOM CLOTE, DR. MUHAMMAD ANWAR, AND DR. CAROL ANDERSON TO THE NORMAN REGIONAL HOSPITAL AUTHORITY.

ACTION NEEDED: Motion to confirm or reject the appointments:

ACTION TAKEN: _____

Report/Communication

12 SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF SEPTEMBER 30, 2012,

AND DIRECTING THE FILING THEREOF.

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

ACTION TAKEN: _____

13 SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF SEPTEMBER, 2012, AND DIRECTING THE FILING THEREOF.

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

ACTION TAKEN: _____

14 SUBMISSION OF A REPORT ENTITLED "PIONEER LIBRARY SYSTEM FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2012, TOGETHER WITH AUDITORS' REPORT" AS PREPARED BY GRAY, BLODGETT, AND COMPANY, P.L.L.C., CERTIFIED PUBLIC ACCOUNTANTS.

INFORMATION: The above-described item appears on City Council's agenda in order that acknowledgment of the receipt of the report may be noted in the minutes as a matter of permanent record.

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

ACTION TAKEN: _____

Bid

15 CONSIDERATION AND AWARDING OF BID NO. 1213-13 FOR THE PURCHASE OF PORTLAND CEMENT CONCRETE PER CUBIC YARD FOR THE STREET/STORM WATER DIVISIONS.

SECTION 1
A - CLASS A CONCRETE LESS THAN 5 CUBIC YARDS
B - CLASS A CONCRETE 5 CUBIC YARDS OR GREATER
C - CLASS A CONCRETE WITH ONE PERCENT CALCIUM
D - CLASS A CONCRETE WITH TWO PERCENT CALCIUM

SECTION 2
A - HIGH EARLY STRENGTH CONCRETE LESS THAN 5 CUBIC YARDS
B - HIGH EARLY STRENGTH CONCRETE 5 CUBIC YARDS OR GREATER

SECTION 3
A - FAST-TRACK CONCRETE LESS THAN 5 CUBIC YARDS
B - FAST-TRACK CONCRETE 5 CUBIC YARDS OR GREATER

SECTION 4
A - 5-SACK GROUT MIX LESS THAN 5 CUBIC YARDS
B - 5-SACK GROUT MIX 5 CUBIC YARDS OR GREATER

SECTION 5
A - FLOWABLE FILL LESS THAN 5 CUBIC YARDS
B - FLOWABLE FILL 5 CUBIC YARDS OR GREATER

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 1A, 2A and 5A; and, if accepted, award the bid to Van Eaton Ready Mix as the lowest and best bidder meeting specifications, Metheny Concrete Products, Inc., as the first alternate bidder, and Dolese Bros Company as the second alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 1B, 1C, 1D and 5B; and, if accepted, award the bid to Van Eaton Ready Mix as the lowest and best bidder meeting specifications, Kudron Ready Mix as the first alternate bidder, and Metheny Concrete Products, Inc., as the second alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 2B; and, if accepted, award the bid to Kudron Ready Mix as the lowest and best bidder meeting specifications, Van Eaton Ready Mix as the first alternate bidder, and Metheny Concrete Products, Inc., as the second alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 3A and 3B; and, if accepted, award the bid to Dolese Bros. Company as the lowest and best bidder meeting specifications and Kudron Ready Mix and Van Eaton Ready Mix as the alternate bidders.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 4A and 4B; and, if accepted, award the bid to Van Eaton Ready Mix as the lowest and best bidder meeting specifications and Kudron Ready Mix as the alternate bidder.

ACTION TAKEN: _____

16 CONSIDERATION AND AWARDING OF BID NO. 1213-14 FOR TYPE II BARRICADE RENTAL FOR THE STREET/STORM WATER DIVISIONS AS FOLLOWS:

1. A - 200 BARRICADES PER MONTH

2. A - 20 BARRICADES PER SEVEN DAYS
   B - 40 BARRICADES PER SEVEN DAYS
   C - 60 BARRICADES PER SEVEN DAYS

ACTION NEEDED: Motion to accept or reject all bids meeting specifications; and, if accepted, award the bid to Advanced Workzone Services, L.L.C., as the lowest and best bidder meeting specifications.

ACTION TAKEN: _____

17 CONSIDERATION AND AWARDING OF BID NO. 1213-15 FOR AGGREGATE AND STONE FOR THE STREET MAINTENANCE DIVISION.

1. 3/8-INCH SCREENINGS
2. 3/4-INCH WASHED CHIPS
3. CONCRETE SAND
4. 1 1/2-INCH AGGREGATE BASE, TYPE A
5. TRAFFIC BOUND SURFACE COURSE, TYPE A
6. KILN DUST
7. SELECT BORROW SUBGRADE MATERIAL
8. 3-INCH SURGE ROCK
9. 8-INCH RIPRAP
10. 12-INCH RIPRAP
11. 18-INCH RIPRAP
12. TOPSOIL
    A. PICKUP - (NO BID RECEIVED)
    B. DELIVERED
13. MANUFACTURED SAND

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 1, 9, 10, 11, and 12B; and, if accepted, award the bid to Dale Brown, Inc., as the lowest and best bidder meeting specifications and Joe Brown Company, as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 2; and, if accepted, award the bid to Joe Brown Company, Inc., as the lowest and best bidder meeting specifications and Bernie Mathes Trucking as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 3; and, if accepted, award the bid to Joe Brown Company, Inc., and Dale Brown, Inc., as the lowest and best bidders meeting specifications and Bernie Mathes Trucking, as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 4 and 8; and, if accepted, award the bid to Bernie Mathis Trucking, Inc., as the lowest and best bidder meeting specifications and Joe Brown Trucking as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 5; and, if accepted, award the bid to Joe Brown Company, Inc., as the lowest and best bidder meeting specifications and Kudron Trucking as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject the bid as meeting specifications on Section 6; and, if accepted, award the bid to Silver Star Construction Company, Inc., as the lowest and best bidder meeting specifications.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 7; and, if accepted, award the bid o T.J. Campbell Construction Company, as the lowest and best bidder meeting specifications and Dale Brown, Inc., as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 13; and, if accepted, award the bid to Bernie

Mathis Trucking, Inc., as the lowest and best bidder meeting specifications and Dale Brown, Inc., as the alternate bidder.

ACTION TAKEN: _____

18 CONSIDERATION AND AWARDING OF BID NO. 1213-16 FOR INLET FRAMES, GRATES AND CURB HOODS FOR THE STREET MAINTENANCE DIVISION.

1. HEAVY-DUTY CAST IRON 3 FLANGE INLET FRAME
2. HEAVY-DUTY CAST IRON DOUBLE UNIT (LEFT AND RIGHT) INLET FRAMES WITH FASTENING HARDWARE
3. HEAVY-DUTY CAST IRON CENTER SECTION INLET FRAMES WITH FASTENING HARDWARE
4. HEAVY-DUTY CAST IRON TYPE L GRATE
5. HEAVY-DUTY CAST IRON TYPE V GRATE
6. A - 6-INCH MOUNTABLE CAST IRON CURB HOOD WITH FASTENING HARDWARE
   B - 8-INCH MOUNTABLE CAST IRON CURB HOOD WITH FASTENING HARDWARE
7. DETECTABLE WARNING SURFACE/ADA TRUNCATED DOME, 2 FEET X 4 FEET TILE, CAST IN PLACE, BRICK RED

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 1; and, if accepted, award the bid to HD Waterworks Supply and Oklahoma Contractors Supply as the lowest and best bidders meeting specifications and Water Products of Oklahoma, Inc., as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 2; and, if accepted, award the bid to HD Waterworks Supply as the lowest and best bidder meeting specifications and Oklahoma Contractors Supply as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 3 and 6A; and, if accepted, award the bid to Oklahoma Contractors Supply as the lowest and best bidder meeting specifications and HD Waterworks Supply as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 4, 5, and 6B; and, if accepted, award the bid

to HD Waterworks Supply as the lowest and best bidder meeting specifications and Water Products of Oklahoma, Inc., as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 7; and, if accepted, award the bid to Oklahoma Contractors Supply as the lowest and best bidder meeting specifications and Water Products of Oklahoma, Inc., as the alternate bidder.

ACTION TAKEN: _____

19 CONSIDERATION AND AWARDING OF BID NO. 1213-36 FOR COMPLETE PARKING MANAGEMENT SYSTEM FOR THE GRAY STREET DOWNTOWN PARKING LOT AND BUDGET APPROPRIATION.

ACTION NEEDED: Motion to accept or reject all bids meeting specifications; and, if accepted, awarded the bid in the amount of $140,386.50 to Duncan Solutions, Inc., as the lowest and best bidder meeting specifications and $140,386.50 be appropriated from the Capital Fund Balance (050-0000-253.20-00) to Downtown Parking Lot Expansion - Materials (050-9365-419.63-01)

ACTION TAKEN: _____

20 CONSIDERATION AND AWARDING OF BID NO. 1213-37 FOR (1) UNLEADED GASOLINE, (2) #2 DIESEL FUEL, AND (3) BIODIESEL (B5) FUEL FOR THE FLEET MANAGEMENT DIVISION.

ACTION NEEDED: Motion to accept or reject all bids meeting specifications; and, if accepted, award the bid to Red Rock Distributing Company as the lowest and best bidder meeting specifications for all sections.

ACTION TAKEN: _____

21 CONSIDERATION OF BID NO. 1213-38, CONTRACT NO. K-1213-76 WITH STANDARD ROOFING COMPANY, INC., IN THE AMOUNT OF $966,302; PERFORMANCE BOND NO. B-1213-29; STATUTORY BOND NO. B-1213-30; MAINTENANCE BOND NO. MB-1213-24; AND PROJECT AGENT RESOLUTION NO. R-1213-50 FOR THE FYE 2013 ROOF REPLACEMENT PROJECTS FOR FIRE STATION NO. 6, FIRE STATION NO. 7 (TRUCK BAY), IRVING RECREATIONAL CENTER (UPPER GYM), MUNICIPAL BUILDING A, SANTA FE DEPOT (FLAT PORTIONS), SOONER THEATRE, AND THE WATER RECLAMATION FACILITY MAIN CONTROL BUILDING (UPPER ROOF) AND BUDGET TRANSFERS.

ACTION NEEDED: Acting as the City Council and Norman Utilities Authority, motion to accept or reject all bids meeting specifications; and, if accepted, award the base bid in the amount of $919,826 plus Alternate A for Sooner Theatre in the amount of $22,704 and Alternate D-2 for Fire Station No. 7 in the amount of $23,772 for a total bid amount of $966,302 to Standard Roofing Company, Inc., as the lowest and best bidder meeting specifications; approve Contract No. K-1213-76 and the performance, statutory, and maintenance bonds; authorize execution of the contract; direct the filing of the bonds; adopt Resolution No. R-1213-50; and transfer $679 from Hydrological Monitoring (032-5541-432.41-23) to Project No. WW0198, WWTP MCB Upper Roof, Construction (032-9677-432.61-01) and $22,704 from Project No. EF0128, Sooner Theatre Renovations, Construction (050-9677-419.61-01) to Project No. EF1002, Building Roofs, Construction (050-9540-419.61-01) .

ACTION TAKEN: _____

Final Plat

22 CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR UNIVERSITY NORTH PARK CORPORATE CENTER ADDITION, SECTION 1, A PLANNED UNIT DEVELOPMENT AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED ON THE EAST SIDE OF 24TH AVENUE N.W. AND NORTH OF ROCK CREEK ROAD).

ACTION NEEDED: Motion to approve or reject the final site development plan and final plat; and, if approved, accept the public dedications contained within the plat, authorize the Mayor to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of a warranty deed for park land dedication requirements, and direct the filing of the final site development plan and final plat.

ACTION TAKEN: _____

23 CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR UNIVERSITY NORTH PARK CORPORATE CENTER ADDITION, SECTION 2, A PLANNED UNIT DEVELOPMENT, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED ON THE EAST SIDE OF 24TH AVENUE N.W. APPROXIMATELY ONE-HALF MILE SOUTH OF TECUMSEH ROAD)

ACTION NEEDED: Motion to approve or reject the final site

development plan and final plat for University North Park Corporate Center Addition, Section 2, a Planned Unit Development; and, if approved, accept the public dedications contained within the plat, authorize the Mayor to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and direct the filing of the final site development plan and final plat.

ACTION TAKEN: _____

24 CONSIDERATION OF A FINAL PLAT FOR MILLIGAN INDUSTRIAL TRACT ADDITION AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED ON THE NORTH SIDE OF ROCK CREEK ROAD BETWEEN 12TH AVENUE N.W. AND THE RAILROAD TRACKS)

ACTION NEEDED: Motion approve or reject the final plat for Milligan Industrial Tract Addition; and, if approved, accept the public dedications contained within the plat, authorize the Mayor to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of traffic impact fees in the amount of $1,471.12; and direct the filing of the final plat.

ACTION TAKEN: _____

Encroachment

25 CONSIDERATION OF CONSENT TO ENCROACHMENT NO. EN-1213-1 FOR LOT 1, BLOCK 4, BROOKHAVEN NO. 40 ADDITION, CLEVELAND COUNTY, OKLAHOMA A/K/A 1920 ROSEBROOK.

ACTION NEEDED: Motion to approve or reject Consent to Encroachment No. EN-1213-1; and, if approved, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____

Contract

26 CONSIDERATION OF FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT NO. K-1112-132 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND ACS PLAYGROUND ADVENTURES, INC., FOR THE MONROE PARK PLAYGROUND EQUIPMENT PROJECT.

ACTION NEEDED: Motion to accept or reject the project; and, if accepted, direct final payment in the amount of $7,575 to ACS

Playground Adventures, Inc.

ACTION TAKEN: _____

27 CONTRACT NO. K-1213-86: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND FREESE AND NICHOLS IN THE AMOUNT OF $300,000 FOR THE DEVELOPMENT OF A COMPREHENSIVE TRANSPORTATION PLAN FOR THE CITY OF NORMAN.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-86 with Freese and Nichols in the amount of $300,000; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

28 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $15,000 AND ENTER INTO CONTRACT NO. K-1213-93 WITH HEALTH FOR FRIENDS.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $15,000 from Health for Friends and Contract No. K-1213-93; and, if approved, authorize execution of Contract No. K-1213-93 and direct payment in the amount of $15,000 to Health for Friends.

ACTION TAKEN: _____

29 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $8,500 AND ENTER INTO CONTRACT NO. K-1213-94 WITH WOMEN'S RESOURCE CENTER, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $8,500 from Women's Resource Center, Inc., and Contract No. K-1213-94; and, if approved, authorize execution of Contract No. K-1213-94 and direct payment in the amount of $8,500 to Women's Resource Center, Inc.

ACTION TAKEN: _____

30 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $25,000 AND ENTER INTO CONTRACT NO. K-1213-95 WITH FOOD AND SHELTER FOR FRIENDS.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $25,000 from Food and Shelter for Friends and Contract No. K-1213-95; and, if approved, authorize execution of Contract No. K-1213-95 and direct payment in the amount of $25,000 to Food and Shelter for Friends.

ACTION TAKEN: _____

31 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $13,000 AND ENTER INTO CONTRACT NO. K-1213-96 WITH TRANSITION HOUSE, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $13,000 from Transition House, Inc., and Contract No. K-1213-96; and, if approved, authorize execution of Contract No. K-1213-96 and direct payment in the amount of $13,000 to Transition House, Inc.

ACTION TAKEN: _____

32 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $2,000 AND ENTER INTO CONTRACT NO. K-1213-97 WITH FULL CIRCLE SENIOR ADULT DAY CARE CENTER.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $2,000 from Full Circle Senior Adult Day Care Center and Contract No. K-1213-97; and, if approved, authorize execution of Contract No. K-1213-97 and direct payment in the amount of $2,000 to Full Circle Senior Adult Day Care Center.

ACTION TAKEN: _____

33 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $4,000 AND ENTER INTO CONTRACT NO. K-1213-98 WITH AGING SERVICES, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $4,000 from Aging Services, Inc., and Contract No. K-1213-98; and, if approved, authorize execution of Contract No. K-1213-98 and direct payment in the amount of $4,000 to Aging

Services, Inc.

ACTION TAKEN: _____

34 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $5,000 AND ENTER INTO CONTRACT NO. K-1213-99 WITH MARY ABBOTT CHILDREN'S HOUSE.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,000 from Mary Abbott Children's House and Contract No. K-1213-99; and, if approved, authorize execution of Contract No. K-1213-99 and direct payment in the amount of $5,000 to Mary Abbott Children's House.

ACTION TAKEN: _____

35 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $2,500 AND ENTER INTO CONTRACT NO. K-1213-100 WITH AMONG FRIENDS ACTIVITY CENTER, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $2,500 from Among Friends Activity Center, Inc., and Contract No. K-1213-100; and, if approved, authorize execution of Contract No. K-1213-100 and direct payment in the amount of $2,500 to Among Friends Activity Center, Inc.

ACTION TAKEN: _____

36 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $10,000 AND ENTER INTO CONTRACT NO. K-1213-101 WITH CENTER FOR CHILDREN AND FAMILIES, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $10,000 from Center for Children and Families, Inc., and Contract No. K-1213-101; and, if approved, authorize execution of Contract No. K-1213-101 and direct payment in the amount of $10,000 to Center for Children and Families, Inc.

ACTION TAKEN: _____

37 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $6,000 AND ENTER INTO CONTRACT NO. K-1213-102 WITH THE SALVATION ARMY.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $6,000 from the Salvation Army and Contract No. K-1213-102; and, if approved, authorize execution of Contract No. K-1213-102 and direct payment in the amount of $6,000 to the Salvation Army.

ACTION TAKEN: _____

38 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $2,000 AND ENTER INTO CONTRACT NO. K-1213-103 WITH HEARTLINE, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $2,000 from Heartline, Inc., and Contract No. K-1213-103; and, if approved, authorize execution of Contract No. K-1213-103 and direct payment in the amount of $2,000 to Heartline, Inc.

ACTION TAKEN: _____

39 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $4,000 AND ENTER INTO CONTRACT NO. K-1213-104 WITH BETHESDA, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $4,000 from Bethesda, Inc., and Contract No. K-1213-104; and, if approved, authorize execution of Contract No. K-1213-104 and direct payment in the amount of $4,000 to Bethesda, Inc.

ACTION TAKEN: _____

40 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $6,000 AND ENTER INTO CONTRACT NO. K-1213-105 WITH COMMUNITY AFTER SCHOOL PROGRAM.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $6,000 from Community After School Program and Contract

No. K-1213-105; and, if approved, authorize execution of Contract No. K-1213-105 and direct payment in the amount of $6,000 to Community After School Program

ACTION TAKEN: _____

41 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $7,200 AND ENTER INTO CONTRACT NO. K-1213-106 WITH BRIDGES, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $7,200 from Bridges, Inc., and Contract No. K-1213-106; and, if approved, authorize execution of Contract No. K-1213-106 and direct payment in the amount of $7,200 to Bridges, Inc.

ACTION TAKEN: _____

42 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $15,000 AND ENTER INTO CONTRACT NO. K-1213-107 WITH COMMUNITY SERVICES BUILDING, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $15,000 from Community Services Building, Inc., and Contract No. K-1213-107; and, if approved, authorize execution of Contract No. K-1213-107 and direct payment in the amount of $15,000 to Community Services Building, Inc.

ACTION TAKEN: _____

43 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $2,000 AND ENTER INTO CONTRACT NO. K-1213-108 WITH AMERICAN RED CROSS.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $2,000 from American Red Cross and Contract No. K-1213-108; and, if approved, authorize execution of Contract No. K-1213-108 and direct payment in the amount of $2,000 to American Red Cross.

ACTION TAKEN: _____

44 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL

AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $5,000 AND ENTER INTO CONTRACT NO. K-1213-109 WITH EAST MAIN PLACE.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,000 from East Main Place and Contract No. K-1213-109; and, if approved, authorize execution of Contract No. K-1213-109 and direct payment in the amount of $5,000 to East Main Place.

ACTION TAKEN: _____

45 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $2,000 AND ENTER INTO CONTRACT NO. K-1213-110 WITH COUNCIL FOR DEVELOPMENT DISABILITIES D/B/A ABLE.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $2,000 from ABLE and Contract No. K-1213-110; and, if approved, authorize execution of Contract No. K-1213-110 and direct payment in the amount of $2,000 to ABLE.

ACTION TAKEN: _____

46 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $5,000 AND ENTER INTO CONTRACT NO. K-1213-111 WITH CLEVELAND COUNTY HABITAT FOR HUMANITY.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,000 from Cleveland County Habitat for Humanity and Contract No. K-1213-111; and, if approved, authorize execution of Contract No. K-1213-111 and direct payment in the amount of $5,000 to Cleveland County Habitat for Humanity.

ACTION TAKEN: _____

47 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $2,000 AND ENTER INTO CONTRACT NO. K-1213-112 WITH MEALS ON WHEELS OF NORMAN, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the

amount of $2,000 from Meals on Wheels of Norman, Inc., and Contract No. K-1213-112; and, if approved, authorize execution of Contract No. K-1213-112 and direct payment in the amount of $2,000 to Meals on Wheels of Norman, Inc.

ACTION TAKEN: _____

48 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $2,700 AND ENTER INTO CONTRACT NO. K-1213-113 WITH AMERICAN LEGION POST 88.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $2,700 from American Legion Post 88 and Contract No. K-1213-113; and, if approved, authorize execution of Contract No. K-1213-113 and direct payment in the amount of $2,700 to American Legion Post 88.

ACTION TAKEN: _____

49 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $4,500 AND ENTER INTO CONTRACT NO. K-1213-114 WITH FOOD FOR THOUGHT LEARNING INSTITUTE.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $4,500 from Food for Thought Learning Institute and Contract No. K-1213-114; and, if approved, authorize execution of Contract No. K-1213-114 and direct payment in the amount of $4,500 to Food for Thought Learning Institute.

ACTION TAKEN: _____

50 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $1,000 AND ENTER INTO CONTRACT NO. K-1213-115 WITH NORMAN ALCOHOL INFORMATION CENTER (NAIC).

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $1,000 from NAIC and Contract No. K-1213-115; and, if approved, authorize execution of Contract No. K-1213-115 and direct payment in the amount of $1,000 to NAIC.

ACTION TAKEN: _____

51 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $600 AND ENTER INTO CONTRACT NO. K-1213-116 WITH NORMAN DAY SCHOOL FOR HANDICAPPED CHILDREN.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $600 from Norman Day School for Handicapped Children and Contract No. K-1213-116; and, if approved, authorize execution of Contract No. K-1213-116 and direct payment in the amount of $600 to Norman Day School for Handicapped Children.

ACTION TAKEN: _____

Resolution

52 RESOLUTION NO. R-1213-26: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $43,555 FROM THE RISK MANAGEMENT FUND BALANCE TO PURCHASE TRAFFIC SIGNAL EQUIPMENT FOR THE TRAFFIC CONTROL DIVISION.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1213-26.

ACTION TAKEN: _____

53 RESOLUTION NO. R-1213-60: A RESOLUTION OF COUNCIL OF THE CITY OF NORMAN, OKLAHOMA APPROPRIATING $688,351 FROM THE SPECIAL GRANTS FUND BALANCE; $69 FROM THE ROOM TAX FUND BALANCE; $7,377 FROM THE WESTWOOD FUND BALANCE; $177,741 FROM THE RISK MANAGEMENT FUND BALANCE; $462,630 FROM THE CAPITAL FUND BALANCE; $526,171 FROM DEBT SERVICE FUND BALANCE; $49,651 FROM GENERAL OBLIGATION FUND BALANCE; $315,982 FROM THE HALL PARK DEBT SERVICE FUND BALANCE; AND $5,754 FROM THE SEWER SALES TAX FUND BALANCE TO CLOSE OUT YEAR END ACCOUNTING ENTRIES FOR FYE 2012.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1213-60.

ACTION TAKEN: _____

54 RESOLUTION NO. R-1213-63: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $15,000 FROM THE SPECIAL GRANTS FUND BALANCE FOR EDUCATION/OUTREACH PROJECTS FUNDED BY A CERTIFIED

LOCAL GOVERNMENTS (CLG) GRANT.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1213-63.

ACTION TAKEN: _____

55 RESOLUTION NO. R-1213-65: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ACKNOWLEDGING RECEIPT OF AWARD NO. 08-01-04806 FROM THE UNITED STATES DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION IN THE AMOUNT OF TWO AND ONE-HALF MILLION DOLLARS ($2,500,000) FOR CONSTRUCTION OF BUSINESS PARK INFRASTRUCTURE IMPROVEMENTS IN THE UNIVERSITY NORTH PARK DEVELOPMENT.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1213-65.

ACTION TAKEN: _____

56 CONSIDERATION OF A RECOMMENDATION FROM THE CITY ATTORNEY THAT THE CITY COUNCIL APPROVE A SETTLEMENT OF CAROL BUCKMASTER VS. THE CITY OF NORMAN, CLEVELAND COUNTY DISTRICT COURT CASE NO. CJ-2010-505 IN THE AMOUNT OF $105,000.

ACTION NEEDED: Motion to approve or reject the City Attorney's recommendation; and, if approved, authorize the City Attorney's Office to effectuate the settlement in the amount of $105,000.

ACTION TAKEN: _____

Non-Consent Items

57 RESOLUTION NO. R-1213-6: A RESOLUTION FIXING THE AMOUNT OF GENERAL OBLIGATION BONDS TO MATURE EACH YEAR; FIXING THE TIME AND PLACE THE BONDS ARE TO BE SOLD; DESIGNATING A PAYING AGENT/ REGISTRAR; RATIFYING A LEGAL SERVICES AGREEMENT AND A FINANCIAL ADVISOR SERVICES AGREEMENT WITH RESPECT TO THE ISSUANCE OF THE BONDS; APPROVING THE PRELIMINARY OFFICIAL STATEMENT AND DISTRIBUTION THEREOF AND AUTHORIZING THE CLERK TO GIVE NOTICE OF SAID SALE AS REQUIRED BY LAW AND FIXING OTHER DETAILS OF THE ISSUE.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1213-6.

ACTION TAKEN: _____

58 ORDINANCE NO. O-1213-6: AN ORDINANCE OF THE COUNCIL OF

THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTIONS 18-303, 18-405, AND 18-506 OF CHAPTER 18 OF THE CODE OF THE CITY OF NORMAN ADDING PROVISIONS TO ALLOW DIGITAL ON-PREMISE SIGNS AND ADDING SECTION 18-412 PROVIDING REQUIREMENTS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-6 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-6 upon Final Reading section by section.

ACTION TAKEN: _____

59 ORDINANCE NO. O-1213-10: 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 BAR, LOUNGE OR TAVERN FOR PROPERTY CURRENTLY ZONED C-3, INTENSIVE COMMERCIAL DISTRICT, LOCATED AT 113 NORTH CRAWFORD AVENUE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-10 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-10 upon Final Reading as a whole.

ACTION TAKEN: _____

60 RESOLUTION NO. R-1213-37: 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-1213-4, SO AS TO PLACE PART OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 9 NORTH, RANGE 1 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE COMMERCIAL DESIGNATION AND REMOVE THE SAME FROM THE COUNTRY RESIDENTIAL DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED ON THE NORTH SIDE OF ALAMEDA DRIVE APPROXIMATELY ONE-FOURTH MILE EAST OF 72ND AVENUE N.E.)

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1213-37, Land Use Plan Amendment No. LUP-1213-37; and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according thereto.

ACTION TAKEN: _____

61 ORDINANCE NO. O-1213-12: 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 SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 9 NORTH, RANGE 1 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE CR, RURAL 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 NORTH SIDE OF ALAMEDA DRIVE APPROXIMATELY ONE-FOURTH MILE EAST OF 72ND AVENUE N.E.)

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-12 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-12 upon Final Reading as a whole.

ACTION TAKEN: _____

62 CONSIDERATION OF A PRELIMINARY PLAT FOR DOLLAR GENERAL ALAMEDA ADDITION. (GENERALLY LOCATED ON THE NORTH SIDE OF ALAMEDA DRIVE APPROXIMATELY ONE-FOURTH MILE EAST OF 72ND AVENUE N.E.)

ACTION NEEDED: Motion to approve or reject the preliminary plat for Dollar General Alameda Addition.

ACTION TAKEN: _____

63 ORDINANCE NO. O-1213-13: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE PROVISIONS OF ORDINANCE NO. 1862 SO AS TO ESTABLISH A REVISED SETBACK REQUIREMENT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE NORTH SIDE OF LITTLE AXE DRIVE APPROXIMATELY 775 FEET EAST OF 156TH AVENUE N.E.)

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-13 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-13 upon Final Reading as a whole.

ACTION TAKEN: _____

64 CONSIDERATION OF A REVISED PRELIMINARY PLAT ABSENTEE SHAWNEE HEALTH CENTER ADDITION, (GENERALLY LOCATED ON THE NORTH SIDE OF LITTLE RIVER DRIVE APPROXIMATELY 775 FEET EAST OF 156TH AVENUE N.E.)

ACTION NEEDED: Motion to approve or reject the preliminary plat for Absentee Shawnee Health Center Addition.

ACTION TAKEN: _____

65 RESOLUTION NO. R-1213-61: A RESOLUTION OF THE NORMAN MUNICIPAL AUTHORITY APPROVING AND AUTHORIZING A LOAN FROM REPUBLIC BANK AND TRUST IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF $150,000; APPROVING THE ISSUANCE OF A PROMISSORY NOTE IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF $150,000, SECURED BY A PLEDGE OF REVENUES COLLECTED FROM METERED PARKING WITHIN THE GRAY STREET PARKING FACILITY; AUTHORIZING EXECUTION OF NECESSARY DOCUMENTS; AND WAIVING COMPETITIVE BIDDING.

ACTION NEEDED: Acting as the Norman Municipal Authority, motion to adopt or reject Resolution R-1213-61.

ACTION TAKEN: _____

66 RESOLUTION NO. R-1213-66: A RESOLUTION OF THE CITY OF NORMAN APPROVING ACTION TAKEN BY THE NORMAN MUNICIPAL AUTHORITY AUTHORIZING ISSUANCE, SALE, AND DELIVERY OF A PROMISSORY NOTE TO REPUBLIC BANK AND TRUST FOR THE DEVELOPMENT OF A METERED PARKING SYSTEM IN THE GRAY STREET PARKING FACILITY.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1213-66.

ACTION TAKEN: _____

67 RESOLUTION NO. R-1213-64: A RESOLUTION OF THE NORMAN TAX INCREMENT FINANCE AUTHORITY APPROVING CONCURRENCE IN AGREEMENT OF THE NORMAN ECONOMIC DEVELOPMENT COALITION TO FINANCE THE ACQUISITION OF PROPERTY FOR ECONOMIC DEVELOPMENT PURPOSES, WITHIN

THE UNIVERSITY NORTH PARK ECONOMIC DEVELOPMENT PROJECT.

ACTION NEEDED: Acting as the Norman Tax Increment Finance Authority, motion to adopt or reject Resolution No. R-1213-64.

ACTION TAKEN: _____

68 ORDINANCE NO. O-1213-16: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE I, SECTION 2-104 OF CHAPTER 2 OF THE CODE OF THE CITY OF NORMAN BY AMENDING THE TIME FOR CITY COUNCIL MEETINGS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-16 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-16 upon Final Reading as a whole.

ACTION TAKEN: _____

69 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: _____

70 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.

71 Adjournment

City of Norman, OK

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

Master

File Number: GID-1213-33

File ID:	GID-1213-33	**Type:**	Minutes	**Status:**	Consent Item
Version:	1	**Reference:**	item No. 3	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**		**File Created:**	10/09/2012
File Name:	Minutes			**Final Action:**	

Title: APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL FINANCE COMMITTEE MINUTES OF SEPTEMBER 26, 2012
CITY COUNCIL STUDY SESSION MINUTES OF OCTOBER 2, 2012
CITY COUNCIL SPECIAL SESSION MINUTES OF OCTOBER 2, 2012
CITY COUNCIL BUSINESS AND COMMUNITY AFFAIRS MINUTES OF OCTOBER 4, 2012
CITY COUNCIL CONFERENCE MINUTES OF OCTOBER 9, 2012
CITY COUNCIL MINUTES OF OCTOBER 9, 2012
NORMAN UTILITIES AUTHORITY MINUTES OF OCTOBER 9, 2012
NORMAN MUNICIPAL AUTHORITY MINUTES OF OCTOBER 9, 2012
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF OCTOBER 9, 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 of the minutes and direct the filing thereof.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 3

Attachments: September 26 Finance Committee minutes, October 2 Study Session Minutes, October 2 Special Session minutes, October 4 BACA Minutes, October 9 Conference Minutes, Octboer 9 CC Minutes

Project Manager: Brenda Hall, City Clerk

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

FINANCE COMMITTEE MINUTES
September 26, 2012

The City Council Finance Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 5:30 p.m. in the Municipal Building Study Session Room on the 26th day of September, 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 Castleberry, Gallagher, Griffith, and Chair Rosenthal
ABSENT:	Member Kovach
OTHERS PRESENT:	Linda Lockett, Council Member Steve Lewis, City Manager Suzanne Krohmer, Budget Manager Jeff Bryant, City Attorney Jud Foster, Parks & Rec Director Gala Hicks, Human Resources Director Susan Connors, Planning & Community Develop Director Shawn O'Leary, Public Works Director Clint Mercer, Chief Accountant Linda Price, Revitalization Manager James Briggs, Park Planner Wayne Stenis, Planner II Amanda Carrillo, OU Student Rohit Rie, OU Student

DISCUSSION OF THE FYE 14 BUDGET CALENDAR AND BUDGET PROCESS

Revised FYE 2014 Budget Calendar handout presented by Suzanne Krohmer. She discussed important dates and the budget process in general.

- Council budget retreat on Capital Fund (if necessary) moved from February 19th to February 26th
- Add quarterly financial reports (2nd meeting in October) to calendar and highlight in color

Item(s) submitted for the record

1. FYE 14 Budget Calendar prepared by Budget Manager

DISCUSSION REGARDING THE CAPITAL FUND BALANCE DUE TO THE APPROVAL OF THE GENERAL OBLIGATION BOND ELECTION FOR TRANSPORTATION AND STORM WATER PROJECTS

Presentation by Linda Price

- Funds available for other projects due to bond approval in election held August 28, 2012
- 2 roll-overs not included (previous year encumbrances) - land-use acquisition for both bridges: $547,600 for Franklin Bridge – Winter/Spring 2013, and $538,000 for Main Street Bridge – Fall 2012/Winter 2013
- Total $1.9 million
- Total amount budgeted is $2,002,360 but not encumbered
- Can any part of already expended project costs be eligible for bond financing? Can potentially recapture project expenditures that were made within 60 days prior to vote – approving the issuance of the bonds.
- Next 6 months there will be project closeout overruns – want to use balance available for these cost overruns
  - $525,000 - $625,000 in cost overruns in 6 projects - largest is Robinson RR Grade Separation – between $300,000 and $400,000
- Liquidated Damages – hard to determine actual damages – have to have proof of damages to collect liquidated damages
  - ODOT administers projects and controls contracts
  - City pays our share of cost at beginning of project to reserve federal share
- Capital projects overruns listing reflects $1.4 million – conservative estimate of remaining balance
- Next step is for Council to prioritize other projects to be done with the funds that became available after the election
- FYE 14 and FYE 15 – over $5 million fund deficit for new projects projected in current CIP. New project ideas included:
- Griffith – Ruby Grant Park priority "ground breaking efforts"
- Critical transportation projects - I-35/Indian Hills Bridge deck
  - Bridge deck is City's responsibility – bridge structure is ODOT's responsibility
  - $150,000 will be City's contribution for repair process
  - Approximately $2 million for reconstruction of the Indian Hills Bridge
  - Unbudgeted $150,000 will buy us approximately 10 years until replacement can occur
- Rock Creek GAP paving issue – west of 36th Avenue
- 12th Avenue & High Meadows intersection widened and signalization - $1 million project – not planned
- Castleberry – wants a list of potential projects by cost
- Griffith – wants staff to prioritize (marked with asterisk or marking for critical projects)
- Balanced program of projects versus strictly transportation projects
- Lockett – transportation projects and maintenance projects for Parks – fix the facilities we have first
- Gallagher – agrees with maintaining existing City facilities first
- Castleberry – prioritize projects needed for safety issues

Item(s) submitted for the record

1. G.O. Bond Election Transportation/Drainage Projects
2. Capital Projects>$250,000 Expected to be Completed within Six (6) Months

DISCUSSION REGARDING PARKS MAINTENANCE AND PROJECTS IDENTIFIED IN THE PARKS MASTER PLAN

Jud Foster made presentation

- Council adopted Plan in November 2009
- Plan was driven by community input/surveys
- Renovate existing facilities first – highest ranked priority – includes community and neighborhood parks (8 parks)
- Update signage and parking throughout system not just at the 8 parks
- Reaves Park – Master Plan calls for signage and parking, sports fields improvement/ upgrades, shelters/pavilions upgrade, address Health Department and ADA issues for parks restrooms
- Drip irrigation on trees only – Parks Department does not plant trees now without drip irrigation
- Field irrigation – water and mowing costs
- Lockett – wants native plantings considered – zeroscape for park entryways
- Parkland Fund – Charter change – made approximately $600,000 available – approximately $300,000 spent on Monroe Park
- Mayor – wants list of what is ongoing with Charter change funds
- Castleberry – Is the City working with Home Owner Associations to help maintain parks?
- Foster – yes, - Royal Oaks, Brookhaven, Rotary – there has been cooperation, but have not contracted with HOA's for maintenance. We have adopted areas of parks that groups maintain
- Mayor – wants balanced program that includes parks as well as transportation – very good that we are fixing up the parks we have
- Castleberry – look at critical projects regardless of area
- Lockett - $20,000 dollars just for parks
- Mayor – would we use staff or contract for projects?
- Foster – staff can do smaller scale projects in-house. Larger parks would probably need contractors' work – will refine list of high priority projects.
- Castleberry – we need long-term financing solution for park improvements – bonds, sales tax, etc.
- Gallagher – concentrate on basics and essentials – public art not a priority unless through donations
- Foster – Bids for Legacy Park – need to file final plat after City takes ownership – approximately 14 months to construct
- Gallagher – 3% room tax increase just for parks
- Castleberry – Council can designate a Tourist District – TID in addition to tourism/room tax. Earmark strictly for tourism long-term planning or Business Improvement District – BID – for sources of revenue

- Bryant – will research and follow-up with committee
- Mayor – asked Jud to come back next month with information

Items submitted for the record

1. A Legacy for the Next Generation – The Norman Parks and Recreation Master Plan prepared by Halff & Associates

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

We will be working on a quarterly financial report. Many revenues/expenditures are seasonal.

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 August 31, 2012.

SUBMISSION OF THE REPORT ON OPEN POSITIONS

Gala Hicks discussed categories on the report – no public safety positions are frozen.

Items submitted for the record

1. City of Norman/Human Resources Department Recruitment and Selection Report dated September 12, 2012.

MISCELLANEOUS DISCUSSION

No discussion.

The meeting adjourned at 6:47 p.m.

ATTEST:

_____ _____

City Clerk Mayor

CITY COUNCIL STUDY SESSION MINUTES

October 2, 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 2nd day of October, 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 24 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Lockett, Williams, Mayor Rosenthal
ABSENT:	Councilmembers Kovach and Spaulding

Item 1, being:

DISCUSSION REGARDING THE DRAFT ORDINANCE AND RESOLUTION OUTLINING COUNCIL MEETING PROCEDURES.

Mayor Rosenthal said Council will be reviewing the draft ordinance and resolution outlining City Council meeting procedures. She said the meeting is a work session and the public will be allowed to ask questions at the end of the meeting; however, this is not a public meeting so statements or comments will not be taken. She said discussion will begin with the draft ordinance, which is fairly straightforward and Ms. Brenda Hall, City Clerk, will highlight changes or additions to each section of the resolution.

Section 2-104. Council Meetings: Classification, place, time, continuances

Ms. Brenda Hall, City Clerk, said the meeting time for regular City Council meetings is the only item that is codified relative to meeting procedures. She said the meeting time for regular Council meetings is proposed to change from 6:30 p.m. to 6:00 p.m. and if the ordinance is adopted, it will go into effect in thirty days. Councilmember Castleberry asked if there is a way the ordinance could become effective immediately and Ms. Hall said Council can adopt an ordinance with an emergency clause; however, the emergency clause is typically used if it affects the public safety and the welfare of the citizenry. Mayor Rosenthal said with Council's concurrence, the ordinance will go to First Reading on October 9, 2012. The consensus of Council was to move forward with the ordinance.

Sections 6 and 7

Ms. Hall highlighted the draft resolution and said Section 2 reinforces the current House Rules-Code of Conduct. Section 6 will require all citizens wishing to address City Council to sign in prior to the beginning of the meeting including their name, home address, and the agenda item number in which they wish to speak on. She said the sign up sheet would be available at the back of the room and given to the Mayor at the beginning of the meeting. The Mayor will then call upon each person respectively when the item is being discussed. Councilmember Gallagher said he did not see how Council could stop a citizen from speaking if they came to a meeting and wanted to speak, but had not signed up or was late to the meeting and the sign up sheet was no longer available. He felt this would be a major problem and the City should have a way to accommodate those citizens or not have the sign up sheet. Ms. Hall said, in previous discussions, Council had expressed a desire for flexibility to allow those who did not pre-register to speak. She said language could be added to Section 6 to indicate the flexibility, but Section 13 has a provision for Council to temporarily suspend any of the rules outlined in the resolution. Councilmember Gallagher suggested deleting Section 13 and adding that language to Section 6. He suggested that if someone comes in late and did not sign in they could raise their hand to speak on an item or write the question down to give to a staff person. He said Council meetings function to hear the public speak. Mayor Rosenthal suggested adding the language to Section 7, which would allow the Mayor to call upon speakers who have not signed in, but wish to speak to an item.

Ms. Hall said most cities have a provision to allow citizens to address Council whether or not they sign up. She said the sign up sheet will assist Staff in getting the correct spelling of names and addresses of those speaking, which is sometimes difficult. She said it would also allow the Mayor to determine if an item is going to generate a lot of discussion. Mayor Rosenthal said the Planning Commission has a sign up sheet and asked what happens when someone has not signed up and wishes to speak and Ms. Hall said the Planning Commission has a Staff person sitting in the back of the room who takes names of persons wanting to speak during the meting and submits them to the Chair of the Commission prior to the item they wish to speak on. Councilmember Jungman said he did not know what the resolution is trying to accomplish. He said it has been suggested to Council that meetings be more efficient, but felt the resolution was silly and unnecessary. He supported using time more wisely, but felt that not listening to people speak when it is their First Amendment right is unwise and he is not going to step on the people's right to address their government. He asked who would enforce the ordinance as he did not want to and did not think the Mayor wanted to either so if no one is going to enforce it then why have the rule.

Councilmember Castleberry said if exception language is in Section 13 only, would that apply to all sections of the resolutions. Mr. Jeff Bryant, City Attorney, said yes, Section 13 language is broader to apply to all sections so if an exception needs to be made Council has authority to do that. Councilmember Castleberry suggested language in Section 13 be changed to allow the Mayor or three votes of City Council, to allow an exception opposed to current language requiring a majority of Council to temporarily suspend the rules. He said he would like applicants as well as the public to be able to say what they want to say. He said he wants to make sure everyone has an opportunity to address Council, but he can see the standpoint of trying to eliminate multiple people repeating things. Ms. Hall said, by Charter, any action taken requires an affirmative vote of five Councilmembers. She said the Mayor could ask for Council concurrence with the agreement of three Councilmembers and majority vote of the Council. She said language was placed in the resolution to mirror Charter language. She said the Mayor could always make a statement with Council's concurrence she would allow additional speakers and unless there was an objection, the speakers would be allowed to speak. Mayor Rosenthal said it would be similar to changing the order of the agenda where she announces the change and asks if Council has any objections. Councilmember Castleberry said he would be fine with that as long as it is written because the next Mayor may not so courteous.

Councilmember Williams said he would rather limit people to a timeframe than not allow them to speak. He said the only reason he would agree to a sign up sheet is to call people forward in the order they signed up to be more organized. He said he does not know anyone that can have all their questions or comments predetermined. He said if there were a way to have a sign up sheet and allow people to speak if they did not sign up, he would be supportive of that. He said he agrees with limiting speakers to an allotted amount of time as he felt they would be better prepared with questions or comments knowing they had a limited amount of time to speak. Councilmember Gallagher said instead of the putting the decision solely on the Mayor's shoulders, the Council should be involved in some way.

Councilmember Griffith said some presentations made to Council are for the public's benefit as well as Council's and while Council has seen the information before, the public has not. He said he likes the idea of a sign up sheet as he feels it will improve order and efficiency. He suggested adding language in Section 7 giving the Mayor the authority to recognize citizens that have not signed up.

Section 8

Ms. Hall said Section 8 sets time limits of three minutes for any item on the consent docket and five minutes for non-consent items. She said applicants and City Staff would be limited to fifteen minutes and individuals would be able to speak only one time per Council action. She said there is language in the resolution to prevent individuals from repeating comments of previous speakers and would not be allowed to transfer unused time to other speakers. She said time used to respond to questions would not be part of their allotted time. She said there is a provision allowing time limits to be increased by a majority vote of the Council, which would help address more controversial or complex items where applicants may need more time for their presentation. Councilmember Jungman said giving applicants

Section 8, continued

fifteen minutes to speak and members of the public five minutes, seems unfair since Council is not affording the public the same opportunity to address issues. He feels that, currently, everyone gets a reasonable amount of time to say what they want to say without time limits and on average meetings are three and one-half hours long, which is not that long. He said if time limits are enacted, he would be in favor of everyone getting the same amount of time, whatever that may be.

Councilmember Lockett said each project is different and some projects are very complicated so the applicants need more than fifteen minutes to make their presentation and answer Council's questions. She said applicants should tell Council at the beginning of their presentation that they need more than fifteen minutes and allow Council to vote to extend the time. Councilmember Griffith asked if Councilmembers could request applicants or speakers be given additional time and Ms. Hall said the Councilmember could present that request to the Mayor and she could then ask for Council's concurrence or additional time could be given by a majority vote of Council. Councilmember Griffith felt that would solve the problems regarding applicants needing more time.

Councilmember Castleberry said his main concern is addressed in the resolution and that is everyone has equal time. He wanted Council to keep in mind the applicant has a right to due process more than the person opposing it. He said anyone opposing the project will have the opportunity to speak so there is balance. Councilmember Jungman said if the resolution is saying applicants have more rights than those that oppose them, that is insanity. He said opponents have different, but equal rights. Councilmember Castleberry clarified his previous comment to say the applicant has different rights, being the right to due process, not more rights. Ms. Hall said that is certainly not the intent of the language She said several years ago, Staff presented projects for applicants, but Council changed that to require applicants to present their own projects, but that does not mean they have more rights. Mayor Rosenthal said part of the desire to have Staff not make presentations was to get Staff out of the middle of seeming to be advocates for a project. Council felt advocacy should come from the applicant.

Section 9

Mayor Rosenthal said Section 9 is amended to address matters presented to Council during miscellaneous discussion that may require information or further investigation. She said questions will be referred to Staff for follow-up with the individual outside of the formal meeting or after the meeting has adjourned. Ms. Hall said this section will allow follow up without Council having to debate an issue without proper notice on the agenda.

Section 10

Ms. Hall said Section 10 will require individuals wanting to share audio or video materials to submit those items 24 hours in advance. She said all presentations are entered into the computer and merged into one PowerPoint so material will flow from one item to the next without disruption. She said having material in advance helps Staff prepare the presentation.

Section 11

Ms. Hall said Section 11 sets aside a portion of the pre-meeting Conference to allow Staff to respond to questions and/or provide supplemental information on items on the Consent Docket. She said this will help address questions and routine items in a more efficient manner, but would not apply to non-consent items. Councilmember Gallagher said a lot of consent items deal with projects that are expensive and the public benefits from hearing about the projects and how the City spends taxpayers' money. Ms. Hall said this rule would not preclude Council or the public from asking questions on consent items during the Council meeting, it is simply to answer technical questions from Staff prior to the meeting. Mayor Rosenthal felt Section 11 would take care of routine matters in pre-conference that would otherwise lengthen the main meeting.

Wrap Up

Councilmember Jungman said it is not reasonable to do the people's business in the middle of the night and it may violate the Open Meetings Act because it makes the meeting inaccessible. He said Council could declare a four hour maximum meeting time where after four hours nothing new is discussed and the meeting continues with miscellaneous discussion. He said another problem he sees is that the Mayor is basically on an island by herself when it comes to running the meetings and that is not fair. He said Councilmembers can solve that by simply paying attention and raising a Point of Order if someone is repetitive, off topic, or violates the House Rules. He said time limits are silly and he cannot support the resolution as written.

Councilmember Williams said an overall meeting time limit puts some applicants at a disadvantage because they may not get to present their project further delaying the project and many times applicants have deadlines to meet. He said the resolution is good even though he does not like limiting people to speak, but felt that can be solved by the exception provision. Councilmember Lockett said delays are an added expense to the applicant and it is not fair to them that the Council meeting has a time limit and time ran out before they could make their presentation. She suggested having a once a month Town Hall meeting where people could ask questions and express concerns.

Councilmember Gallagher said to shorten meetings, Council should consider weekly Council meetings. He said he did like the concept of making rules mandatory. He said he liked the meeting time change to 6:00 p.m., but felt Council needed to take a more analytical look at the resolution and have further discussions. He suggested reminding applicants as they come forward to hold their presentation to fifteen minutes as a courtesy and see how that worked for a couple of meetings. He said Council and Staff are just as guilty as anyone of speaking too long on an item. He said he cannot support the resolution at this time.

Mayor Rosenthal said the original House Rules were adopted in 2005 and although there were cell phones and pagers at that time there was no major form of communication like text messaging. She said the members of the public have asked about Councilmembers receiving texts at the dais and asked Mr. Bryant if that is a violation of the Open Meetings Act in terms of communication which is not available to the general public. Mr. Bryant said he has not seen any cases defining that specifically, but it would be guided by the general goal of the Open Meetings Act which is to make sure the public's business is done in the light of day and in the public. He said if Council is text messaging or e-mailing about a particular item on the agenda that would create a problem where the discussion is not being held in public. It would be his advice not to text message or e-mail about any item on the agenda being discussed in a public meeting. Mayor Rosenthal suggested adding language to the resolution to silence cell phones and pagers and refrain from taking messages other than those that might constitute a personal emergency while conducting public business. Councilmember Lockett said many businesses are restricting employees from using cell phones during meetings so it is a growing concern.

Councilmember Gallagher asked Mr. Bryant if he were to text another Councilmember the day before the Council meeting, would that be the same thing as texting during the meeting and Mr. Bryant said texting the day before is different. The idea is not to text or e-mail other Councilmembers during a meeting where the Council is together. Mayor Rosenthal said it would be interesting to know if there were any cases specific to this issue. Councilmember Williams said Councilmembers get e-mails prior to the meeting from the public or Staff and asked how that differs from receiving those e-mails during a meeting. Mr. Bryant said that depends on whether Council is in a meeting conducting City business. He said if Council receives an e-mail from the public before the meeting that would not be considered as an electronic meeting. Councilmember Williams asked if he received an e-mail during the meeting and asked the question posed in that e-mail would that be a violation and Mr. Bryant said probably not, but Staff will do additional research for Council's review. He said it is best for Council not to text each other during meetings with comments about items they are deliberating.

Wrap Up, continued

Ms. Joy Hampton, The Norman Transcript, felt if there is a sign up sheet, the public would be more apt to speak since the Mayor would call upon them. She said if a person is shy or older and not as agile getting to the dais as others, it would seem more likely that they would not speak even if they wanted to.

Ms. Jeannette Coker, 620 East Main Street, asked if Council is trying to intimidate people or encourage participation. She said every hurdle intimidates people not to speak. If they have to sign up that is a decision they have to make and they may decide not to sign up because they do not know if they will want to speak. She said the more formal the procedure, the more intimated the public feels. She asked if there is a long list of people signed up, will Council change the amount of time allotted and what about the order of the meeting as far as having audio or video material? She said she does not understand the repetition issue, because someone may agree with other person's comments so will they be allowed to stand up and say they agree or will Council not be interested to hear that person because they are being repetitious?

Mr. Steve Ellis, 633 Reed Avenue, asked how various Councilmembers see the point of the City Council meetings as the rules seem to be predicated on that. Is the point to dispose of business or the transfer of information and how does that transfer of information flow? Between Staff and Council or Council and public or public and Staff, etc? He asked what role public comments play in the Open Meetings Act, why time limits are different for consent items versus non-consent items, and why the public is limited to five minutes in miscellaneous discussion, but Council has no limit. Ms. Hall said consent items have to be unanimous to remain on consent so they tend to be routine items that do not generate much discussion. She said the additional time on non-consent is because those items may be a public hearing zoning type item or more complex items that may involve more questions from the public and Council. Mayor Rosenthal said a single Councilmember can request an item be removed from the Consent Docket if they feel more discussion is necessary.

Items submitted for the record

1. Memorandum dated September 20, 2012, from Brenda Hall, City Clerk, to Mayor and City Councilmembers
2. Draft Resolution No. R-1213-58
3. Draft Ordinance No. O-1213-16
4. List of Norman City Council Meetings, Duration, and Possible Time Restraints prepared by Councilmember Jungman

Participants in discussion

1. Ms. Brenda Hall, City Clerk
2. Mr. Jeff Bryant, City Attorney
3. Ms. Joy Hampton, The Norman Transcript
4. Ms. Jeannette Coker, 620 East Main Street
5. Mr. Steve Ellis, 633 Reed Avenue

The meeting adjourned at 6:50 p.m.

ATTEST:

City Clerk

Mayor

CITY COUNCIL SPECIAL SESSION MINUTES

October 2, 2012

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Special Session at 6:54 p.m. in the Municipal Building Conference Room on the 2nd day of October, 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 Castleberry, Gallagher, Griffith, Jungman, Lockett, Williams, Mayor Rosenthal
ABSENT:	Councilmembers Kovach and Spaulding

Item 1, being:

CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES TITLE 25 §307(B)(4) TO DISCUSS CONFIDENTIAL COMMUNICATIONS BETWEEN A THE CITY AND ITS CITY ATTORNEY REGARDING PENDING INVESTIGATION OF CAROL A. BUCKMASTER VS. CITY OF NORMAN, OKLAHOMA, CLEVELAND COUNTY COURT CASE NO. CJ-2010-505 BH UPON ADVICE OF THE CITY ATTORNEY THAT THE DISCLOSURE OF SUCH COMMUNICATION WILL SERIOUSLY IMPAIR THE ABILITY OF THE PUBIC BODY TO PROCEED IN THE LITIGATION.

Councilmember Griffith moved that the Special Session be adjourned out of and an Executive Session be convened into in order to discuss confidential communications between the City and its City Attorney regarding pending litigation of Carol A. Buckmaster vs. the City of Norman, Oklahoma, Cleveland County Court Case No. CJ-2010-505 BH, upon advice of the City Attorney that the disclosure of such communication will seriously impair the ability of the public body to proceed in the litigation, which motion was duly seconded by Councilmember Castleberry; and the question being upon adjourning out of the Special Session and the subsequent convening, the vote was taken with the following result:

PRESENT:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Lockett, Williams, Mayor Rosenthal
ABSENT:	None

The Mayor declared the motion carried and the Special Session adjourned out of; and an Executive Session was convened into to discuss confidential communications between the City and its City Attorney regarding pending litigation of Carol A. Buckmaster vs. the City of Norman, Oklahoma, Cleveland County Court Case No. CJ-2010-505 BH, upon advice of the City Attorney that the disclosure of such communication will seriously impair the ability of the public body to proceed in the litigation.

The City Council adjourned into Executive Session at 6:55 p.m. Mr. Steve Lewis, City Manager, and Mr. Jeff Bryant, City Attorney, were in attendance at the Executive Session.

Mayor Rosenthal acknowledged return to Open Session.

Thereupon, Councilmember Griffith moved that Executive Session be adjourned out of and the Special Session be reconvened, which motion was duly seconded by Councilmember Lockett; and the question being upon adjourning out of Executive Session and upon the subsequent reconvening, a vote was taken with the following result:

PRESENT:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Lockett, Williams, Mayor Rosenthal
ABSENT:	None

The Mayor declared the motion carried and Executive Session adjourned out of; and the Special Session was reconvened at 7:17 p.m.

Item 1, continued:

The Mayor said confidential communications between the City and its City Attorney regarding pending litigation of Carol A. Buckmaster vs. the City of Norman, Oklahoma, Cleveland County Court Case No. CJ-2010-505 BH, upon advice of the City Attorney that the disclosure of such communication will seriously impair the ability of the public body to proceed in the litigation was discussed in Executive Session. No action was taken and no votes were cast.

Item 2, being:

ADJOURNMENT

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

PRESENT:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Lockett, Williams, Mayor Rosenthal
ABSENT:	None

The Mayor declared the motion carried and the meeting was adjourned at 7:18 p.m.

ATTEST:

City Clerk

Mayor

CITY COUNCIL
BUSINESS AND COMMUNITY AFFAIRS COMMITTEE MINUTES

October 4, 2012

The City Council Business and Community Affairs Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 9:00 a.m. in the Conference Room on the 4th day of October, 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 Jungman, Kovach, Williams, and Chairman Lockett
ABSENT:	Councilmember Spaulding
OTHERS PRESENT:	Councilmember Robert Castleberry, Ward Three Councilmember Roger Gallagher, Ward One Mayor Cindy Rosenthal Mr. Greg Heiple, 1021 Lairds Woods Circle Mr. Don Wood, Norman Economic Development Coalition Executive Director Mr. John Woods, Executive Director of Chamber of Commerce Ms. Joy Hampton, The Norman Transcript
STAFF PRESENT:	Mr. Jeff Bryant, City Attorney Mr. Terry Floyd, Development Coordinator Mr. Anthony Francisco, Director of Finance Mr. Steve Lewis, City Manager Ms. Kathryn Walker, Assistant City Attorney Ms. Syndi Runyon, Administrative Technician IV

Item 1, being:

CONTINUED DISCUSSION REGARDING THE CREATION OF THE NORMAN ECONOMIC DEVELOPMENT ADVISORY BOARD AND THE CREATION OF ECONOMIC DEVELOPMENT POLICIES.

Chairman Lockett said she did not know what definition the City is using for economic development and felt it was essential the City have a working agreement before goals and objectives are set. She distributed an e-mail regarding the Norman Economic Development Coalition's (NEDC) mission statement and asked Councilmembers to review the statement and contact Ms. Kathryn Walker, Assistant City Attorney, if they had suggestions or ideas for a definition.

Chairman Lockett also distributed a letter from Norman Convention and Visitors Bureau (NCVB) Board of Directors asking the Business and Community Affairs Committee (BACA) to consider appointing a representative from the travel and tourism industry to the Norman Economic Development Advisory Board (EDAB).

Ms. Walker highlighted the timeline of meetings regarding the Norman Economic Development Authority (NEDA) and EDAB. She said the Business and Community Affairs Committee (BACA) requested information on Economic Development (ED) Policies from cities similar in population to Norman with a university. Ms. Walker highlighted policies from Denton, Texas; Columbia, Missouri; and Lawrence, Kansas.

Item 1, continued:

Ms. Walker said the primary ED tool for Denton, Texas, is tax abatement based on an increase in the value of the property and is similar to a Tax Increment Finance (TIF) District where revenues are garnered through growth. She said ED incentives are available to new or existing facilities or structures and for businesses wanting to locate, expand, or modernize basic industries, corporation office headquarters, or distribution centers. The base level of abatement is 15% to 25% and terms of abatement are based on the value of the structure and personal property for a period up to ten years depending on the amount of the capital investment. She said the abatement can increase depending on criteria of jobs filled by residents; high skilled jobs; partnership with university resources; knowledge based jobs requiring college degrees; donation of public art; donation to public schools; etc. An abatement agreement is required in the event of default and the agreement is reviewed annually.

Ms. Walker said in Columbia, Missouri, the ED tool is revenue bonds for the purchase, construction, extension and improvement of warehouses, distribution facilities, research and development facilities, and office industries. She said assets are owned by the City or County and leased back to the employer with lease payments paying the revenue bonds. She said because the property is owned by the City or County there would be no property tax so the business must pay a fee in lieu of property tax equal to at least 50% of the property value. To be eligible for incentives, the business must be a targeted industry or new investment with an incentive period up to ten years. After ten years, the business owns the property and must pay 100% property tax. A cost benefit analysis is required as well as a Community Impact Statement that includes infrastructure information and positive impacts to the community. She said although there is no minimum wage requirement, that is something the City or Council reviews. Columbia targets life science and high tech related industries that can employ graduates of the university and this is something the City of Norman could consider.

Ms. Walker said Lawrence, Kansas, has several ED tools consisting of loans, grants, infrastructure improvements, property tax abatement, TIF, and Industrial Revenue Bonds. She said they use different standards for each component, but generally require a cost benefit analysis. She said they review increases in property values; anticipated sales and income tax; number of jobs; wages; benefits; ability and expense to the City to expand public services; expense to the school district to educate students of new residents; how the business diversifies their economy; how may jobs can be filled by local residents; and compatibility with their Land Use Plan and infrastructure. She said if the business uses tax abatement incentives, the minimum wage must meet at least 130% of the federal poverty threshold, which is $24,800. A performance agreement is required and the amount of the incentive is based on the percentage of compliance with their target.

Councilmember Kovach asked if Staff had information on any success these cities have had with their programs and Ms. Walker said she spoke with someone in Denton, Texas, who said they have had great success. Councilmember Williams asked how long Denton has had their program and Ms. Walker said since July 2003. Councilmember Castleberry asked if applicants approach the City or if the City seeks applicants and Ms. Walker said it happens both ways, but the City probably gets approached more often than not. Councilmember Castleberry asked how Denton's program is structured and Ms. Walker said they use a separate organization that works closely with the City and the County similar to NEDC.

Ms. Walker discussed the City of Norman's proposed policy framework that includes goals and objectives; financial incentive tools; eligibility criteria; evaluation process; performance standards; and monitoring and evaluating ongoing compliance.

Item 1, continued:

Ms. Walker highlighted proposed goals and objectives as follows:

- Enhance/diversify private sector
  - Business Attraction
  - Business Retention
- Foster community level community development
  - Business Incubators
  - Microenterprise (less than five employees)
- Create "Good" Jobs
  - Level of Education – Bachelor's degree or higher
  - Targeted industry – use targets from Association of Central Oklahoma Governments (ACOG) study
  - Pay level more than $33,885 (average County wage)
  - Benefit level – health care (at least 50% paid by employer) and retirement benefits provided to all full-time employees

Mayor Rosenthal suggested goals and objectives include employers that complement university initiatives and felt Moore-Norman Technology Center strengths should be reflected in the goals, which gives Norman a competitive advantage for college educated employees as well as employees with technical training. Councilmember Kovach said he would like to include community impact to the list.

Councilmember Jungman asked if a family of three with an average County wage would be eligible for free and reduced school lunches and Ms. Walker said yes. Councilmember Jungman felt it sad to say a minimum of $33,000 annually constitutes a good job because he hopes his children will graduate from college making more than that. Ms. Walker said Oklahoma City (OKC) set their minimum criteria at that level and are considering changing it because incentives are geared toward professional type jobs and OKC cannot recruit manufacturing type jobs because the average County wage is too high. She said if Norman wants more diverse jobs, that is something to consider. Councilmember Kovach said not everyone is college educated and there are young people that would like to stay in Norman who are working for minimum wage so $33,000 a year with benefits is a good job for them. Chairman Lockett said a lot of people who will apply for these jobs may not be married or have children so if you eliminate well paying entry level jobs, people do not prepare themselves to move up to higher paying jobs. Councilmember Jungman said he is not against jobs that pay that amount of money; he is against bribing people to come to the community. He said the City should have jobs for all income groups and education levels, but he does not understand why the City is giving them a handout to bring them to Norman. He said every household in Norman that makes less than $45,000 per year which is the median household income, makes Norman a poorer community. Councilmember Castleberry said if a current household with $0 income gets one of those jobs then that raises the average. Mayor Rosenthal said a full cost benefit analysis would need to be done and the pay level could be considered as a threshold for application of incentives. Mr. Jeff Bryant, City Attorney, said the goals and objectives are simply suggestions for Council's consideration.

Councilmember Kovach asked if there was a way to avoid a situation where a business received incentives, stays the ten years then closes because they no longer receive incentives and locates to another city. Mr. Bryant said that will be addressed in the clawback features built into the development agreement. Mr. Don Wood, Executive Director of NEDC, said the City would not be able to build clawbacks in an agreement for 30 or 40 years. He said once a company moves into Norman they will build and train a workforce and become embedded in the community so leaving a community is an exception to the rule. He said NEDC searches for companies that embrace the community. Chairman Lockett said companies that leave a community usually offer minimum wage with minimum benefits looking for a quick buck and are not interested in the community.

Item 1, continued:

Ms. Walker highlighted proposed financial incentive tools which include tax abatement; streamlined permitting process; revolving loan funds; infrastructure investment; partnership for training and employment; technical innovation support; additional business incubators; and support services for start-ups. Councilmember Jungman asked what taxes are being considered for tax abatement and Ms. Walker said a TIF could be used to abate property taxes. Councilmember Jungman asked how much property tax comes to the City and Ms. Walker said not much. Councilmember Jungman said that means the City would be abating another entity's taxes. Councilmember Castleberry said using TIF would require other entities to agree to the proposal such as the County, school system, etc. Ms. Walker said if the City had a funding source the EDAB could offer to pay the business' property tax for ten years. Councilmember Jungman asked if EDAB would have the legal authority to abate property tax and Mr. Bryant said it would be an abatement for the business, but the City would pay the property tax that the business would normally pay to those taxing entities. Councilmember Jungman asked what monies the City would use to pay the property tax and Mr. Bryant said the City does not currently have a funding source to do that. He said if there were a funding source such as a dedicated sales tax that generated revenue the City would be able to negotiate tax abatement incentives with a business. Councilmember Castleberry said another funding source would be the General Fund and Mr. Bryant said yes, that and the Capital Fund. Councilmember Castleberry said part of the cost analysis should include some type of return on the City's money.

Councilmember Kovach asked if an example of a Revolving Loan Fund would be the City building a structure and leasing it to the business and Ms. Walker said yes. She said Enid and Miami, Oklahoma, have a pooled loan structure with local banks where an employer can get additional financing they could not obtain otherwise.

Mr. Wood said when a City considers incentives offered in other States, they really have to understand the tax structure in those States because the tax structure in Texas and Kansas is very different. He said their taxes are higher so a tax abatement would be more significant there than in Oklahoma. He said tax abatement in Oklahoma would hurt the school systems because approximately 85% of property taxes go to the school system. He said NEDC is looking for a Revolving Loan Fund source for Norman. He said there is a grant program where money can be re-loaned within the community, but those grant programs are targeted for cities with a population of 50,000 or under. Councilmember Williams said the tax abatement discussed would be paid out of a funding source and would not affect the school system and asked if the tax abatement offered in Texas is actually abated and Mr. Wood said Texas has a dedicated one-half sales tax for economic purposes. Ms. Walker said tax abatement in Norman would have to be structured differently. She said Denton banks on getting money returned through sales tax growth so it is a no loss scenario for the City. Mr. Bryant said the proposed finance tools are just ideas for Council to explore and they are not locked in.

Councilmember Gallagher asked if any of these other cities have influential technical schools similar to Moore-Norman Technology Center and Ms. Walker said some cities have partnered with university resources, but Ada has a strong connection with the Pontotoc County Technical Center. She said the technical center provides free training for new employers to help incentivize technical jobs. Councilmember Lockett said the Oklahoma Vo-Tech System is nationally recognized and is the way to go as far as job education. Mr. Wood said that is known as a Partnership Program and when a new business or existing company relocates in Oklahoma, training money is available through the State to pay for training at local career tech centers. He said Moore-Norman Technology Center is in partnership with NEDC and is critical for the training area of the incentive process.

Councilmember Castleberry said the State of Oklahoma has a program in place to abate ad valorem taxes for five years for manufacturers. He would like the City to have as many tools in the tool box as possible even if many of them may not be used. He said the City will have the flexibility to use any of them on a case by case basis.

Item 1, continued:

Mayor Rosenthal said the City already has the Norman Tax Increment Finance Authority (NTIFA) established specifically for tax increment finance and her concern is NEDA and NTIFA will be competing or overlapping on a project. Mr. Anthony Francisco, Director of Finance, said they would not necessarily interfere with each other. Councilmember Jungman said the more tools offered, the more businesses will want, so the toolbox needs to be narrower. Councilmember Lockett said there will be limitation guidelines so not every tool can be used, but the City needs to have as many tools available as possible. Mr. Bryant said the heart of the process will be the cost benefit analysis, which will be fact intensive and the type of funding source will depend on the type of jobs the business offered, benefits offered, how long they plan to stay in the City, how they mesh with the community, etc.

Ms. Walker discussed proposed eligibility criteria and said the City will need to look at a number of factors appropriate to a project. She said criteria could be targeted industries named in the ACOG Study such as advanced manufacturing, aerospace, life sciences, logistics, distribution, healthcare, and data services. She said employment impact to the community should be considered, which would include number of employees, likelihood of hiring from local population, skill and educations levels, range of salary, etc. She said the City may want to set a threshold for real property investments and the common threshold is $10 million for new businesses and $5 million for existing businesses. Councilmember Kovach said a $5 million threshold would keep smaller businesses from establishing in Norman. Ms. Walker said the City could look at the amount of investment made instead of a minimum threshold. Other criteria could include how the business would increase Norman's tax base, how the business would enhance the City's image, and compatibility with adopted plans and the availability of infrastructure and essential public services. Councilmember Kovach said an environmental impact statement should be required. Mayor Rosenthal said the university, weather, and energy should be added in the targeted industries. Chairman Lockett said most of the ED material she has read has dealt with the medical field and she has not seen weather mentioned and that is the basis for tremendous benefit to Norman. She said Norman's ED policy needs to be diverse and flexible not just copying other communities. Councilmember Kovach said non-profit foundations search for new places to locate headquarters and Norman would be perfectly suited for that so the City should add corporate headquarters to the list. Councilmember Jungman said that is a great ideas as he felt the Norman community would love to partner with a non-profit organization.

Ms. Walker said in the proposed evaluation process, the applicant would submit a proposal that outlined how all eligibility criteria will be met, submit an economic impact analysis and the financial capacity of the applicant. Councilmember Jungman said if businesses bring in more people, then tax roles have to increase and the City should not use all tax growth as incentive. Ms. Walker said the possibility of expanding the business could be added to the criteria to see if the business has the potential to keep growing. Mayor Rosenthal asked who would do the economic impact analysis and Councilmember Kovach said the EDAB. Mayor Rosenthal said she did not think the City was setting up EDAB to run the numbers. She felt an independent analysis beyond the applicant's needed to be done and reviewed by EDAB. Ms. Walker said NEDC has software that can do that type of modeling. Mayor Rosenthal said the City needs to triangulate that data with different perspectives and independence and she would like to see more than one analysis. Councilmember Castleberry asked who would pay for the independent analysis and Mayor Rosenthal said the applicant. Councilmember Castleberry suggested the applicant submit an independent analysis instead of their own. Councilmember Kovach said the purpose of EDAB is to consist of independent individuals from the community with the professional credentials to review a project and advise Council if that is a good project for the City. Councilmember Gallagher said if EDAB is comprised of people who have the talent to do an analysis, then an independent analysis would not be necessary. Councilmember Kovach said the only reason he is supporting

Item 1, continued:

EDAB is to have someone other than the applicant looking at what is in the best interest of the community otherwise why support an advisory board. Mayor Rosenthal asked Staff's opinion and Ms. Walker said most policies state the City will do the analysis, but it is not clear whether that is done by City Staff or a separate body. Mr. Steve Lewis, City Manager, said he has seen it done by the City and by outside firms depending on the size of the project and it would also depend on whether a City has a local board as well. Councilmember Williams said he did not like asking a business the City is looking to incentivize to do things such as paying for two analyses. He said if Norman is one of five cities being considered and keep asking the business to pay for things it will run businesses off. He said if the City is seeking to locate a business in Norman, the City should do their own study. Mr. Bryant said Staff was envisioning a process of placing the burden on the applicant first, to state their case, then during the evaluation process, it would be reviewed by professional Staff such as the Finance Director and City Manager. The application would then be reviewed by EDAB and if EDAB felt an in depth analysis was needed, they would have the ability to contract with an outside firm for that analysis, but it would not be mandated for every project.

Councilmember Gallagher said no one is busting down doors to locate in Norman and layers of requirements will give them pause to locate elsewhere. He said NEDA members need to be knowledgeable enough to tell Council if a project is viable for Norman and should not have to go to an outside firm for information.

Mr. Greg Heiple, 1021 Lairds Woods Circle, said nothing has been said about equilibrium or punishment. He said the policy can get bogged down in details, but if the City is going to offer incentives they need to have oversight and balance. Ms. Walker said the City does not want to give incentives and have no remedy if the business does not follow through so any incentive would require a performance agreement setting specific goals. She said, in the agreement, the City could identify what would happen if goals are not met and will be specific to each project. Mr. Heiple said the Oklahoma State Teacher's Retirement Fund used the same type of trust authority which is underfunded due to really bad investments made by trust authorities the Teacher's Retirement Union utilized and there were no clawbacks. He said NEDA is an exceptionally powerful tool that needs to be understood in its entirety. Mayor Rosenthal asked Staff for a laundry list of performance standards using policies that Staff has reviewed. Councilmember Kovach said clawbacks need to be explicit and clearly stated.

Ms. Walker said the last piece of the policy is monitoring and evaluation of ongoing compliance. She said the business would have to submit quarterly reports to designated City Staff. EDAB would review compliance on an annual basis and adjust or end incentives if goals are not being met depending on the terms of the performance agreement. Councilmember Kovach said he would like quarterly reports be submitted to NEDA as well as Staff. Mr. Wood said many of these companies are privately held and will not give out financial statements. He said the application is public information and Council needs to understand the level of items they can ask for and set performance evaluations based on that. He said asking a privately held company for financial statements is a tough deal.

Item 1, continued:

Items submitted for the record

1. Memorandum dated September 27, 2012, from Kathryn L. Walker, Assistant City Attorney, through Jeff H. Bryant, City Attorney, to Members of the Business and Community Affairs Committee
2. Denton Policy for Tax Abatement with Exhibit A, Abatement Application
3. Business Incentives, Columbia, Missouri
4. Chapter 100 Police, Boone County, Missouri
5. City of Lawrence Economic Development Goals, Process and Procedures dated March 24, 2009 and updated May 18, 2010
6. PowerPoint presentation entitled, "Economic Development Policies," Business and Community Affairs Committee, dated October 4, 2012

Item 2, being:

MISCELLANEOUS DISCUSSION.

None

The meeting adjourned at 10:06 a.m.

ATTEST:

City Clerk

Mayor

CITY COUNCIL CONFERENCE MINUTES

October 9, 2012

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a study session at 5:00 p.m. in the Municipal Building Conference Room on the 9th day of October, 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 24 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
ABSENT:	None

Item 1, being:

DISCUSSION REGARDING THE UNIVERSITY NORTH PARK TAX INCREMENT FINANCE DISTRICT PROJECT PLAN.

Mr. Jeff Bryant, City Attorney, said the University North Park Tax Increment Finance (UNPTIF) Project Plan was approved by Council in May 2006 and consisted of five (5) components: traffic and roadway improvements; Conference Center; Legacy Park; Lifestyle Center; and Economic Development (ED). He highlighted the history stating the funding for the UNPTIF are both sales tax revenues and ad valorem revenues. Mr. Bryant said some TIFs across the state allocate 100% sales tax revenues, as well as 100% of the ad valorem revenues to the TIF districts but the City negotiated that 60% of the sales tax within the TIF District would go to the UNPTIF and 40% to the General Fund. He said 50% of the ad valorem revenues for properties in the TIF district be directed to taxing entities and 50% to the TIF District.

Mr. Bryant said from October 2006 to July 2012, over $25.5 million in sales tax has been generated in the UNPTIF. He said a transfer adjustment component of the Project Plan captures sales tax revenues on businesses that were already established in Norman, but relocated to the UNPTIF District. Mr. Bryant said $6,243,044 in transfer adjustments have been made to date, thus making the total UNPTIF generated sales tax to be $19,321,236, stating $11,213,756 (60%) has gone to the Project Plan and $8,107,480 (40%) to the General Fund. He said the total ad valorem collected in the UNPTIF (cumulative through 2011 assessment year) is $5,229,389, and said $2,614,696 (50%) was the UNPTIF portion.

Mr. Bryant highlighted the UNPTIF timeline as follows:

- Spring 2006 – Robinson Street and 24th Avenue intersection improvements made
- May 2006 – University North Park TIF Project Plan adopted
- October 2006 – Super Target is the first "power center" store to open
- Summer/Fall 2008 – Rock Creek Overpass added to Project Plan component reallocating $16.5 million of TIF funding originally designated for a Conference Center
- June 2009 – Norman Tax Increment Finance Authority (NTIFA) issues $14.56 million Tax Increment Revenue Note for road improvements including Intersection construction, Rock Creek Overpass, and Legacy Park Design and Construction
- September 2009 – Legacy Park Design completed
- October 2010 – Norman Economic Development Coalition (NEDC) acquired the first 30 acres of the ED tract
- August 2011 – Rock Creek Overpass opened
- September 2011 – NTIFA pledged $8.5 million in TIF ED revenues to NEDC Note
- May 2012 – Development Agreement No. 5 – UNPTIF note restructured recognizing roadway savings and enhancing Legacy Park funding, extending Lifestyle Center target date to 2018, and setting aside land for Cultural Facility use
- August 2012 – I-35 and Robinson Street N.E. Interchange opened
- September 2012 – Deed and Final Plat received for Legacy Park, construction should begin January 2013, projected to take approximately 12 – 14 months

Item 1, continued:

Mr. Bryant said future items of the UNPTIF Development include ongoing construction of remaining road projects, Legacy Park construction, Lifestyle Center (developer obligation of 250,000 square feet by 2018), and continued ED efforts. The ED component of the UNPTIF Project Plan includes:

- ED Funds ($8.25 million) are intended to foster special employment opportunities in Norman,
- Funding for the cost of planning, financing, assistance in development financing, acquiring, constructing, and developing facilities to foster such opportunities, and
- Current Implementing Entities: NEDC (City of Norman, Chamber of Commerce, University of Oklahoma, and the Moore/Norman Technology Center).

The ED revenue stream consists of up to $8.25 million from apportioned revenues as follows: 50% of ad valorem taxes from ED tract (NEDC Land); 10% UNPTIF sales tax apportioned for ED; and ED sales tax increment – sales taxed generated by new Quality Jobs Payrolls). Mr. Bryant said the ED agreement structure for use of UNPTIF ED revenues include:

- UNP, UTC, and OU Foundation – sell land per Project Plan and Master Operating Agreement;
- NEDC – develop quality employment opportunities
    - Purchase ED tracts
    - See out qualifying prospective employers for ED projects
    - Enter into development agreements outlining obligations
    - Obtain approval from NTIFA
    - Authorize to pledge UNPTIF ED revenue stream to finance projects
- City & NTIFA – make available TIF funds
    - Consider future ED agreements between NEDC and prospective employers

Mr. Bryant said initial steps have already been taken for ED including a preliminary plat for UNP Corporate Centre approved by Council in 2007; architectural design was completed in 2008 for the UNP Corporate Centre –six (6) office buildings of 60,000 square feet each for the first 30 acres; a purchase agreement was executed in August 2008 between NEDC and UTC for 60 acres; NEDC purchases first 30 acres of ED property in October 2010; NTIFA issued notes to NEDC in June 2011; and NEDC received a $2.5 million Federal grant from Economic Development Administration in September 2012, which is partial funding for Project infrastructure.

Mr. Bryant said future ED steps include NEDC purchasing the second 30 acres of ED land; continuing to seek qualified employers; negotiating development agreements including appropriate obligations and commitments to protect public investment; and implementing financing plan using the authorized revenue stream after NTIFA approval of each development agreement. He said NTIFA will continue to consider negotiated development agreements between NEDC and recruited employers including appropriate obligations and commitments to protect public investment.

Mr. Bryant said NEDC will purchase the second 30 acres in the UNPTIF project area for $1,633,500, which is $1.25 per square foot compared to the market rate of $14.00 to $20.00 per square foot. He said the financing structure will be the same as that included in the first 30-acre purchase. UPP, LLC seller / NEDC purchaser; private bank lender / NEDC borrower; and NTIFA to pledge a portion of ED accumulated UNPTIF revenues to provide interim interest payments for NEDC during the time period that NEDC develops the property.

Mr. Bryant said Mr. Don Wood, NEDC, informed him that the structure for the second 30 acres may be better than the first 30 acre purchase. He said Staff will be bringing information for Council consideration on October 23, 2012, that will include the NEDC second 30 acre purchase authorization, pledging accumulated revenues to provide assistance to NEDC to cover interest payments on the second 30 acres. This will allow NEDC to move forward with Advanced Manufacturing Centre.

Item 1, continued:

Mr. Bryant said the final plats for Section 1 (UNP Corporate Centre) and Section 2 (UNP Advanced Manufacturing Centre) of the UNPTIF ED land will also be on the October 23, 2012, agenda for Council consideration. He said later on Council, acting as NTIFA, will consider negotiated development agreements between NEDC and recruited employers and determine if further commitments are to be made to the potential employer(s).

Councilmember Jungman asked the end date for the TIF and Mr. Anthony Francisco, Finance Director, said it is a 25-year agreement, ending in 2031. Councilmember Jungman asked if there is a cap to how much ad valorem taxes can be taken or is it always 50% and Mr. Bryant said the Project Plan has specific amounts that can be used for each of the Project Plan components, for example $11.55 million could be used for traffic and roadway improvements, $8.25 million for economic development, $8.25 million for incentives for the Lifestyle Centre, and $8.25 for Legacy Park, etc., totaling up to approximately $54 million. He said the Project Plan can not go beyond $54 million. Mayor Rosenthal asked the accumulated revenues collected to date for the ED land purchase and Mr. Francisco said at this time, approximately $540,000 is deposited at Republic Bank and $530,000 - $550,000 is deposited at Bank of Oklahoma. Mr. Bryant said the accumulated interest rate is approximately $40,000 each month and he said NTIFA pledged $750,000, with the cap being $800,000, on the first 30 acre ED land purchase.

Items submitted for the record

1. PowerPoint Presentation entitled "University North Park TIF Economic Development Component" dated October 9, 2012

Item 2, being

STATUS UPDATE ON THE STRATEGIC WATER SUPPLY PLAN.

Mr. John Rehring, Carollo Engineers, provided an update on the Strategic Water Supply Plan (SWSP) and said Carollo is requesting Council direction regarding water supply options which include both existing and new resources. He said the SWSP Ad Hoc Committee discussed water supply options and preliminary screening for the supply sources at a meeting scheduled earlier today. Mr. Rehring said a subset of the detailed evaluation criteria are being used to identify the most viable individual supply options for further analysis.

Mr. Rehring said 85% of Norman residents have City of Norman water services and the remaining 15% have private domestic wells. He said as an alternative, Carollo wanted to be prepared for the potential outcome of "*what if*" 100% of the City of Norman was converted over to city water services.

The following key assumptions were made to evaluate the raw water supply sources to include:

- Firm yield – the amount of water Norman could rely on in an extended drought.
- Lake Thunderbird can not be used for terminal storage. If a water supply needs storage to secure firm yield or minimize sizes of raw water conveyance infrastructure, a new terminal storage reservoir is included in the source cost. This assumption will be revisited upon the pending Central Oklahoma Master Conservancy District (COMCD) Lake Thunderbird augmentation study.
- Pipelines were sized to achieve a maximum velocity of six (6) feet per second.
- Treatment capacity is based on Norman's recent usage trends (with peak demands equal to 1.9 times annual average demands); except for direct non-potable reuse which is based on irrigation use.
- Available raw water quality data for each source were used to determine the treatment process requirements and resulting costs.
- To provide a consistent basis of comparison, similar unit costs for pipelines, pump stations, reservoir, storage and treatment were used to develop project costs for each supply source.

Item 2, continued:

Mr. Rehring highlighted the two (2) phases in the water supply planning process and said Phase 1 is underway comparing the individual supply options to determine which is most cost effective, feasible, and viable for Norman. He said Phase 2 will be completed based on results of the preliminary screening and the most viable new sources along with Norman's existing sources will be used to develop water supply portfolios (i.e., packages of supplies that together will meeting Norman's future water demands), which will be further evaluated in Phase II of the SWSP.

Mr. Rehring said at this time the focus is on Phase 1, or the individual water supply sources. He said the water supply sources were categorized into three (3) groups to include existing water supplies sources, new local water supply sources; and regional/outside water supply sources.

Existing Water Supply Sources
Existing water supply sources option(s) include Lake Thunderbird, Garber Wellington Aquifer wells, and water conservation. Mr. Rehring said all the existing sources will be considered in Phase 2 even though they may not be the most economical and most logical option(s) relative to other SWSP criteria. He said a lot can be said for the fact these options are local and operational, therefore it makes sense to carry the existing water supply sources forward and include them in portfolios. Mr. Rehring said Lake Thunderbird and the Garber Wellington Aquifer wells may not continue being used in the future as they are being used today because of future cutbacks in allocation of Lake Thunderbird water and new regulations for the Garber Wellington Aquifer wells (such as arsenic and Chromium 6 issues) but these water supplies will be characterized as best as possible going forward. He said current water conservation programs are anticipated to continue, but specific measures recommended in the 2011 Water Conservation Plan may be implemented.

New Local Water Supply Sources
New Local Water Supply Sources include Lake Thunderbird spillage, Lake Thunderbird augmentation, groundwater discharge, Canadian River diversion, direct non-potable reuse, and stormwater capture and reuse. Mr. Rehring said the direct non-potable reuse is wastewater effluent treated to be suitable for irrigation purposes, per Oklahoma Department of Environmental Quality (ODEQ) regulations, which is currently being done at the University of Oklahoma (OU) Golf Course. He said new infrastructure would need to be built to deliver treated effluent from the Water Treatment Plant to potential non-potable demands; mostly irrigation uses and/or cooling towers that do not need to have potable quality water and could be served by an initial distribution system pipeline. Mr. Rehring said this could help the City meet some of the water demands, particularly on high peak days during the summer, and is limited partly by supply and partly by how the distribution system is implemented for the treated effluent. He said the proposed recycled water project would begin with treating the effluent at the Water Treatment Plant at the south end of the City and move north by branching out to these potential non-potable demand areas, such as The Trails Golf Club, OU Golf Course, Reaves Park, etc. Mr. Rehring said there is an existing abandoned potable water tank that can be converted to non-potable service and used for storage since storage is a part of the SWSP equation as well. He said the treated effluent can continue to be piped to serve The Links Golf Course and to the Postal Service Training Facility located on Highway 9. Mr. Rehring said the distribution system could be expanded to ultimately serve twice the amount of demand proposed at this time.

Another possible use for treated effluent is augmenting Lake Thunderbird and an evaluation will be completed following publication of the COMCD Study. He said stormwater capture and reuse is also being considered to include the capturing and storing of stormwater from the South Canadian drainage basin. Mr. Rehring said a terminal storage and a new treatment plant would need to be constructed, but three (3) options are also an option regarding a Canadian River diversion to include: 1) a new west side reservoir, 2) a new west side reservoir and a new east side reservoir, and 3) a new east side reservoir. He highlighted the stormwater capture and reuse and each of the Canadian River diversion options.

Item 2, continued:

Lake Thunderbird spillage is another new local water supply source and can capture intermittently-available spilled water from downstream of the dam. Mr. Rehring said this option would use a terminal storage reservoir and would have a firm yield of 5.8+ million gallons per day (MGD). He said another source is groundwater recharge, which is highly treated wastewater effluent suitable for recharge into the Garber Wellington Aquifer and have a firm yield available to Norman of 10.2 MGD.

Regional/Outside Water Supply Sources
Regional/outside water supply sources include bulk treated water from Oklahoma City (OKC), bulk raw water from Southeast Oklahoma, Scissortail Reservoir, Parker Reservoir, and Kaw Lake. Mr. Rehring said Norman can purchase bulk treated water from OKC based on regional treatment of southeast Oklahoma water at the OKC Draper Water Treatment Plant and a firm yield available to Norman would be >29.1 MGD. He said Norman could also purchase bulk raw water from OKC based on local treatment of southeast water in Norman, which would require a terminal reservoir and would also have a firm yield available to Norman of >29.1 MGD.

The Scissortail Reservoir is a new reservoir three (3) miles west of Ada, and uses a terminal reservoir. Mr. Rehring said a firm yield available to Norman would be 19.9 MGD which assumes 28.6 MGD firm yield. Parker Reservoir is a new reservoir 15 miles east of Ada and uses a terminal reservoir. A firm yield available to Norman would be 29.1+ MGD and assumes no allocation to others and therefore has 41 MGD firm yield of reservoir. Kaw Lake is a shared infrastructure with Stillwater and uses a terminal reservoir. The firm yield available to Norman could potentially be >29.1 MGD, the firm yield of the reservoir is 166.9 MGD with 126.2 MGD allocated to other cities who have existing permits and 57.1 MGD allocated to other cities who have pending permits, although not all pending permits are expected to be issued.

Mr. Rehring said the relative comparison supply water sources were evaluated quantitatively (supply availability and cost) and qualitatively (reliability and certainty) by their supply availability, reliability, certainty and timeliness, and cost-effectiveness. He said all water sources were scored from one (1) to five (5); one being the worst and five being the best.

Mr. Rehring highlighted the recommended water supply sources for portfolio development as follows:

- Existing Local: Lake Thunderbird, Garber Wellington Aquifer wells, and Conservation
- New Local: Direct non-potable reuse and Lake Thunderbird augmentation – pending results of COMCD Study
- Regional: Bulk treated water from OKC, Bulk raw water from OKC, new out of basin reservoir, and Kaw Lake

The next steps include the following:

- Public Meeting #2, scheduled for October 17, 2012, which will include a presentation of the results of the water supply option screening
- Complete screening of individual options
- Develop supply portfolios
- Public Meeting #3
- Supply portfolios to be evaluated
- Public Meeting #4
- Results of the portfolio screening.

Councilmember Gallagher asked the cost to treat effluent and Mr. Rehring said it would be very costly, but the option has not been ruled out. Councilmember Gallagher felt treating the arsenic wells needed to be considered in the SWSP.

Item 2, continued:

Councilmember Spaulding asked when the COMCD report would be completed and Mr. Rehring felt it would be available in November. Councilmember Spaulding asked what Norman's current discharge into Lake Thunderbird is and Mr. Ken Komiske, Utilities Director, said 11 MGD.

Councilmember Kovach asked if increasing the well field was considered and Mr. Rehring said yes, that is a consideration along with the costs. Mr. Rehring said that option has some appeal in terms of feasibility and local supply. Councilmember Kovach asked Mr. Rehring to add a column reflecting capital costs for each water source.

Mayor Rosenthal said if Norman is limited to how much can be pulled from Lake Thunderbird, that portion of the study should be delayed until the COMCD report is completed. Councilmember Kovach agreed, stating said the North Waste Water Treatment Plant should also be factored into the SWSP.

Councilmember Castleberry asked if the SWSP considered Norman being a water "seller" as opposed to a water "user" and Mr. Rehring said yes, but the current water supplies are limited while the option sources that are available to sell water to surrounding communities are very costly. Councilmember Spaulding asked if the eradication of the eastern red cedar tree was a consideration in the SWSP and Mr. Rehring said that particular issue has not been quantified yet, but certainly could be included as a water source answer for Norman.

Items submitted for the record

1. PowerPoint Presentation entitled "Norman Utilities Authority 2060 Strategic Water Supply Plan," Ad Hoc Committee and City Council Study Session dated October 9, 2012
2. Project Memorandum dated August 15, 2012, from John Rehring, Carollo Engineers to Norman Utilities Authority (NUA)
3. Project Memorandum dated October 5, 2012, from John Rehring, Carollo Engineers to Norman Utilities Authority (NUA)

The meeting adjourned at 6:27 p.m.

ATTEST:

_____ _____

City Clerk Mayor

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

October 9, 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 9th day of October, 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 Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
ABSENT:	None

The Pledge of Allegiance was led by students from Lincoln Elementary School.

* * * * *

Item 3, being:

CONSIDERATION OF APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL CONFERENCE MINUTES OF SEPTEMBER 11, 2012
CITY COUNCIL OVERSIGHT COMMITTEE MINUTES OF SEPTEMBER 12, 2012
CITY COUNCIL STUDY SESSION MINUTES OF SEPTEMBER 18, 2012
CITY COUNCIL COMMUNITY PLANNING AND TRANSPORTATION COMMITTEE MINUTES OF SEPTEMBER 24, 2012
CITY COUNCIL SPECIAL SESSION MINUTES OF SEPTEMBER 25, 2012
CITY COUNCIL CONFERENCE MINUTES OF SEPTEMBER 25, 2012
CITY COUNCIL MINUTES OF SEPTEMBER 25, 2012
NORMAN UTILITIES AUTHORITY MINUTES OF SEPTEMBER 25, 2012
NORMAN MUNICIPAL AUTHORITY MINUTES OF SEPTEMBER 25, 2012
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF SEPTEMBER 25, 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 Griffith;

Items submitted for the record

1. Text File No. GID-1213-32 dated September 27, 2012, by Brenda Hall, City Clerk
2. City Council Conference minutes of September 11, 2012
3. City Council Oversight Committee minutes of September 12, 2012
4. City Council Study Session minutes of September 18, 2012
5. City Council Community Planning and Transportation Committee minutes of September 24, 2012
6. City Council Special Session minutes of September 25, 2012
7. City Council Conference minutes of September 25, 2012
8. City Council minutes of September 25, 2012
9. Norman Utilities Authority minutes of September 25, 2012
10. Norman Municipal Authority minutes of September 25, 2012
11. Norman Tax Increment Finance Authority minutes of September 25, 2012

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

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

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

* * * * *

Item 4, being:

PRESENTATION OF THE MAYOR'S CITIZENSHIP AWARDS TO STUDENTS FROM LINCOLN ELEMENTARY SCHOOL.

Mayor Rosenthal and Councilmember Jungman presented Citizenship Awards to students Connor Boren, Poppy Cline, Riley Fancher, Landon Gibbons, Reece Gibbons, Isabel Gonzales, Spencer Greene, Emma Lansford, Jesus Velasco Martinez, Kyron Rhone, Ashley Santos, Briani Santos, Mariah Simpson, and Hannah Tindell. Ms. Olivia Dean, Principal of Lincoln Elementary School, said the students were selected as representatives of good citizens of Lincoln Elementary School.

Items submitted for the record
1. Text File No. GID-1213-31 dated September 27, 2012, by Carol Coles, Administrative Assistant

* * * * *

Item 5, being:

PROCLAMATION NO. P-1213-6: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF OCTOBER 7 THROUGH 13, 2012, AS MENTAL ILLNESS AWARENESS WEEK IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1213-6 proclaiming the week of October 7 through 13, 2012, as Mental Illness Awareness Week in the City of Norman be acknowledged, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. P-1213-6 dated October 1, 2012, by Brenda Hall, City Clerk
2. Proclamation No. P-1213-6

Participants in discussion
1. Mr. Mike Cordial, Thunderbird Clubhouse, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1213-6 proclaiming the week of October 7 through 13, 2012, as Mental Illness Awareness Week in the City of Norman, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of Proclamation No. P-1213-6 proclaiming the week of October 7 through 13, 2012, as Mental Illness Awareness Week in the City of Norman.

* * * * *

Item 6, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 7 through Item 32 excluding Item 20 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Griffith; and the question being upon the placement on the consent docket by unanimous vote of Item 7 through Item 32 excluding Item 20, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Item 7 through Item 32 excluding Item 20 were placed on the consent docket by unanimous vote.

* * * * *

Item 7, being:

CONSIDERATION OF ORDINANCE NO. O-1213-6 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTIONS 18-303, 18-405, AND 18-506 OF CHAPTER 18 OF THE CODE OF THE CITY OF NORMAN ADDING PROVISIONS TO ALLOW DIGITAL ON-PREMISE SIGNS AND ADDING SECTION 18-412 PROVIDING REQUIREMENTS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1213-6 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1213-6 dated July 17, 2012, by Susan Connors, Director of Planning and Community Development
2. Ordinance No. O-1213-6
3. Legislatively notated copy of Ordinance No. O-1213-6
4. Staff Report dated September 13, 2012, recommending approval
5. Pertinent excerpts from Planning Commission minutes of September 13 and August 9, 2012
6. Memorandum dated August 9, 2012, from Susan Connors, Director of Planning and Community Development, to Norman Planning Commission
7. City Council Study Session minutes of June 19, 2012

and the question being upon the Introduction and adoption of Ordinance No. O-1213-6 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1213-6 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 8, being:

CONSIDERATION OF ORDINANCE NO. O-1213-10 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 BAR, LOUNGE OR TAVERN FOR PROPERTY CURRENTLY ZONED C-3, INTENSIVE COMMERCIAL DISTRICT, LOCATED AT 113 NORTH CRAWFORD AVENUE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1213-10 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1213-10 dated August 16, 2012, by Jane Hudson, Principal Planner
2. Ordinance No. O-1213-10
3. Location map
4. Staff Report dated September 13, 2012, recommending approval
5. Predevelopment Summary Case No. PD-12-25 dated July 26, 2012, for Opolis for 113 North Crawford Avenue
6. Description of Project
7. Site plan
8. Pertinent excerpts from Planning Commission minutes of September 13, 2012

Item 8, continued:

and the question being upon the Introduction and adoption of Ordinance No. O-1213-10 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1213-10 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 9, being:

CONSIDERATION OF ORDINANCE NO. O-1213-12 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 SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 9 NORTH, RANGE 1 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE CR, RURAL 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 NORTH SIDE OF ALAMEDA DRIVE APPROXIMATELY ONE-FOURTH MILE EAST OF 72ND AVENUE N.E.)

Councilmember Kovach moved that Ordinance No. O-1213-12 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. O-1213-12 dated August 16, 2012, by Jane Hudson, Principal Planner
2. Ordinance No. O-1213-12
3. Location map
4. Staff Report dated September 13, 2012, recommending approval
5. Pertinent excerpts from Planning Commission minutes of September 13, 2012

and the question being upon the Introduction and adoption of Ordinance No. O-1213-12 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1213-12 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 10, being:

CONSIDERATION OF ORDINANCE NO. O-1213-13 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE PROVISIONS OF ORDINANCE NO. 1862 SO AS TO ESTABLISH A REVISED SETBACK REQUIREMENT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE NORTH SIDE OF LITTLE AXE DRIVE APPROXIMATELY 775 FEET EAST OF 156TH AVENUE N.E.)

Councilmember Kovach moved that Ordinance No. O-1213-13 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. O-1213-13 dated August 16, 2012, by Jane Hudson, Principal Planner
2. Ordinance No. O-1213-13
3. Location map
4. Staff Report dated September 13, 2012, recommending approval
5. Pertinent excerpts from Planning Commission minutes of September 13, 2012

Item 10, continued:

and the question being upon the Introduction and adoption of Ordinance No. O-1213-13 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1213-13 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 11, being:

CONSIDERATION OF ORDINANCE NO. O-1213-16 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE I, SECTION 2-104 OF CHAPTER 2 OF THE CODE OF THE CITY OF NORMAN BY AMENDING THE TIME FOR CITY COUNCIL MEETINGS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1213-16 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. O-1213-16 dated October 4, 2012, by Brenda Hall, City Clerk
2. Ordinance No. O-1213-16
3. Legislatively notated copy of Ordinance No. O-1213-16

Participants in discussion
1. Ms. Ann Gallagher, 1522 East Boyd Street, made comments

and the question being upon the Introduction and adoption of Ordinance No. O-1213-16 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1213-16 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 12, being:

CONSIDERATION OF THE MAYOR'S APPOINTMENT AS FOLLOWS:

PUBLIC SAFETY OVERSIGHT COMMITTEE
TERM: 10-09-12 TO 02-10-14: JAMES WHEATLEY, 6201 108TH AVENUE NE

Councilmember Kovach moved that the appointment be confirmed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. AP-1213-14 dated October 4, 2012, by Brenda Hall, City Clerk

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

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the appointment was confirmed.

* * * * *

Item 13, being:

CONSIDERATION AND AWARDING OF BID NO. 1213-21 FOR THE PURCHASE OF TRAFFIC CONTROLLER AND CABINET ASSEMBLIES FOR THE TRAFFIC CONTROL DIVISION.

Councilmember Kovach moved that the bid as meeting specifications be accepted and the bid in the amount of $15,042 each for a total bid price of $45,126 be awarded to Mid-American Signal, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. BID-1213-21 dated September 24, 2012, by David Riesland, Assistant Traffic Engineer
2. Bid Record dated September 6, 2012, for three (3) controller and cabinet assemblies

and the question being upon accepting the bid as meeting specifications and upon the subsequent awarding of the bid, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the bid as meeting specifications accepted; and the bid in the amount of $15,042 each for a total bid price of $45,126 was awarded to Mid-American Signal, Inc., as the lowest and best bidder meeting specifications.

* * * * *

Item 14, being:

CONSIDERATION AND AWARDING OF BID NO. 1213-23 FOR THE PURCHASE OF TRAFFIC SIGN FACES FOR THE TRAFFIC CONTROL DIVISION.

Councilmember Kovach moved that all bids meeting specifications on Sections 1 and 4-9 be accepted and the bid be awarded to Vulcan Signs as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. BID-1213-23 dated September 24, 2012, by David Riesland, Assistant Traffic Engineer
2. Bid tabulation for traffic sign faces, per square foot, Section 1, Seg Sheeting, One Color Ink; Section 4, High Intensity Sheeting, One Color Ink; Section 5, High Intensity Sheeting, Two Colors Ink, Section 6, High Intensity Sheeting, Three Colors Ink; Section 7, Diamond Grade Sheeting, One Color Ink; Section 8, Diamond Grade Sheeting, Two Colors Ink; and Section 9, Diamond Grade Sheeting, Fluorescent Yellow-Green

Participants in discussion
1. Mr. Shawn O'Leary, Director of Public Works

and the question being upon accepting all bids meeting specifications on Sections 1 and 4-9 and upon the subsequent awarding of the bid, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and all bids meeting specifications on Sections 1 and 4-9 accepted; and the bid was awarded to Vulcan Signs as the lowest and best bidder meeting specifications.

Thereupon, Councilmember Kovach moved that all bids meeting specifications on Sections 2, 3, and 10 be accepted and the bid be awarded to Safety Sign Corporation as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Griffith;

Item 14, continued:

Items submitted for the record
1. Text File No. BID-1213-23 dated September 24, 2012, by David Riesland, Assistant Traffic Engineer
2. Bid tabulation for traffic sign faces, per square foot, Section 2, Seg Sheeting, Two Colors Ink; Section 3, Seg Sheeting, Three Colors Ink; and Section 10, Diamond Grade Sheeting, Fluourescent Yellow-Green, Two Colors Ink

and the question being upon accepting all bids meeting specifications on Sections 2, 3, and 10 and upon the subsequent awarding of the bid, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and all bids meeting specifications on Sections 2, 3, and 10 accepted; and the bid was awarded to Safety Sign Corporation as the lowest and best bidder meeting specifications.

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Item 15, being

CONSIDERATION AND AWARDING OF BID NO. 1213-24 FOR THE PURCHASE OF GALVANIZED STEEL SIGN POSTS FOR THE TRAFFIC CONTROL DIVISION.

Councilmember Kovach moved that all bids meeting specifications be accepted and the bid for all sections be awarded to Custom Products, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. BID-1213-24 dated September 24, 2012, by David Riesland, Assistant Traffic Engineer
2. Bid tabulation for galvanized steel sign posts

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid for all sections, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid for all sections was awarded to Custom Products, Inc., as the lowest and best bidder meeting specifications.

* * * * *

Item 16, being:

CONSIDERATION AND AWARDING OF BID NO. 1213-25 FOR THE PURCHASE OF TRAFFIC PAINT GLASS BEADS FOR THE TRAFFIC CONTROL DIVISION.

Councilmember Kovach moved that all bids meeting specifications be accepted and the bid in the amount of $0.3475 per pound be awarded to Swarco Reflex, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. BID-1213-25 dated September 24, 2012, by David Riesland, Assistant Traffic Engineer
2. Bid tabulation for traffic paint glass beads

Participants in discussion
1. Mr. Shawn O'Leary, Director of Public Works
2. Ms. Joy Hampton, The Norman Transcript, 215 East Comanche Street, made comments

Item 16, continued:

and the question being upon accepting all bids meeting specifications and upon the subsequent awarding of the bid, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid in the amount of $0.3475 per pound was awarded to Swarco Reflex, Inc., as the lowest and best bidder meeting specifications.

* * * * *

Item 17, being:

CONSIDERATION AND AWARDING OF BID NO. 1213-26 FOR THE PURCHASE OF FLUORESCENT TRAFFIC CONES FOR THE TRAFFIC CONTROL DIVISION.

Councilmember Kovach moved that the bid as meeting specifications be accepted and the bid in the amount of $8.52 per cone be awarded to Centerline Supply, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. BID-1213-26 dated September 24, 2012, by David Riesland, Assistant Traffic Engineer
2. Bid tabulation for fluorescent traffic cones

and the question being upon accepting the bid as meeting specifications and upon the subsequent awarding of the bid, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the bid as meeting specifications accepted; and the bid in the amount of $8.52 per cone was awarded to Centerline Supply, Inc., as the lowest and best bidder meeting specifications.

* * * * *

Item 18, being:

CONSIDERATION AND AWARDING OF BID NO. 1213-27 FOR THE PURCHASE OF TRAFFIC SIGNS AND ACCESSORIES FOR THE TRAFFIC CONTROL DIVISION.

Councilmember Kovach moved that all bids meeting specifications on Sections 1 and 2 be accepted and the bid be awarded to Vulcan Signs as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. BID-1213-27 dated September 24, 2012, by David Riesland, Assistant Traffic Engineer
2. Bid tabulation for traffic signs and accessories, Section 1, Sheet Aluminum, 0.080 inch per square foot, and Section 2, Sheet Aluminum, 0.125 inch per square foot

Participants in discussion
1. Mr. Shawn O'Leary, Director of Public Works

Item 18, continued:

and the question being upon accepting all bids meeting specifications on Sections 1 and 2 and upon the subsequent awarding of the bid, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and all bids meeting specifications on Sections 1 and 2 accepted; and the bid was awarded to Vulcan Signs as the lowest and best bidder meeting specifications.

Thereupon, Councilmember Kovach moved that all bids meeting specifications on Sections 3A and 3F be accepted and the bid be awarded to Custom Products Corporation as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. BID-1213-27 dated September 24, 2012, by David Riesland, Assistant Traffic Engineer
2. Bid tabulation for traffic signs and accessories, Section 3A, Street Name Bracket Sets with 6-inch Blade Holder, and Section 3F, Installation Tools for Vandal Proof Screws

Participants in discussion
1. Mr. Shawn O'Leary, Director of Public Works

and the question being upon accepting all bids meeting specifications on Sections 3A and 3F and upon the subsequent awarding of the bid, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and all bids meeting specifications on Sections 3A and 3F accepted; and the bid was awarded to Custom Products Corporation as the lowest and best bidder meeting specifications.

Thereupon, Councilmember Kovach moved that all bids meeting specifications on Sections 3B through 3E be accepted and the bid be awarded to Hall Signs, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. BID-1213-27 dated September 24, 2012, by David Riesland, Assistant Traffic Engineer
2. Bid tabulation for traffic signs and accessories, Section 3B, Street Name Bracket Sets With 12-Inch Blade Holder; Section 3C, Additional Vandal Proof Bolts; Section 3D, Additional Vandal Proof Screws; and Section 3E, Installation Tools for Vandal Proof Bolts

Participants in discussion
1. Mr. Shawn O'Leary, Director of Public Works

and the question being upon accepting all bids meeting specifications on Sections 3B through 3E and upon the subsequent awarding of the bid, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and all bids meeting specifications on Sections 3B through 3E accepted; and the bid was awarded to Hall Signs, Inc., as the lowest and best bidder meeting specifications.

* * * * *

Item 19, being:

CONSIDERATION OF ACCEPTANCE OF REQUEST FOR PROPOSAL NO. RFP-1213-30 FROM EZ GO TEXTRON TO PURCHASE TWENTY-ONE (21) GOLF CARS FOR WESTWOOD GOLF COURSE FOR A TOTAL COST OF $42,450.

Acting as the Norman Municipal Authority, Trustee Kovach moved that Request for Proposal No. RFP-1213-30 from EZ Go Textron to provide twenty-one (21) golf cars for Westwood Golf Course be accepted and the purchase in the amount of $76,750 less trade-in of nineteen (19) golf cars for a total cost of $42,450 be authorized, which motion was duly seconded by Trustee Griffith;

Items submitted for the record
1. Text File No. RFP-1213-30 dated September 17, 2012, by Jud Foster, Director of Parks and Recreation
2. Summary of Request for Proposal No. RFP-1213-30 dated September 13, 2012, for 21 golf cars
3. Proposal for Westwood Park, Request for Proposal No. RFP-1213-30 prepared by Luke Benedict, Sales Representative, EZ Go, a Textron Company, to Jud Foster
4. City of Norman Request for Proposal No. RFP-1213-30 for the purchase of 21 golf cars

Participants in discussion
1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting Request for Proposal No. RFP-1213-30 from EZ Go Textron to provide twenty-one (21) golf cars for Westwood Golf Course and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Trustees Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and Request for Proposal No. No. RFP-1213-30 from EZ Go Textron to provide twenty-one (21) golf cars for Westwood Golf Course accepted; and the purchase in the amount of $76,750 less trade-in of nineteen (19) golf cars for a total cost of $42,450 was authorized.

* * * * *

Item 20, being:

CONSIDERATION OF AUTHORIZATION FOR THE PURCHASE OF EIGHT (8) PANASONIC TOUGHBOOK LAPTOP COMPUTERS FROM CDW GOVERNMENT, INC., IN THE AMOUNT OF $29,357.60 FOR THE DEVELOPMENT SERVICES DIVISION FOR BUILDING PERMIT INSPECTORS TO UTILIZE IN THE FIELD.

Item 20 was withdrawn at the request of staff.

* * * * *

Item 21, being:

EASEMENT NO. E-1213-9: CONSIDERATION OF ACCEPTANCE OF A PERMANENT SIDEWALK EASEMENT DONATED BY CHARLES JAMES COLEMAN FOR THE CITY OF NORMAN FYE 2013 CONCRETE PROJECT.

Councilmember Kovach moved that Easement No. E-1213-9 be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. E-1213-9 dated September 24, 2012, by Jack Burdett, Engineering Assistant
2. Easement No. E-1213-9
3. Location map

Item 21, continued:

and the question being upon accepting Easement No. E-1213-9 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Easement No. E-1213-9 accepted; and the filing thereof with the Cleveland County Clerk was directed.

* * * * *

Item 22, being:

CONSIDERATION OF APPROVAL OF A LOT LINE ADJUSTMENT FOR PROPERTY LOCATED AT 2301 ROCKWOOD LANE ADJACENT TO THE GREENBELT AREA IN HALL PARK ADDITION.

Councilmember Kovach moved that a Lot Line Adjustment for property located at 2301 Rockwood Lane be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. GID-1213-27 dated September 26, 2012, by Mitch Miles, Park Planner
2. Location map
3. Aerial map
4. Lot Line Adjustment No. 1455 dated October 3, 2012 for 2301 Rockwood Lane

and the question being upon approving a Lot Line Adjustment for property located at 2301 Rockwood Lane and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and a Lot Line Adjustment for property located at 2301 Rockwood Lane approved; and the filing thereof with the Cleveland County Clerk was directed.

* * * * *

Item 23, being:

CONSIDERATION OF THE ACCEPTANCE OF A DONATION IN THE AMOUNT OF $1,000 FROM TARGET CORPORATION TO BE USED BY THE NORMAN POLICE DEPARTMENT TO PURCHASE AN EXTERNAL COMPUTER HARD DRIVE USED FOR THE STORAGE OF VIDEO EVIDENCE AND BUDGET APPROPRIATION.

Councilmember Kovach moved that a donation in the amount of $1,000 from Target Corporation to purchase an external computer hard drive for the storage of video evidence by the Norman Police Department be accepted; General Fund, Organization Donations (010-0000-365.13-73) be increased by $1,000; and $1,000 be appropriated to Telecommunications Equipment – Computer Hardware (010-6021-421.53-01), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. GID-1213-30 dated September 26, 2012, by Major JD Younger, Staff Support Bureau

Item 23, continued:

and the question being upon accepting a donation in the amount of $1,000 from Target Corporation to purchase an external computer hard drive for the storage of video evidence by the Norman Police Department and upon the subsequent increase and appropriation, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and a donation in the amount of $1,000 from Target Corporation to purchase an external computer hard drive for the storage of video evidence by the Norman Police Department accepted; General Fund, Organization Donations (010-0000-365.13-73) was increased by $1,000 and $1,000 was appropriated to Telecommunications Equipment – Computer Hardware (010-6021-421.53-01).

* * * * *

Item 24, being:

LIMITED LICENSE NO. LL-1213-3 LIMITED LICENSE TO PLACE THREE (3) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE CLEVELAND COUNTY YMCA FOR THE YMCA FREE FALL CARNIVAL EVENT TO BE HELD ON OCTOBER 26 , 2012.

Councilmember Kovach moved that Limited License No. LL-1213-3 to place three (3) ground banners within the public rights-of-way pursuant to a request from the Cleveland County YMCA be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Griffith

Items submitted for the record
1. Text File No. LL-1213-3 dated August 16, 2012, by Wayne Stenis, Planner II
2. Application for Limited License for three banners dated August 14, 2012, from the Cleveland County Family YMCA
3. Limited License No. LL-1213-3

and the question being upon approving Limited License No. LL-1213-3 to place three (3) ground banners within the public rights-of-way pursuant to a request from the Cleveland County YMCA and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Limited License No. LL-1213-3 to place three (3) ground banners within the public rights-of-way pursuant to a request from the Cleveland County YMCA approved; and the issuance thereof was authorized.

* * * * *

Item 25, being:

CONSIDERATION OF THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF $129,000 FROM THE OKLAHOMA HIGHWAY SAFETY OFFICE TO BE USED BY THE POLICE DEPARTMENT TO INCREASE ENFORCEMENT AND EDUCATION OF IMPAIRED DRIVING; HOST A TRAFFIC COLLISION RECONSTRUCTION SCHOOL; INCREASE ENFORCEMENT AND EDUCATION OF SEAT BELT AND MANDATORY CHILD RESTRAINT LAWS; ENFORCEMENT OF BOTH IMPAIRED DRIVING AND SEAT BELT COMPLIANCE; THE PURCHASE OF TWO POLICE MOTORCYCLES TO BE USED FOR TRAFFIC ENFORCEMENT, APPROVAL OF CONTRACT NO. K-1213-85, AND BUDGET APPROPRIATION.

Councilmember Kovach moved that a grant in the amount of $129,000 from the Oklahoma Highway Safety Office to be used by the Police Department be accepted; Contract No. K-1213-85 be approved; execution of the contract be authorized; and $129,000 be appropriated from the Special Grant Fund Balance (022-0000-253.20-00) designating $16,000 to Professional Services/Training & Development (022-6019-421-40-17); $60,000 to Service Equipment - Other (022-6019-421.50-99); $25,000 to Other Salaries/Overtime-Regular (022-6019-421.21-10); $25,000 to Project No. GP0106; Highway Safety OP-13-03-03-05, Other Salaries/Overtime-Regular, (022-6019-421.21-10); $3,000 to Project No. GP0107, Highway Safety CE-12-03-21-05, Other Salaries/Overtime-Regular, (022-6019-421.21-10); and upon reimbursement, $129,000 be deposited into Other Revenue/Traffic & Alcohol Enforcement (022-0000-331.13-40), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1213-85 dated September 18, 2012, by Major Kevin Foster
2. Letter dated September 12, 2012, from Garry Thomas, Director, Oklahoma Highway Safety Office, to Captain David Teuscher, Norman Police Department
3. Contract No. K-1213-85

and the question being upon accepting a grant n the amount of $129,000 from the Oklahoma Highway Safety Office to be used by the Police Department and upon the subsequent approval, authorization, appropriation, and deposit, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and a grant in the amount of $129,000 from the Oklahoma Highway Safety Office to be used by the Police Department accepted; Contract No. K-1213-85 was approved; execution of the contract was authorized; and $129,000 was appropriated from the Special Grant Fund Balance (022-0000-253.20-00) designating $16,000 to Professional Services/Training & Development (022-6019-421-40-17); $60,000 to Service Equipment - Other (022-6019-421.50-99); $25,000 to Other Salaries/Overtime-Regular (022-6019-421.21-10); $25,000 to Project No. GP0106; Highway Safety OP-13-03-03-05, Other Salaries/Overtime-Regular, (022-6019-421.21-10); $3,000 to Project No. GP0107, Highway Safety CE-12-03-21-05, Other Salaries/Overtime-Regular, (022-6019-421.21-10); and upon reimbursement, $129,000 will be deposited into Other Revenue/Traffic & Alcohol Enforcement (022-0000-331.13-40).

* * * * *

Item 26, being:

CONSIDERATION OF ACCEPTANCE OF A COVERDALE NATIONAL FORENSIC SCIENCES IMPROVEMENT ACT GRANT IN THE AMOUNT OF $2,627.70 TO BE USED BY THE NORMAN POLICE DEPARTMENT FOR ACCREDITATION TRAINING FOR LABORATORY TECHNICIANS AND SUPERVISORS OF THE CITY OF NORMAN FORENSIC LABORATORY, APPROVAL OF CONTRACT NO. K-1213-91; AND BUDGET APPROPRIATION.

Councilmember Kovach moved that a Coverdale National Forensic Sciences Improvement Act Grant in the amount of $2,627.70 to be used by the Police Department be accepted; Contract No. K-1213-91 be approved; execution of the contract be authorized; Other Revenue/Police Grants (022-0000-334.13-43) be increased by $2,627.70; and $2,627.70 be appropriated to Professional Services/Seminars and Workshops (022-6011-421.46-04) (GP0021), which motion was duly seconded by Councilmember Griffith;

Item 26, continued:

Items submitted for the record
1. Text File No. K-1213-91 dated September 24, 2012, by Jim Spearman, Grants Manager
2. Contract No. K-1213-91

and the question being upon accepting a Coverdale National Forensic Sciences Improvement Act Grant in the amount of $2,627.70 to be used by the Police Department and upon the subsequent approval, authorization, increase, and appropriation, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and a Coverdale National Forensic Sciences Improvement Act Grant in the amount of $2,627.70 to be used by the Police Department accepted; Contract No. K-1213-91 was approved; execution of the contract was authorized; Other Revenue/Police Grants (022-0000-334.13-43) was increased by $2,627.70; and $2,627.70 was appropriated to Professional Services/Seminars and Workshops (022-6011-421.46-04) (GP0021).

* * * * *

Item 27, being:

AMENDMENT NO. TWO TO CONTRACT NO. K-0708-54: A SUPPLEMENTAL AND MODIFICATION AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION ADJUSTING THE BUDGET AMOUNT FOR STATE-AID PROJECT NO. STP-114 E(199)EH, STATE JOB PIECE NO. 24554(04) FOR THE LEGACY TRAIL SOUTH EXTENSION ENHANCEMENT PROJECT.

Councilmember Kovach moved that Amendment No. Two to Contract No. K-0708-54 with the Oklahoma Department of Transportation be approved and the execution thereof be authorized; which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-0708-54, Amendment No. Two, dated September 26, 2012, by James Briggs, Park Planner
2. Amendment No. Two to Contract No. K-0708-54 with Attachment "A", Estimated Project Budget

and the question being upon approving Amendment No. Two to Contract No. K-0708-54 with the Oklahoma Department of Transportation and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Amendment No. Two to Contract No. K-0708-54 with the Oklahoma Department of Transportation approved; and the execution thereof was authorized.

* * * * *

Item 28, being:

CONSIDERATION OF CONTRACT NO. K-1213-45 WITH H & H CONSTRUCTION IN THE AMOUNT OF $44,700; PERFORMANCE BOND NO. B-1213-13; STATUTORY BOND NO. B-1213-14, MAINTENANCE BOND NO. MB-1213-7, AND RESOLUTION NO. R-1213-24 FOR THE LITTLE AXE PARK SIDEWALK IMPROVEMENTS PROJECT.

Councilmember Kovach moved that Contract No. K-1213-45 with H & H Construction in the amount of $44,700 and the performance, statutory, and maintenance bonds be approved; the execution thereof be authorized, the filing of the bonds be directed, and Resolution No. R-1213-24 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1213-45 dated September 24, 2012, by Mitch Miles, Park Planner
2. Tabulation of Quotes dated September 24, 2012, for the Little Axe Park Sidewalk Improvement Project
3. Job Estimate for Little Axe Park Sidewalk Improvement Project
4. Contract No. K-1213-45
5. Statutory Bond No. B-1213-14
6. Performance Bond No. B-1213-13
7. Maintenance Bond No. MB-1213-7
8. Resolution No. R-1213-24
9. Purchase Requisition No. 0000207720 dated October 1, 2012, in the amount of $44,700 to H & H Construction

Participants in discussion
1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon approving Contract No. K-1213-45 with H & H Construction in the amount of $44,700 and the performance, statutory, and maintenance bonds, and upon the subsequent authorization, directive, and adoption, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spauldiing, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No. K-1213-45 with H & H Construction in the amount of $44,700 and the performance, statutory, and maintenance bonds approved; the execution thereof was authorized; the filing of the bonds was directed; and Resolution No. R-1213-24 was adopted.

* * * * *

Item 29, being:

CONTRACT NO. K-1213-73: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND T-MOBILE CENTRAL, L.L.C., FOR THE LEASE OF A MONOPOLE EAST OF THE WATER TREATMENT FACILITY LOCATED AT 3000 EAST ROBINSON STREET. (KNOWN AS THE HALL PARK TOWER)

Acting as the Norman Utilities Authority, Trustee Kovach moved that Contract No. K-1213-73 with T-Mobile Central, L.L.C., be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Griffith;

Items submitted for the record
1. Text File No. K-1213-73 dated September 25, 2012, by Gary Lowe, Information Systems Manager
2. Contract No. K-1213-73 with Exhibit A, Legal Description of Owner's Property; Exhibit B, Site Plan; Exhibit C, Memorandum of Agreement; and Exhibit D, Temporary Relocation Right

Item 29, continued:

and the question being upon approving Contract No. K-1213-73 with T-Mobile Central, L.L.C., and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Trustees Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spauldiing, Williams, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and Contract No K-1213-73 with T-Mobile Central, L.L.C., approved; and the execution thereof was authorized.

* * * * *

Item 30, being:

CONTRACT NO. K-1213-90: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE COMMUNITY AFTER SCHOOL PROGRAM FOR THE USE OF A PASSENGER BUS TO TRANSPORT CITY OF NORMAN FIREFIGHTER RECRUITS AND EQUIPMENT FOR TRAINING PURPOSES.

Councilmember Kovach moved that Contract No. K-1213-90 with the Community After School Program be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1213-90 dated September 28, 2012, by James Fullingim, Fire Chief
2. Contract No. K-1213-90

and the question being upon approving Contract No. K-1213-90 with the Community After School Program and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spauldiing, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No. K-1213-90 with the Community After School Program approved; and the execution thereof was authorized.

* * * * *

Item 31, being:

RESOLUTION NO. R-1112-57: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN OKLAHOMA, AUTHORIZING COMPROMISE SETTLEMENT OF TWO CLAIMS FILED BY STEVEN DALE DUREN UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE TWO CASES OF STEVEN DALE DUREN V. THE CITY OF NORMAN, WORKERS' COMPENSATION CASE NOS. WCC-2011-13882 Y AND WCC 2011-13883 A; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENTS AND ALL ATTENDANT COSTS IN THE WORKERS' COMPENSATION COURT, OKLAHOMA CITY, OKLAHOMA; AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY PURCHASE SUCH WORKERS' COMPENSATION COURT JUDGMENTS FROM THE RISK MANAGEMENT INSURANCE FUND.

Councilmember Kovach moved that Resolution No. R-1213-57 be adopted and payment of claims in the amount of $17,183.60 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. R-1213-57 dated September 27, 2012, by Jeanne Snider, Assistant City Attorney with attached settlement table
2. Resolution No. R-1213-57
3. Purchase Requisition No. 0000207458 dated September 25, 2012, in the amount of $4,263.60 to Steven D. Duren and David H. Bowers

Item 31, continued:

Items submitted for the record, continued

4. Purchase Requisition No. 0000207459 dated September 25, 2012, in the amount of $85.27 to Workers Compensation Administrative Fund
5. Purchase Requisition No. 0000207460 dated September 25, 2012, in the amount of $31.98 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000207462 dated September 25, 2012, in the amount of $140 to Workers' Compensation Court Clerk
7. Purchase Requisition No. 0000207463 dated September 25, 2012, in the amount of $125.70 to Cleveland County District Court Clerk
8. Purchase Requisition No. 0000207464 dated September 25, 2012, in the amount of $12,920 to Steven D. Duren and David H. Bowers
9. Purchase Requisition No. 0000207465 dated September 25, 2012, in the amount of $258.40 to Workers Compensation Administrative Fund
10. Purchase Requisition No. 0000207466 dated September 25, 2012, in the amount of $96.90 to Special Occupational Health and Safety Fund
11. Purchase Requisition No. 0000207467 dated September 25, 2012, in the amount of $140 to Workers' Compensation Court Clerk
12. Purchase Requisition No. 0000207468 dated September 25, 2012, in the amount of $125.70 to Cleveland County District Court Clerk

Participants in discussion

1. Mr. Jim Stanley, 3922 Pine Tree Circle, made comments

and the question being upon adopting Resolution No. R-1213-57 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spauldiing, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-1112-57 adopted; and payment of claims in the amount of $17,183.60 which will constitute judgment against the City of Norman was directed.

* * * * *

Item 32, being:

RESOLUTION NO. R-1213-59: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN OKLAHOMA, AUTHORIZING COMPROMISE SETTLEMENT OF TWO CLAIMS FILED BY LUTHER F. WILSON, JR. UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE TWO CASE OF LUTHER F. WILSON, JR. V. THE CITY OF NORMAN, WORKERS' COMPENSATION CASE NOS. WCC-2011-10687 A AND WCC 2012-02028 K; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORKERS' COMPENSATION COURT, OKLAHOMA CITY, OKLAHOMA; AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY PURCHASE SUCH WORKERS' COMPENSATION COURT JUDGMENTS FROM THE RISK MANAGEMENT INSURANCE FUND.

Councilmember Kovach moved that Resolution No. R-1213-59 be adopted and payment of claims in the amount of $69,445 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1213-59 dated September 27, 2012, by Jeanne Snider, Assistant City Attorney with attached settlement table
2. Resolution No. R-1213-59
3. Purchase Requisition No. 0000207447 dated September 25, 2012, in the amount of $40,375 to Luther Wilson and William Woodson
4. Purchase Requisition No. 0000207448 dated September 25, 2012, in the amount of $807.50 to Workers Compensation Administrative Fund
5. Purchase Requisition No. 0000207449 dated September 25, 2012, in the amount of $302.81 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000207450 dated September 25, 2012, in the amount of $140 to Workers' Compensation Court Clerk

Item 32, continued:

Items submitted for the record, continued

7. Purchase Requisition No. 0000207451 dated September 25, 2012, in the amount of $125.70 to Cleveland County District Court Clerk
8. Purchase Requisition No. 0000207453 dated September 25, 2012, in the amount of $29,070 to Luther Wilson and William Woodson
9. Purchase Requisition No. 0000207454 dated September 25, 2012, in the amount of $581.40 to Workers Compensation Administrative Fund
10. Purchase Requisition No. 0000207455 dated September 25, 2012, in the amount of $218.03 to Special Occupational Health and Safety Fund
11. Purchase Requisition No. 0000207456 dated September 25, 2012, in the amount of $140 to Workers' Compensation Court Clerk
12. Purchase Requisition No. 0000207457 dated September 25, 2012, in the amount of $125.70 to Cleveland County District Court Clerk

Participants in discussion

1. Mr. Jim Stanley, 3922 Pine Tree Circle, made comments

and the question being upon adopting Resolution No. R-1213-59 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spauldiing, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-1112-59 adopted; and payment of claims in the amount of $69,445 which will constitute judgment against the City of Norman was directed.

* * * * *

Councilmember Williams asked that he be allowed to abstain from voting on Item 33 due to a conflict of interest. Thereupon, Councilmember Kovach moved that Councilmember Willams be allowed to abstain from voting on Item 33 due to a conflict of interest, which motion was duly seconded by Councilmember Griffith; and the question being upon allowing Councilmember Williams to abstain from voting on Item 33 due to a conflict of interest, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Williams

The Mayor declared the motion carried and Councilmember Williams was allowed to abstain from voting on Item 33 due to a conflict of interest.

* * * * *

Item 33, being:

CONSIDERATION OF PRELIMINARY PLAT FOR THE HARVEST CHURCH ADDITION. (GENERALLY LOCATED ON THE WEST SIDE OF 36TH AVENUE N.W. APPROXIMATELY 1,600 FEET NORTH OF INDIAN HILLS ROAD)

Councilmember Kovach moved that the preliminary plat for Harvest Church Addition, be approved, which motion was duly seconded by Councilmember Griffith;

Item 33, continued:

Items submitted for the record

1. Text File No. PP-1213-2 dated July 17, 2012, by Ken Danner, Subdivision Manager, with Attachment A, Traffic Impacts, and Attachment B, Summary of Proportionate Share of the of the Intersection Improvement Costs
2. Location map
3. Staff Report dated August 9, 2012, recommending approval
4. Site plan
5. Preliminary plat
6. Development Review Form, Transportation Impacts, dated July 23, 2012, reviewed by David R. Riesland, P.E., Assistant City Traffic Engineer
7. Pertinent excerpts from Planning Commission minutes of August 9, 2012

Participants in discussion

1. Mr. Jason Cotton, Cardinal Engineering, Inc., 3226 Bart Connors Drive, engineer representing the applicant

and the question being upon postponing the preliminary plat for Harvest Church Addition, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Williams

The Mayor declared the motion carried and the preliminary plat for Harvest Church Addition was approved.

* * * * *

MISCELLANEOUS DISCUSSION

Traffic Issue at Alameda Street and Classen Boulevard. Ms. Jacy Crosbie, 204 Mountain Oaks Drive, said the southbound left turn lane on Classen Boulevard intersection with Alameda Street is not safe. She said the lane only allows six cars and many times this intersection has several cars lined up behind the sixth car. She suggested that Staff consider utilizing only one lane for traffic going south and use the middle lane as a second left turn lane.

*

Changing Time for City Council Meeting and City Council Procedures. Ms. Jeanette Coker, 620 East Main Street, said it would be very helpful if the agenda would provide more details about the ordinance changing the time for the City Council Meeting to give notice to citizens to allow them additional time think about it.

Ms. Ann Gallagher, 1522 East Boyd Street, said the Norman Transcript reported the summation of the City Council Study Session of October 2nd which focused on changing City Council procedures as far as the length of time for meetings. She said 6:00 p.m. was discussed as the change in time and said this did not give those who work in Oklahoma City enough time to get to the meeting. She said due to traffic patterns in Norman, those who lived in Norman and worked until 5:00 p.m,, often did not get home until 5:45 p.m. and this did not allow time for dinner. She said changing the time for the meeting might also hinder the school recognitions that are a very important part of City Council meetings. She said parents would have to leave work and pick up their children to be here by 6:00 p.m. and if citizens have to sign up before the meeting to speak, what happens to those who cannot be there by 6:00 p.m. She said suggested limiting Council comments on items to five minutes during the discussion rather than having the same point made over and over again. She said if the agenda is not loaded up with controversial issues, the meeting times will be shorter. She said some years back "public discussion" was changed to "public comment". She said this change allowed Council the option of not answering questions asked by citizens and that many do not speak because they do not think anyone will answer. She said the Mayor asks for public comment on any item on the consent docket and if that option is not available, these items should be identified.

Miscellaneous Discussion, continued:

Changing Time for City Council Meeting and City Council Procedures, continued
Mr. John High, 1705 Dakota Street, said he feels Council wants to hear the voice of the public. He said sometimes he does not understand everything on the agenda and needs to hear the discussion first. He said he called Councilmember Williams about a situation but when he heard it explained at the City Council meeting; he understood and did not need to ask questions. He said he understood about changing the City Council time to an earlier time because sometimes the meetings do not end until very late but the discussion was necessary.

*

Thanks to Sanitation Division. Mr. Bobby Stevens, Post Office Box 6226, thanked the Sanitation Division for responding quickly to his call and picking up trash alongside Highway 9.

Councilmember Jungman thanked the Sanitation Division for taking care of an issue with some trash and polycarts left out on the west side of Campus Corner. He said after picking up the area, Sanitation Staff provided education to landlords, tenants, and homeowners in that area.

*

Animal Welfare Division. Mr. Bobby Stevens, Post Office Box 6226, said when he reported the dead animal on the side of the road at last City Council meeting, he meant no disrespect to the Animal Welfare Division because they do an excellent job and are not appreciated enough.

*

Road Problems in Ward Five. Mr. Bobby Stevens, Post Office Box 6226, said at the last City Council meeting, a reference had been made about how much money had been spent in Ward Five this past year and he wanted everyone to be aware he knew how much was spent. He said just because streets have been asphalted does not mean the intersections are safe. He said he had previously provided pictures of dangerous intersections to Council and they need to be addressed.

*

Police Ride-A-Long. Councilmember Williams thanked the Norman Police Department because he was able to participate in a "Ride A-Long" with Police Officers this past week. He said he was proud to see how Norman Police Officers handled situations and citizens. He thanked Chief Humphrey for doing such a great job.

*

Video Forensic Team. Councilmember Lockett said Norman is one of two cities in Oklahoma that has a Video Forensic Team. She said she is glad Norman Police Staff continue to add and upgrade the equipment for this important team.

*

Comments at September 25th Council Meeting. Councilmember Spaulding said Councilmember Castleberry made some comments at the last City Council Meeting and he had reacted defensively when they were actually complimentary. He said he wanted to apologize publicly and God Bless Norman.

*

Public Meeting Regarding Wayfinding. Councilmember Jungman announced a public meeting would be held on Thursday, October 18th at 7:00 p.m. in City Council Chambers to provide and gather information about the Wayfinding Study.

*

Strategic Water Supply Public Meeting. Councilmember Gallagher announced a Strategic Water Supply Plan public meeting would be held Wednesday, October 17th at 7:00 p.m. in City Council Chambers. He urged the public to attend.

*

Miscellaneous Discussion, continued:

Register to Vote. Councilmember Gallagher said October 12th is the last day to register to vote before the upcoming Election. He said some states are tightening up the rules and urged citizens to notify veterans or those in the Armed Forces to turn in their absentee ballots.

*

Veteran's Parade. Councilmember Gallagher reminded citizens that the Veteran's Day Parade will be held Sunday, November 11th. He said the route would be same as last year beginning at Eufaula Avenue and James Garner Avenue/Jenkins Avenue and moving south to the Reaves Park Memorial.

* * * * *

ADJOURNMENT

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

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spauldiing, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the meeting was adjourned at 7:25 p.m.

ATTEST:

City Clerk Mayor

City of Norman, OK

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

Master

File Number: GID-1213-40

File ID:	GID-1213-40	**Type:**	Award	**Status:**	Draft
Version:	1	**Reference:**	Item No. 4	**In Control:**	City Council
Department:	Parks and Recreation Department	**Cost:**		**File Created:**	10/17/2012
File Name:	Veteran's Designation			**Final Action:**	

Title: PRESENTATION FROM THE VETERAN'S DAY NATIONAL COMMITTEE FOR THE DEPARTMENT OF VETERANS AFFAIRS DESIGNATING THE CITY OF NORMAN AS A REGIONAL SITE FOR THE OBSERVANCE OF VETERAN'S DAY 2012.

ACTION NEEDED: Allow the presentation from the Veteran's Day National Committee for the Department of Veterans Affairs designating the City of Norman as a regional site for the observance of Veteran's Day 2012.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 4

Attachments:

Project Manager: Jud Foster, Director of Parks and Recreation

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 GID-1213-40

City of Norman, OK

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

Master

File Number: P-1213-7

File ID:	P-1213-7	**Type:**	Proclamation	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 5	**In Control:**	City Council
Department:	City Manager Department	**Cost:**		**File Created:**	10/09/2012
File Name:	Proclamation Native American Heritage Month			**Final Action:**	

Title: PROCLAMATION NO. P-1213-7: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF NOVEMBER, 2012, AS NATIVE AMERICAN HERITAGE MONTH IN THE CITY OF NORMAN.

ACTION NEEDED: Motion to acknowledge receipt of Proclamation No. P-1213-7 proclaiming the month of November, 2012, as Native American Heritage Month in the City of Norman and direct the filing thereof.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 5

Attachments: Native American Heritage Month

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 P-1213-7

P-1213-7

A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF NOVEMBER, 2012, AS NATIVE AMERICAN HERITAGE MONTH IN THE CITY OF NORMAN.

§ 1. WHEREAS, the American Indian population residing within the City of Norman proper represents a unique and diverse population representing many tribal nations; and

§ 2. WHEREAS, this unique population provides a learning experience not available to many towns, cities, and communities; and

§ 3. WHEREAS, the American Indian population of the City of Norman is represented within every facet of the City including, but not limited to, primary, secondary, and higher education; business; non-profits; federal, state, and tribal services; the health field; fine arts; industry; the armed forces; religion; law enforcement; and entertainment; and

§ 4. WHEREAS, the American Indian population has contributed to the growth and future of the City of Norman; and

§ 5. WHEREAS, the beauty and richness of the American Indian culture provides a dynamic presence in the City of Norman that attracts visitors from across the State, nation, and internationally.

NOW, THEREFORE, I, MAYOR OF THE CITY OF NORMAN, OKLAHOMA:

§ 6. Do hereby proclaim the month of November, 2012, as Native American Heritage Month in the City of Norman and call this to the attention of all residents and encourage them to recognize the contributions made by American Indians to the community.

PASSED AND APPROVED this 23rd day of October, 2012.

ATTEST: _____ Mayor

_____
City Clerk

City of Norman, OK

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

Master

File Number: P-1213-8

File ID:	P-1213-8	**Type:**	Proclamation	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 6	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**		**File Created:**	10/16/2012
File Name:	P-1213-8 Bullying Proclamation			**Final Action:**	

Title: PROCLAMATION NO. P-1213-7: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF OCTOBER, 2012, AS NATIONAL BULLYING AWARENESS MONTH IN THE CITY OF NORMAN.

ACTION NEEDED: Motion to acknowledge receipt of Proclamation No. P-1213-8 proclaiming the month of October, 2012, as National Bullying Prevention Month in the City of Norman and direct the filing thereof.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 6

Attachments: National Bullying Prevention Month

Project Manager: Brenda Hall, City Clerk

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 P-1213-8

Proclamation

P-1213-8

A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF OCTOBER, 2012, AS NATIONAL BULLYING PREVENTION MONTH IN THE CITY OF NORMAN.

§ 1. WHEREAS, bullying is physical, verbal, or emotional harm or intimidation intentionally directed at a person or group of people; and

§ 2. WHEREAS, bullying occurs in neighborhoods, playgrounds, schools, work places, and through technology, such as the internet and cell phones; and

§ 3. WHEREAS, various researchers have concluded that bullying is the most common form of violence, affecting millions of American children and adolescents annually; and

§ 4. WHEREAS, targets of bullying are more likely to acquire physical, emotional, and learning problems and students who are repeatedly bullied often fear such activities as riding the bus, going to school, and attending community activities; and

§ 5. WHEREAS, children who bully are at greater risk of engaging in more serious violent behaviors; and

§ 6. WHEREAS, the Norman Police Department and Norman Public Schools have taken leadership roles in bullying prevention within the City of Norman, and are actively working with families, faith-based organizations, social service agencies, and others to ensure that the topic of bullying is addressed as a community awareness and education issue; and

§ 7. WHEREAS, a Community Task Force was formed consisting of members from the Norman Police Department, Norman Public Schools, Xenia Institute, local churches, and other community stakeholders who have developed a definition that is all encompassing and easily understandable for all ages which is "*Bullying is repeated, intentional aggressive behavior. It involves an imbalance of power used to inflict emotional distress or physical harm.*"

NOW, THEREFORE, I, MAYOR OF THE CITY OF NORMAN, OKLAHOMA:

§ 8. Do hereby proclaim the month of October, 2012, as National Bullying Prevention Month in the City of Norman and encourage citizens' full participation in all events related thereto in the community.

PASSED AND APPROVED this 23rd day of October, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

THE CITY OF NORMAN OKLAHOMA
RECREATION EDUCATION RESEARCH HEALTH INDUSTRY

City of Norman, OK

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

Master

File Number: O-1112-38

File ID:	O-1112-38	**Type:**	Ordinance	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 8	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	04/17/2012
File Name:	O-1112-38 Risser Rezone			**Final Action:**	

Title: CONSIDERATION OF ORDINANCE NO. O-1112-38 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 NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-3, INTENSIVE COMMERCIAL DISTRICT WITH SPECIAL USE FOR A MIXED BUILDING, AND REMOVE THE SAME FROM THE C-1, LOCAL COMMERCIAL DISTRICT, CO, SUBURBAN OFFICE COMMERCIAL DISTRICT, AND R-3, MULTI-FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (LOCATED AT 612 ASP AVENUE, 421-427 BUCHANAN AVENUE, 710 ASP AVENUE, AND THE ADJACENT LOT TO THE SOUTH)

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1112-38 upon First Reading by title.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 8

Attachments: Text File O-1213-38, O-1112-38 Risser, 7-10-12
Location Map, Rezone Staff Report, Project Description, Project Drawings, Example of Project, Building and Lot Layout Asp/Buchanan, B 3 Development Group Asp Ave Traffic Letter, 9-13-12
PC Minutes - B3 Development

Project Manager: Jane Hudson, Principal Planner

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	05/10/2012					
1	Planning Commission	07/12/2012	Postponed				
	Action Text: Postponed						
1	Planning Commission	07/12/2012					
1	Planning Commission	08/09/2012	Postponed				
	Action Text: Postponed						
1	Planning Commission	08/09/2012					
1	Planning Commission	09/13/2012	Recommended for Rejection	City Council			
	Action Text: Recommended for Rejection to the City Council						
	Notes: *Motion for adoption failed on vote of 3-4.*						
1	Planning Commission	09/13/2012					

Text of Legislative File O-1112-38

Body

BACKGROUND: This rezoning request is for a change of zoning from C-1, Local Commercial District, CO, Suburban Office Commercial District and R-3, Multi-family Dwelling District, to C-3, Intensive Commercial District with Special Use for a Mixed Building. The applicant is proposing a Mixed Use development on approximately 1.42 acres located on a site abutting the north end of the Campus Corner District along the west side of Asp Avenue, north of White Street. The development will accommodate commercial/retail, office, residential and a parking garage. The development previously planned to house 200 dwelling units with 230 beds. However, this number has been reduced to 178-180 dwelling units dependent upon how they design the 1-bedroom units versus the 2-bedroom units. The office, commercial/retail, leasing, and live/work areas will be about 10,800 square feet. This area will include 1,500 square feet of the leasing office for the apartments. There will be 4,800 square feet set aside for the Norman Economic Development Coalition (NEDC) offices. The remaining 4,500 square feet will accommodate the live/work rental units. The live/work area is defined as just that, live/work units for rent. These units will be available for residents to lease as a residence or as an office, or both. These live/work units will be confined to the north portion of the development and have elevator access. The first floor of the development will house the parking garage and the commercial/retail and office area. The second floor will be the remaining parking area. The third through the sixth floors will house apartments and live/work units.

DISCUSSION:

C-3, INTENSIVE COMMERCIAL DISTRICT WITH SPECIAL USE FOR MIXED BUILDING: This commercial district is intended for the conduct of personal and business services and the general retail business of the community. It differs from the other commercial districts in that off-street parking is not required. This district was created primarily for those commercial areas which already were so intensely developed that they could not comply with the provisions for other commercial districts in this ordinance.

COMMERCIAL USE: This proposal will include approximately 10,800 square feet of

commercial/retail and office areas on the ground floor.

RESIDENTIAL USE: There are no requirements for a percentage of residential units to qualify for the Mixed Use component in the C-3 zoning district. The only stipulation for the "Special Use" is "one or more residential dwelling units may be located on the upper floors provided that the first floor use is a permitted use in the district." Commercial/retail and office are all permitted uses under the C-3 zoning designation.

PARKING: Under the C-3 zoning district there are no off-street parking requirements. As stated above, the C-3 district was created for areas that could not accommodate parking requirements established in the zoning ordinance. However, this applicant has proposed a two level parking garage that will accommodate the commercial/retail areas, their patrons as well as residents and guests. The parking count proposed is one parking space per bedroom (not dwelling unit), one parking space per 300 square feet of the leasing office, one parking space per 300 square feet of the NEDC area and one parking space per 300 square feet of the live/work area. Under the existing parking requirements for multi-family developments, whether 1, 2 or 3 bedroom dwelling units, the parking requirement is 1.8 per dwelling unit. There will be commercial and guest parking that is accessible without going thru a 'gate'. Beyond that, there will be a gate that the residents will access for their parking area.

OPEN SPACE: There will be public open space/green space incorporated into the north and south sides of the building. There will be an upper level landscaped courtyard as well. The east side of the development along Asp Avenue will have street furniture.

IMPACTS: The proposal is not a gated development; however, the residential section of the parking garage does have controlled access. The development will utilize public streets for access to the building and trash services. Any exterior lighting proposed will meet the requirements of the commercial outdoor lighting standards which will limit the impact on any adjacent property owners or residents.

PARKS BOARD: The property is already platted and zoned commercial, parkland is not required.

PUBLIC WORKS AND UTILITIES: The development has access to existing utilities. The applicant needs to verify with the Fire Department that the current water lines will supply adequate water pressure and fire flows for protection of the development. There is a possibility the applicant will be required to upgrade the waterlines or make a connection with the six inch water main on Buchanan Avenue or with the six inch water main on Asp Avenue. Fire hydrants are inadequate in the area; additional fire hydrants will be required. There is an existing eight inch sanitary sewer main that will serve the site. Per City standards the applicant will need to account for all storm water runoff generated by this development so as to not impact adjacent properties. The applicant has stated the design and intent of the project is to install a new ten foot wide sidewalk rather than the standard five feet, along Asp Avenue and Buchanan Avenue. This increased width in the sidewalk will create a more pedestrian friendly area.

RECOMMENDATION: The applicant has requested the zoning designation of C-3 with Special Use for a Mixed Building. In the C-3 zoning district there is no height limitation for buildings. As a result, the six-story building proposed would not be in violation of the requested zoning. The typical

zoning in the Campus Corner area is C-2, General Commercial District, and C-3, Intensive Commercial District. The Land Use and Transportation Plan designates the Campus Corner area along the west side of Asp Avenue up to one lot south of this development as Commercial Designation. The Land Use and Zoning request for this development is a continuation of what is already established in the Campus Corner area. With the development already occurring in this general vicinity, the continued growth of the University, Norman's growth in population as a whole, as well as the commercial/retail and office growth along Campus Corner and Main Street, this type of development is well suited for this area. However, this development is considered high density and comes to the City Council on the heels of the final public discussion regarding high density. The final report of the public discussions on high density was presented to the Council Community Planning and Transportation Committee (CPTC) at their September 24, 2012 meeting. As a result of the discussion at the meeting and by direction of the CPTC members, City staff will prepare a draft outline for a high density ordinance for the CPTC to review at their October 22, 2012 meeting. This type of mixed use development is suited for the Campus Corner area, but the scale does not fit the area; a "Best Practices" component that regularly came up in the high density meetings was the idea of maintaining similarity and balance in neighborhoods that predominantly have one and two story buildings. Staff is concerned with the architectural design of the building and how it will fit the Campus Corner area in relation to height. If the building were designed with step backs as the floors increased that would help reduce the issue of mass in relation to the smaller one and two story structures in the vicinity. The issue of compatibility with the neighborhood presents a concern for Staff. Staff has no recommendation of approval or disapproval for the zoning request until Council has made a recommendation for an ordinance which defines high density.

At their September 13, 2012 meeting, the Planning Commission failed to recommend adoption of this ordinance by a vote of 3-4.

O-1112-38

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 NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 9 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-3, INTENSIVE COMMERCIAL DISTRICT WITH SPECIAL USE FOR A MIXED BUILDING, AND REMOVE THE SAME FROM THE C-1, LOCAL COMMERCIAL DISTRICT, THE CO, SUBURBAN OFFICE COMMERCIAL DISTRICT, AND THE R-3, MULTI-FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (LOCATED AT 612 ASP AVENUE, 421-427 BUCHANAN AVENUE, 710 ASP AVENUE, AND THE ADJACENT LOT TO THE SOUTH)

§ 1. WHEREAS, B^3 Development Group, the owners of the hereinafter described property, has made application to have said property placed in the C-3, Intensive Commercial District with Special Use for a Mixed Building, and to have the same removed from the C-1, Local Commercial District, the CO, Suburban Office Commercial District, and the R-3, Multi-Family Dwelling 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 with 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 rezoning with 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 place the following described property in the C-3, Intensive Commercial District with Special Use for a Mixed Building, and to have the same removed from the C-1, Local Commercial District, the CO, Suburban Office Commercial District, and the R-3, Multi-Family Dwelling District; to wit:

A tract of land lying in a part of the NE/4 of the SW/4 of Section 31, T9N, R2W of the Indian Meridian, Norman, Cleveland County, Oklahoma, being more particularly described as follows:

BEGINNING at the NE/C of Lot 6, Block 1, Larsh's University Addition, said point being a point on the West right-of-way line of Asp Avenue;
THENCE South 0°00'00" East along said right-of-way line a distance of 150.00 feet to the Southeast corner of Lot 8, Block 1, of said final plat;

THENCE North 90°00'00" West along the South property line of said Lot 8 a distance of 230.00 feet (of the 240.00 feet as shown on said final plat);
THENCE North 0°00'00" East a distance of 325.00 feet to a point within Lot 2, Block 1 of said final plat;
THENCE South 90°00'00" East with said Lot 2, Block 1, a distance of 230.00 feet to a point on the West right-of-way line of Asp Avenue of said Lot 2, Block 1, of said final plat;
THENCE South 0°00'00"East along said West right-of-way line a distance of 75.00 feet tot the Southeast corner of Lot 3, Block 1 of said final plat;
THENCE North 90°00'00" West along the South property line of said Lot 3 a distance of 130.00 feet; South 0°00'00" West a distance of 100.00 feet to a point on the North property line of Lot 6, Block 1, of said final plat;
THENCE South 90°00'00" East along said North property line a distance of 130.00 feet to the POINT OF BEGINNING;

Said tract contains 61,754 square feet or 1.42 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.

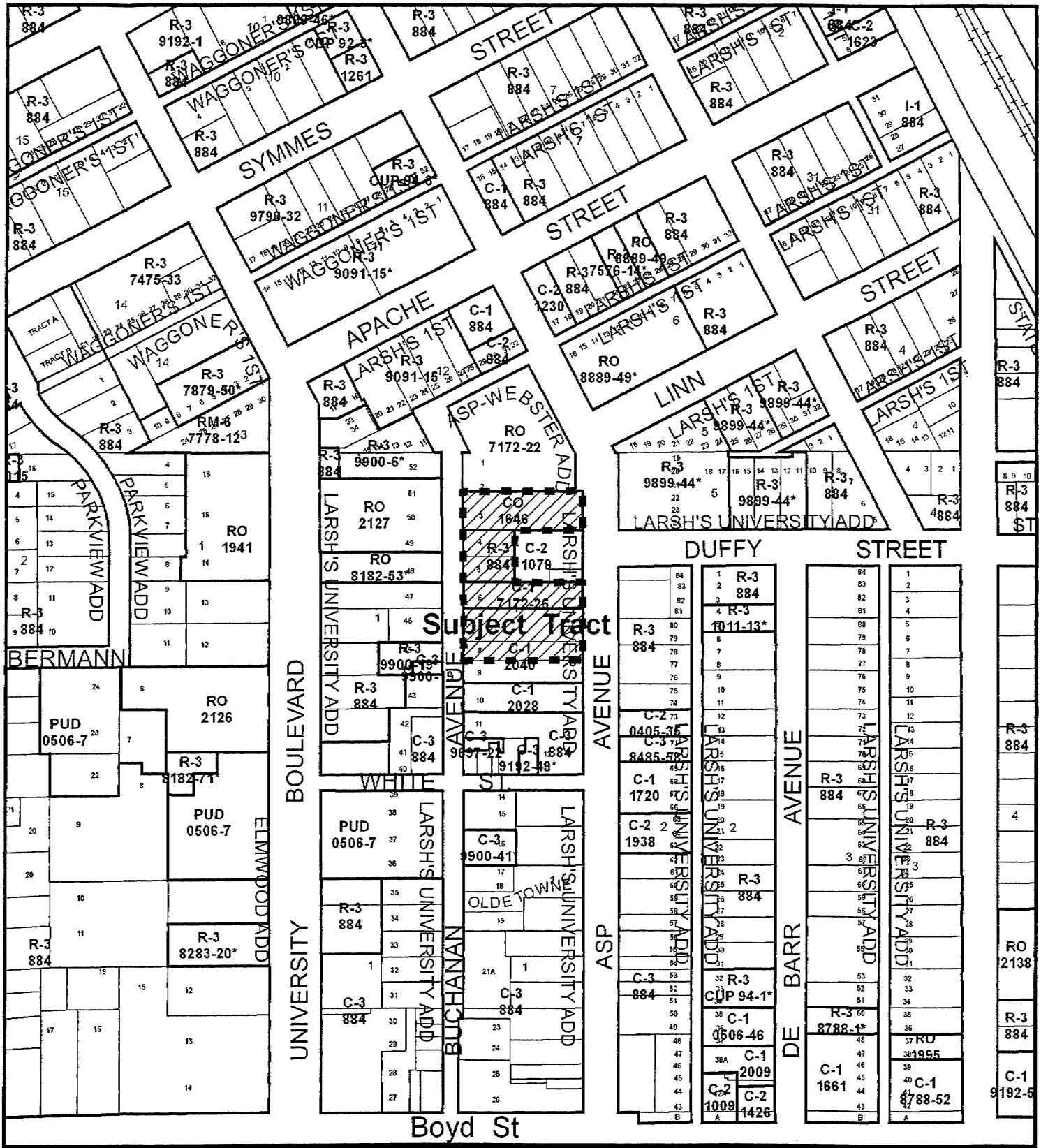
_____
Mayor

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

July 10, 2012

0 150 300 Ft.

Subject Tract

Zoning

8-3

ORDINANCE NO. O-1112-38 ITEM NO. 6b

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Mark Risser/B3 Development Group
REQUESTED ACTION	Rezoning to C-3, Intensive Commercial District, with Special Use for a Mixed Building
EXISTING ZONING	C-1, Local Commercial District CO, Suburban Office Commercial R-3, Multi-Family Dwelling District
SURROUNDING ZONING	North: C-2 and CO East: R-3 South: C-1 and C-3 West: RO and R-3
LOCATION	612 Asp Avenue, 421-427 Buchanan Avenue, 710 Asp Avenue and the adjacent lot to the south
SIZE	1.42 Acres
PURPOSE	Mixed Building with Commercial, Parking, and Residential Uses
EXISTING LAND USE	Office and Residential
SURROUNDING LAND USE	North: Residential East: Residential South: Commercial West: Residential
LAND USE PLAN DESIGNATION	Medium Density Residential & Office

SYNOPSIS: This rezoning request is for a change of zoning from C-1, Local Commercial District, CO, Suburban Office Commercial District and R-3, Multi-family Dwelling District, to C-3, Intensive Commercial District, with Special Use for a Mixed Building. The applicant is proposing a Mixed Use development on approximately 1.42 acres located on a site abutting the north end of the Campus Corner District along the west side of Asp Avenue, north of White Street. The development will accommodate commercial/retail, office, residential and a parking garage. The development plans to house 200 dwelling units with 230 beds. The office, commercial/retail, leasing, and live/work areas will be about 10,800 square feet. This area will include 1,500 square feet of the leasing office for the apartments. There will be 4,800 square feet set aside for the Norman Economic Development Coalition (NEDC) offices. The remaining 4,500 square feet will accommodate the live/work rental units. The live/work area is defined as just that, live/work units for rent. These units will be available for residents to lease as a residence or as an office, or both. These live/work units will be confined to the north portion of the development and have elevator access. The first floor of the development will house the parking garage the commercial/retail and office area. The second floor will be the remaining parking area. The third through the sixth floors will house apartments and live/work units.

ANALYSIS:

C-3, INTENSIVE COMMERCIAL DISTRICT WITH SPECIAL USE FOR MIXED BUILDING: This commercial district is intended for the conduct of personal and business services and the general retail business of the community. It differs from the other commercial districts in that off-street parking is not required. This district was created primarily for those commercial areas which already were so intensely developed that they could not comply with the provisions for other commercial districts in this ordinance.

COMMERCIAL USE: This proposal will include approximately 10,800 square feet of commercial/retail and office areas on the ground floor.

RESIDENTIAL USE: There are no requirements for a percentage of residential units to qualify for the Mixed Use component in the C-3 zoning district. The only stipulation for the "Special Use" is "one or more residential dwelling units may be located on the upper floors provided that the first floor use is a permitted use in the district." Commercial/retail and office are all permitted uses under the C-3 zoning designation.

PARKING: Under the C-3 zoning district there are no off-street parking requirements. As stated above, the C-3 district was created for areas that could not accommodate parking requirements established in the zoning ordinance. However, this applicant has proposed a two level parking garage that will accommodate the commercial/retail areas, their patrons as well as residents and guests. The parking count proposed is one parking space per bedroom (not dwelling unit), one parking space per 300 square feet of the leasing office, one parking space per 300 square feet of the NEDC area and one parking space per 300 square feet of the live/work area. Under the existing parking requirements for multi-family developments, whether 1, 2 or 3 bedroom dwelling units, the parking requirement is 1.8 per dwelling unit. There will be commercial and guest parking that is accessible without going thru a 'gate'. Beyond that, there will be a gate that the residents will access for their parking area.

OPEN SPACE: There will be public open space/green space incorporated into the north and south sides of the building. There will be an upper level landscaped courtyard as well. The east side of the development along Asp Avenue will have street furniture.

IMPACTS: The proposal is not a gated development; however, the two levels of the parking garage do have controlled access. The development will utilize public streets for access to the building and trash services. Any exterior lighting proposed will meet the requirements of the commercial outdoor lighting standards which will limit the impact on any adjacent property owners or residents.

OTHER AGENCY COMMENTS:

PARKS BOARD: The property is already platted and zoned commercial, parkland is not required.

PUBLIC WORKS AND UTILITIES: The development has access to existing utilities. The applicant needs to verify with the Fire Department that the current water lines will supply adequate water pressure and fire flows for protection of the development. There is a possibility the applicant will be required to upgrade the waterlines or make a connection with the six inch water main on Buchanan Avenue or with the six inch water main on Asp Avenue. Also, it appears fire hydrants are inadequate in the area. Additional fire hydrants will be required. There is an existing eight inch sanitary sewer main that will serve the site. Per City standards the applicant will need to account for all storm water runoff generated by this development so as to not impact adjacent properties. The applicant has stated the design and intent of the project is to install a new ten foot wide sidewalk rather than the standard five feet, along Asp Avenue and Buchanan Avenue. This increased width in the sidewalk will create a more pedestrian friendly area.

STAFF RECOMMENDATION: The applicant has requested the zoning designation of C-3 with Special Use for a Mixed Building. In the C-3 zoning district there is no height limitation for buildings. As a result, the six-story building proposed would not be in violation of the requested zoning. The typical zoning in the Campus Corner area is C-2, General Commercial District and C-3, Intensive Commercial District. The Land Use and Transportation Plan designates the Campus Corner area along the west side of Asp Avenue up to one lot south of this development as Commercial Designation. The Land Use and Zoning request for this development is a continuation of what is already established in the Campus Corner area. With the development already occurring in this general vicinity, the continued growth of the University, Norman's growth in population as a whole, as well as the commercial/retail and office growth along Campus Corner and Main Street, this type of development is well suited for this area. However, this development is considered high density and comes to the Planning Commission on the heels of the final public discussion regarding high density. This timing creates an issue since the final report from those public meetings has not been finalized or submitted to Council for review and further direction. This type of mixed use development is suited for the Campus Corner area but the scale does not fit the area. A "Best Practices" component that regularly came up in the High Density meetings was the idea of maintaining similarity and balance in neighborhoods that predominantly have one and two story buildings. Staff is concerned with the architectural design of the building and how it will fit the Campus Corner area in relation to height. If the building were designed with step backs as the floors increased that would help reduce the issue of mass in relation to the smaller one and two story structures in the vicinity. The issue of compatibility with the neighborhood presents a concern for Staff. Staff has no recommendation of approval or disapproval for the zoning request because the final report on high density is not complete.

Presented to: Planning Department
City of Norman
Norman, OK.

Date: July 9, 2012

Project: 612 / 710 / 730 Asp Ave.
421 – 427 Buchanan Ave.
Norman, OK.

Purpose: Planning Commission

PROJECT WRITTEN DESCRIPTION

1. Physical Description of Site

The site is approximately 1.42 acres, located at the north end of "Campus Corner." Currently, the site consists of a 10,000 SF (+/-) office building, 2 small duplexes, and 12 duplex bungalows, as well as surface parking areas.

2. Use

This project will be a 'Mixed Use' development, consisting of:

- Parking garage (approximately 250 parking spaces)
- Commercial / Retail Space (Approximately 7,500 SF)
- Market Rate – and/or – Student Housing Apartments (Approximately 250 Bedrooms)

The project will consist of one (1) building, which will have a 2 level parking garage with commercial / retail space fronting Asp Avenue. Above the 'parking structure' will be approximately 4-stories of apartment housing.

Our vision is to bring a higher level of housing to the Campus Corner district. We plan to take an area of Campus Corner that currently houses very old and outdated structures, along with an abundance of 'unattractive' parking areas, and replace it with a state-of-the art, well designed building with a 2-story parking garage. Creating a high density mixed use project will enhance the pedestrian friendly area of Campus Corner, allowing residents to frequent the retailers and conveniently walk or bike to all that the University of Oklahoma campus and Main Street Norman have to offer.

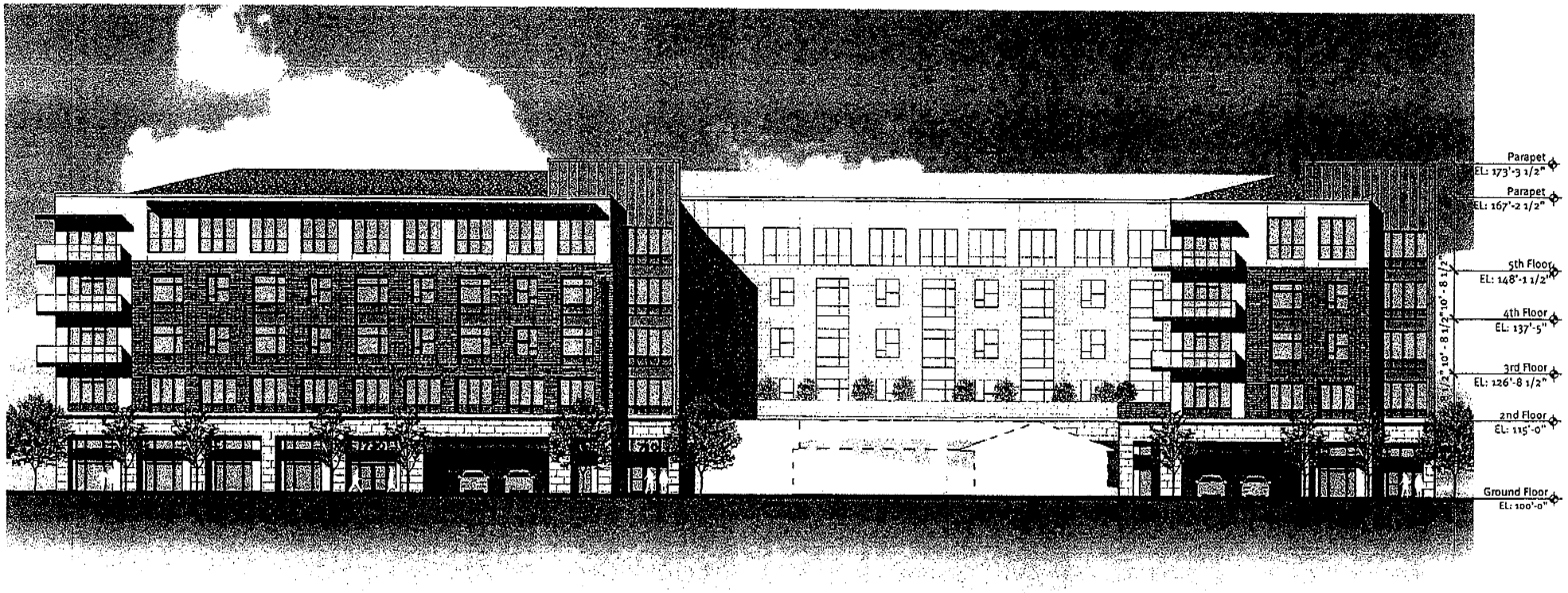
As someone who was born and raised in Norman, I fully recognize and honor all that Campus Corner has to offer. Our vision is to create a modern housing component, which will help generate and drive pedestrian and retail traffic. Having more dwelling units in close proximity to Campus Corner will clearly reduce the vehicular traffic count to the area, as the residents will be better

positioned to walk / bike to the local merchants and attractions that inner Norman offers. We will also incorporate a commercial / retail component, as we appreciate the advantages that a 'mixed use' project has to offer. Additionally, we be incorporating 'green spaces' on the north and south sides of the building, as well as a upper level landscaped courtyard.

We appreciate your comments regarding the proposed project, and we look forward to working with the residents and property of owners of the Campus Corner area, in an effort to further enhance the quality and character of the inner Norman community.

Respectfully,

Mark Risser
B3 Development Group



01 Asp Avenue Elevation

JHP

710 Asp Avenue
Norman, OK

B3 DEVELOPMENT GROUP

Schematic Elevation
Scale 1" = 20' - 0"

0' 10' 20' 40'

07.09.2012 | 2012017.00 KE

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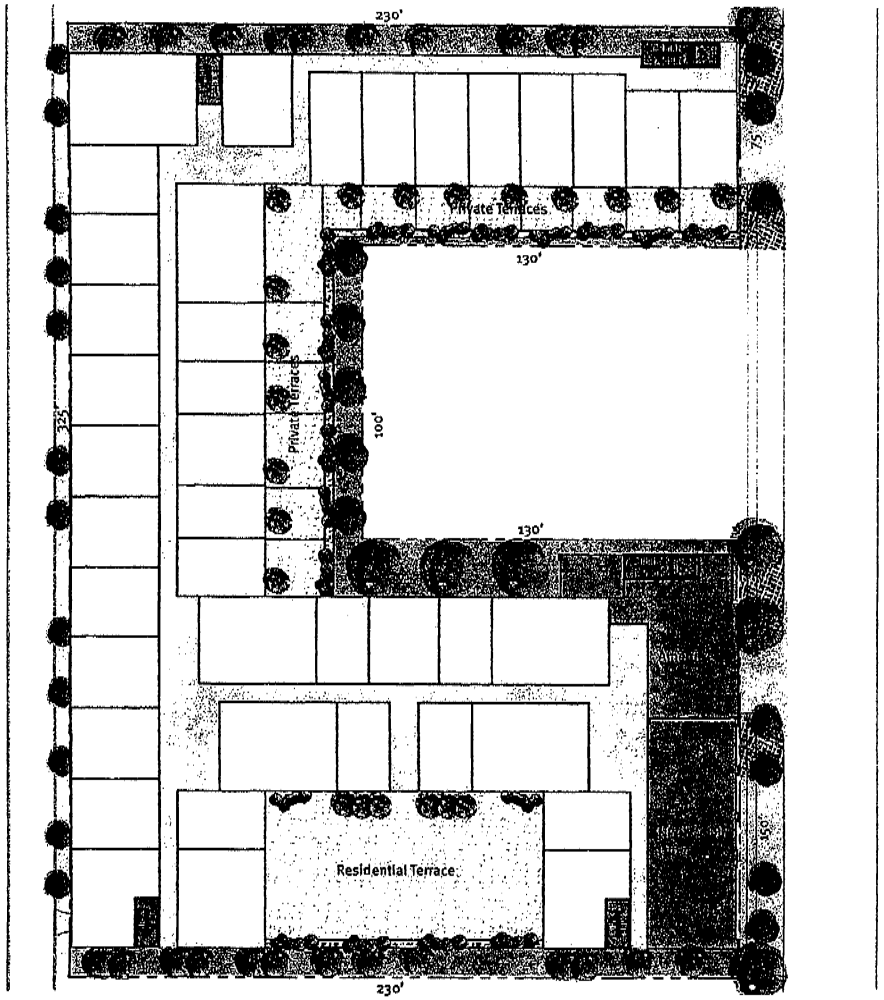
Not for Permit or Construction: J. Mark Wolf
Registered Architect of State of Oklahoma, Registration No. 3469



01 Second Floor

0' 20' 40' 80'

JHP

710 Asp Avenue
Norman, OK

B3 DEVELOPMENT GROUP

Second Floor
Scale: 1"=40'-0"

07.09.2012	2012017.00 KE

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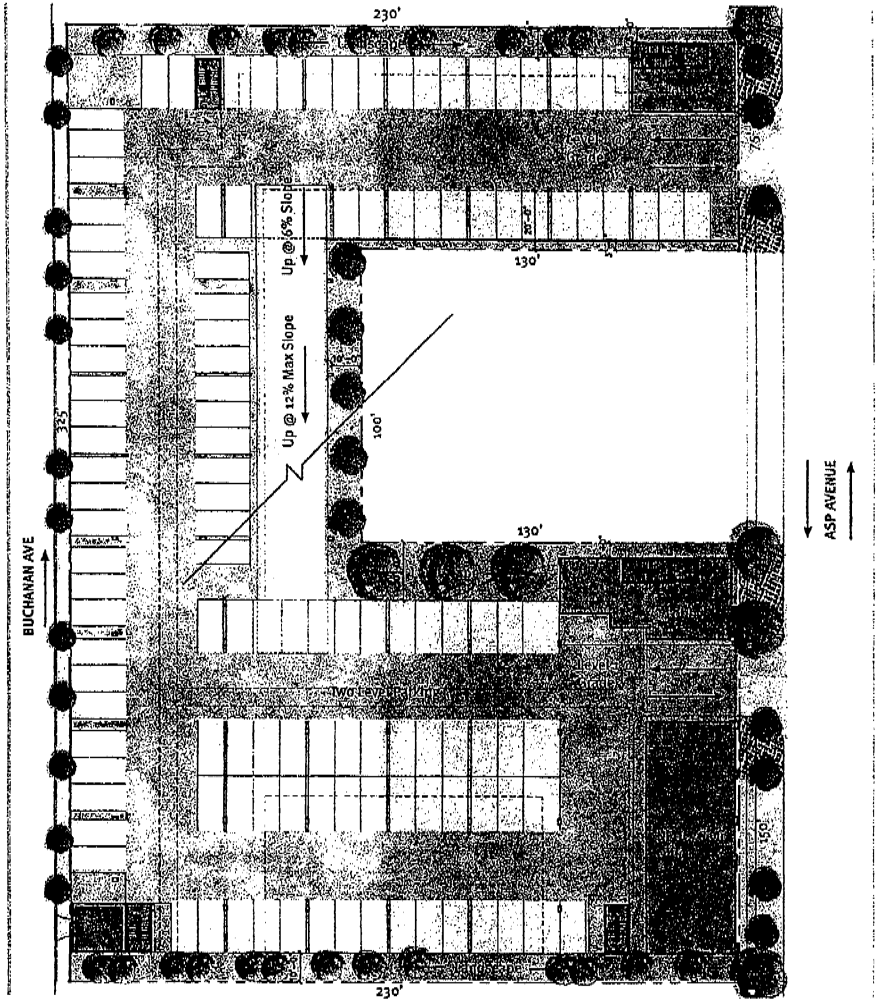
Registered Architect of State of Oklahoma, Registration No. 3469



01 Site Plan

Project Data		
USES		
Multifamily:	200 Units (approx) 230 Beds (approx)	
Commercial:	10,800 sf (approx)	
Leasing:	1,500 sf (approx)	
Office (NEDC):	4,800 sf (approx)	
Live/Work:	4,500 sf (approx)	
PARKING		
Multifamily:	(1 sp/br)	204 sp
Commercial:		
Leasing:	(1/300 sf)	5 sp
Office (NEDC):	(1/300 sf)	16 sp
Live/Work:	(1/300 sf)	15 sp
		240 sp
BUILDING TYPE Type 5A construction over Type I podium; NFPA 13 Fire Protection		

0' 20' 40' 80'

JHP

710 Asp Avenue
Norman, OK

B3 DEVELOPMENT GROUP

Site Plan
Scale: 1"=40'-0"

07.09.2012 | 2012017.00 KE

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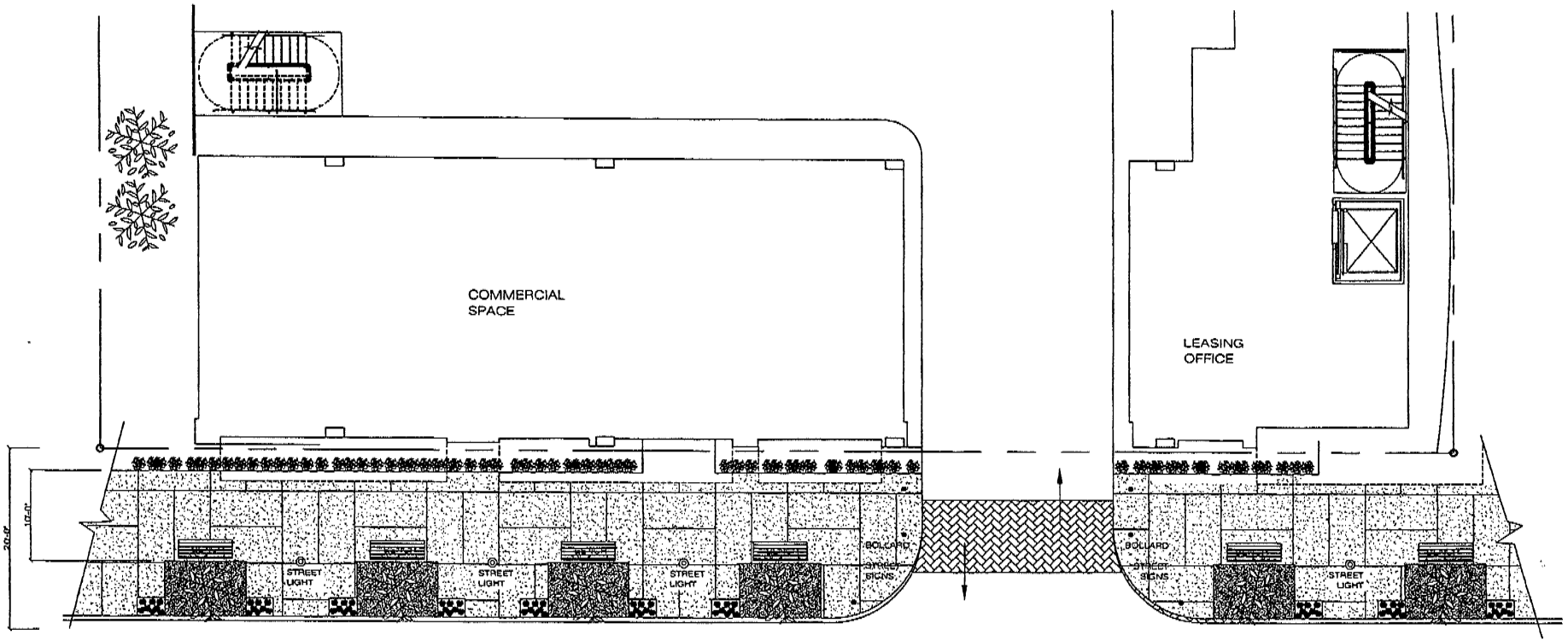
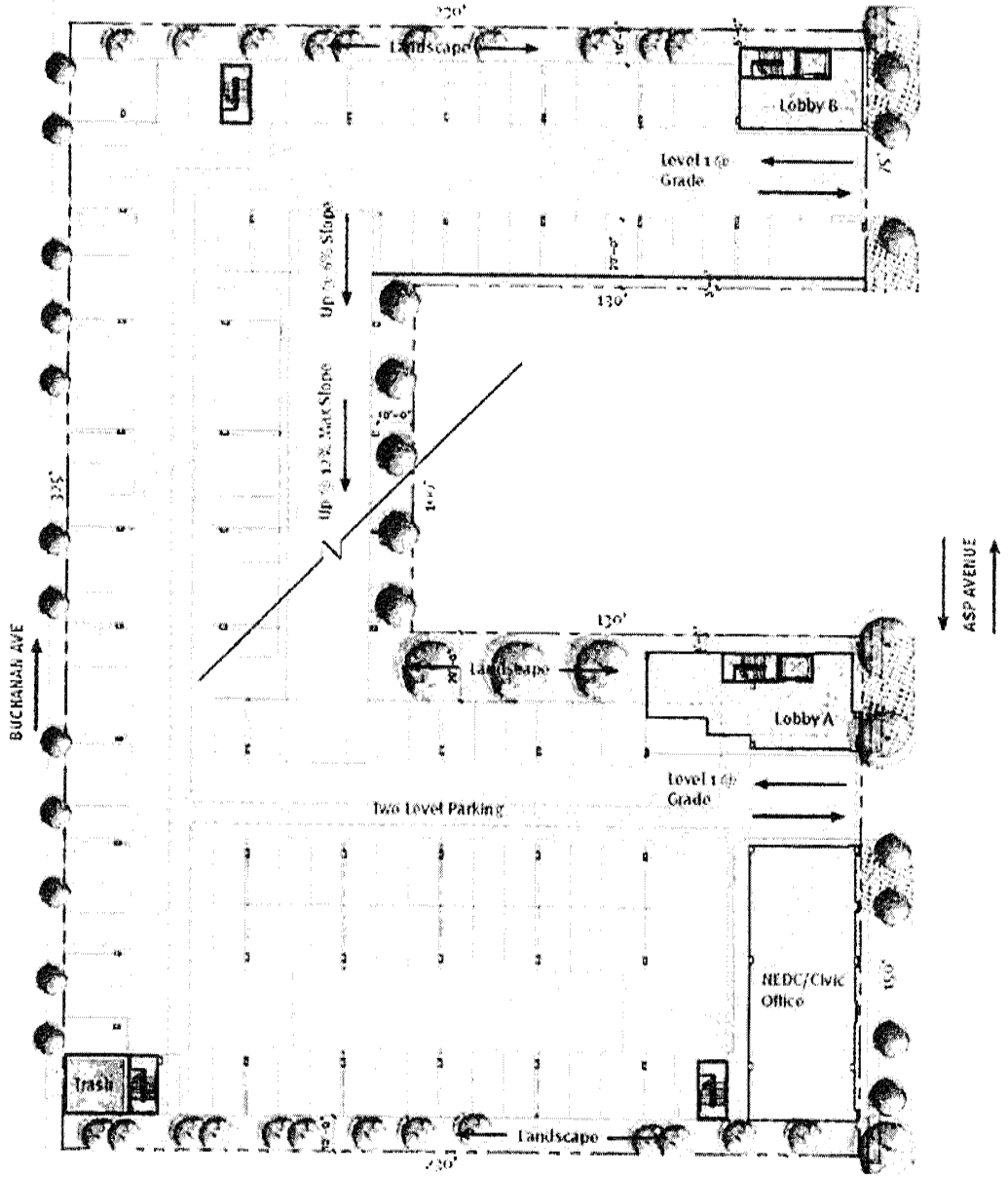
Not for Permit or Construction: J. Mark Wolf
Registered Architect of State of Oklahoma, Registration No. 3469



ASP AVENUE

SIDEWALK PLAN

710



01 Site Plan

Project Data

8-15

USES

Multifamily:	200 Units (approx)	
	230 Beds (approx)	
Commercial:	10,800 sf (approx)	
Leasing:	1,500 sf (approx)	
Office (NEDC):	4,800 sf (approx)	
Live/Work:	4,500 sf (approx)	

PARKING

Multifamily:	(1 sp/br)	204 s
Commercial:		
Leasing:	(1/300 sf)	5 s
Office (NEDC):	(1/300 sf)	16 s
Live/Work:	(1/300 sf)	15 s
		240 s

BUILDING TYPE

Type 5A construction over Type I podium; NFPA 13 Fire Protecti

IP

710 Asp Avenue
Norman, OK

B3 DEVELOPMENT GROUP

Site Plan
Scale: 1"=40'-0"

07.09.2012 | 20120

September 19, 2012

Tom L. McCaleb, P.E.
SMC Consulting Engineers, P.C.
815 West Main
Oklahoma City, OK 73106

RE: Proposed Mixed Use Development at 710 Asp Avenue in Norman, OK

Tom:

The existing building at this site contains approximately 10,000 sf of office space. The new Mixed Use development proposed to be constructed on this site will replace the existing office space with approximately 5,000 sf of office space and 180 apartment units. To determine the impacts of the traffic caused by the proposed development a comparison of the existing traffic and the projected traffic for the new development was necessary. Traffic Engineering Consultants, Inc. (TEC) utilized trip rates from the 8th Edition of the "Trip Generation" publication to generate the traffic for the existing business and the new development proposed for this location. This publication is produced by the Institute of Transportation Engineers and is a nationally recognized publication for projecting traffic volumes for numerous different land uses.

TEC used the "General Office Building" land use to generate the traffic expected to entering and exiting the existing office space on this site. The results of this evaluation are summarized in **Table 1.**

TABLE 1.
PROJECTED SITE GENERATED TRAFFIC VOLUMES

Building Type (Land Use)	Land Use Code	Approx. Gross Floor Area or Other	Average Weekday Vehicle Trip Ends: PER DAY (vpd)	Per Peak Hour of Adjacent Street Traffic: One Hour Between 7am & 9am (vph)	Per Peak Hour of Adjacent Street Traffic: One Hour Between 4pm & 6pm (vph)	Average AM Peak Hour Directional Distribution: IN	Average AM Peak Hour Directional Distribution: OUT	Average AM Peak Hour Directional Volume: IN	Average AM Peak Hour Directional Volume: OUT	Average PM Peak Hour Directional Distribution: IN	Average PM Peak Hour Directional Distribution: OUT	Average PM Peak Hour Directional Volume: IN	Average PM Peak Hour Directional Volume: OUT
Trip Rate*	710	(s)	22.66	2.97	9.00	0.88	0.12	26	4	0.17	0.83	15	75
General Office Building		10,000	227	30	90								
TOTAL			227	30	90			26	4			15	75
								Total	30			Total	90

* Trip Rates from "TRIP GENERATION", 8th Ed., Vol. 2 and 3 of 3, Institute of Transportation Engineers, 2008.

TEC used the "Apartment" and "General Office Building" land uses to generate the traffic expected to entering and exiting the proposed new development on this site. The results of this evaluation are summarized in **Table 2.**

TABLE 2.

PROJECTED SITE GENERATED TRAFFIC VOLUMES

Building Type (Land Use)	Land Use Code	Approx. Gross Floor Area or Other	Average Weekday Vehicle Trip Ends: PER DAY (vpd)	Per Peak Hour of Adjacent Street Traffic: One Hour Between 7am & 9am (vph)	Per Peak Hour of Adjacent Street Traffic: One Hour Between 4pm & 6pm (vph)	Average AM Peak Hour Directional Distribution: IN	Average AM Peak Hour Directional Distribution: OUT	Average AM Peak Hour Directional Volume: IN	Average AM Peak Hour Directional Volume: OUT	Average PM Peak Hour Directional Distribution: IN	Average PM Peak Hour Directional Distribution: OUT	Average PM Peak Hour Directional Volume: IN	Average PM Peak Hour Directional Volume: OUT
Trip Rate*	220	(dwelling units)	6.75	0.51	0.65	0.20	0.80	18	74	0.65	0.35	76	41
Apartment		180	1,214	92	117								
Trip Rate*	710	(sf)	26.57	3.41	16.88	0.88	0.12	15	2	0.17	0.83	14	70
General Office Building		5,000	133	17	84								
TOTAL			1,347	109	201			33	76			90	111
								Total	109			Total	201

* Trip Rates from "TRIP GENERATION", 8th Ed., Vol. 2 and 3 of 3, Institute of Transportation Engineers, 2008.

Since these apartments are easily within walking or biking distance to the entire OU campus, it would be expected that the majority of the traffic generated by the "Apartment" land use would not be vehicular traffic at all. The majority of the occupants living at the apartment complex would leave their vehicles parked during the day and would not enter and exit the development during the peak hours as you would expect from a similar land use. The comparison of the traffic between the existing site and the proposed site would be expected to be comparable, especially when you consider the proximity of the proposed apartments to the campus and the reduction in traffic that result from this.

Therefore, TEC would not expect the traffic generated by the proposed new development to degrade the level-of-service on the surrounding street system and would expect it to continue to operate at the current level-of-service.

Access to the proposed development will be via one full-access drive on Asp Avenue and one full-access drive on Buchanan Avenue. The existing office space's primary access was via two full-access drives on Asp Avenue, but they also have a row of parking spaces on Buchannan Avenue. Additionally, there is an ally south of the office building which connects Asp Avenue to Buchanan Avenue and contains approximately 25 parking spaces.

To improve the ingress and egress of traffic for the proposed development, the conversion of Buchanan Avenue from one-way (northbound only) traffic to two-way traffic has been explored. The conversion would only occur on Buchanan Avenue north of White Street and would allow vehicles to exit the development to the south instead of winding around the apartments to the north to get to Webster Avenue (Asp Avenue). The road is approximately 24-26 feet in width with on-street parking on each side which would have to be eliminated. The development would be expected to operate at acceptable levels-of-service with or without the Buchanan Street conversion.

Sincerely,

B.J. Hawkins, P.E., PTOE

BJH/bh

enclosure

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

AUGUST 9, 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 9th day of August 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions at least 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 Curtis McCarty Roberta Pailes Chris Lewis Andy Sherrer
MEMBERS ABSENT	Cindy Gordon Tom Knotts

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Leah Messner, Asst. City Attorney Larry Knapp, GIS Analyst Terry Floyd, Development Coordinator

* * *

Item No. 7, being:
CONSIDERATION OF A REQUEST SUBMITTED BY MARK RISSER/B³ DEVELOPMENT GROUP

7A. RESOLUTION NO. R-1112-129 – MARK RISSER/B³ DEVELOPMENT GROUP REQUEST AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-1112-6) FROM HIGH DENSITY RESIDENTIAL DESIGNATION AND OFFICE DESIGNATION TO COMMERCIAL DESIGNATION FOR PROPERTY LOCATED AT 612 AND 710 ASP AVENUE AND 421-427 BUCHANAN AVENUE.

7B. ORDINANCE NO. O-1112-38 – MARK RISSER/B³ DEVELOPMENT GROUP REQUEST REZONING FROM C-1, LOCAL COMMERCIAL DISTRICT, CO, SUBURBAN OFFICE COMMERCIAL DISTRICT, AND R-3, MULTI-FAMILY DWELLING DISTRICT, TO C-3, INTENSIVE COMMERCIAL DISTRICT WITH SPECIAL USE FOR A MIXED BUILDING, FOR PROPERTY LOCATED AT 612 AND 710 ASP AVENUE AND 421-427 BUCHANAN AVENUE.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Memo requesting Postponement

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Chris Lewis moved to postpone Resolution No. R-1112-129 and Ordinance No. O-1112-38 for one month. Diana Hartley 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, Curtis McCarty, Roberta Pailes, Chris Lewis, Andy Sherrer
NAYES	None
ABSENT	Cindy Gordon, Tom Knotts

Ms. Tromble announced that the motion to postpone Resolution No. R-1112-129 and Ordinance No. O-1112-38 for one month passed by a vote of 7-0.

* * *

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

JULY 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 July 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 Cynthia Gordon Tom Knotts Andy Sherrer
MEMBERS ABSENT	Diana Hartley Curtis McCarty Roberta Pailes Chris Lewis

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Kathryn Walker, Asst. City Attorney Larry Knapp, GIS Analyst Terry Floyd, Development Coordinator Scott Sturtz, City Engineer

* * *

Item No. 8, being:
CONSIDERATION OF A REQUEST SUBMITTED BY MARK RISSER/B³ DEVELOPMENT GROUP FOR PROPERTY LOCATED AT 710 AND 730 ASP AVENUE AND 421-427 BUCHANAN AVENUE.

8A. RESOLUTION NO. R-1112-129 – MARK RISSER/B³ DEVELOPMENT GROUP REQUEST AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LULP-1112-6) FROM HIGH DENSITY RESIDENTIAL DESIGNATION AND OFFICE DESIGNATION TO COMMERCIAL DESIGNATION FOR PROPERTY LOCATED AT 710 AND 730 ASP AVENUE AND 421-427 BUCHANAN AVENUE.

8B. ORDINANCE NO. O-1112-38 – MARK RISSER/B³ DEVELOPMENT GROUP REQUEST REZONING FROM C-1, LOCAL COMMERCIAL DISTRICT, AND RO, RESIDENCE-OFFICE DISTRICT, TO C-3, INTENSIVE COMMERCIAL DISTRICT, WITH SPECIAL USE FOR A MIXED BUILDING FOR PROPERTY LOCATED AT 710 AND 730 ASP AVENUE AND 421-427 BUCHANAN AVENUE.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Applicant's Request for Continuance

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
1. Chairman Sherrer noted that the applicant has requested a 30-day postponement on these items.

Dave Boeck moved to postpone Resolution No. R-1112-129 and Ordinance No. O-1112-38 for 30 days. Tom Knotts seconded the motion.

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

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

Ms. Tromble announced that the motion to postpone Resolution No. R-1112-129 and Ordinance No. O-1112-38 for 30 days passed by a vote of 5-0.

* * *

office memorandum

TO: Norman Planning Commission

FROM: Susan Connors, Director SC
Planning & Community Development

DATE: August 9, 2012

RE: Item Nos. 7a & 7b – Consideration of a Request Submitted by Mark Risser/B3 Development Group

The following applications were submitted with an inaccurate legal description. This inaccurate legal description was published in the paper before staff realized the mistake. This case cannot be heard by the Planning Commission at the August 9, 2012 hearing but must be postponed in order to advertize properly. Staff requests that the following items be postponed until the September 13, 2012 public hearing.

R-1112-129: Mark Risser/B3 Development Group request amendment of the NORMAN 2025 Land Use and Transportation Plan (LUP-1112-6) from High Density Residential Designation and Office Designation to Commercial Designation for property located at 612 and 710 Asp Avenue and 421-427 Buchanan Avenue.

O-1112-38: Mark Risser/B3 Development Group request rezoning from C-1, Local Commercial District, and CO, Suburban Office Commercial District, and R-3, Multi-Family Dwelling District, to C-3, Intensive Commercial District with Special Use for a Mixed Building, for property located at 612 and 710 Asp Avenue and 421-427 Buchanan Avenue.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

SEPTEMBER 13, 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 13th day of September 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions at least twenty-four hours prior to the beginning of the meeting.

Vice Chairman Chris Lewis called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

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

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Leah Messner, Asst. City Attorney Jeff Bryant, City Attorney Rick Hoffstatter, GIS Analyst Terry Floyd, Development Coordinator Scott Sturtz, City Engineer

* * *

Vice Chairman Lewis noted the request for postponement submitted by the applicant for Item 11, OSOI Tecumseh Development, L.L.C. and NE Development, L.L.C. (R-1213-36, O-1213-11, and PP-1213-4).

Curtis McCarty moved to postpone Item Nos. 11a, 11b and 11c until the October 11, 2012 Planning Commission meeting. Tom Knotts seconded the motion.

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

Item No. 6, being:
CONSIDERATION OF A REQUEST SUBMITTED BY MARK RISSER/B3 DEVELOPMENT GROUP

6A. RESOLUTION NO. R-1112-129 – MARK RISSER/B³ DEVELOPMENT GROUP REQUEST AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-1112-6) FROM HIGH DENSITY RESIDENTIAL DESIGNATION AND OFFICE DESIGNATION TO COMMERCIAL DESIGNATION FOR PROPERTY LOCATED AT 612 ASP AVENUE, 421-427 BUCHANAN AVENUE, 710 ASP AVENUE AND THE ADJACENT LOT TO THE SOUTH.

ITEMS SUBMITTED FOR THE RECORD:
1. 2025 Map
2. Staff Report
3. Pre-Development Summary 7/26/12
4. Pre-Development Summary 4/26/12
5. Pre-Development Summary 3/22/12
6. Excerpt - August 9, 2012 Planning Commission Minutes

6B. ORDINANCE NO. O-1112-38 – MARK RISSER/B³ DEVELOPMENT GROUP REQUEST REZONING FROM C-1, LOCAL COMMERCIAL DISTRICT, CO, SUBURBAN OFFICE COMMERCIAL DISTRICT, AND R-3, MULTI-FAMILY DWELLING DISTRICT, TO C-3, INTENSIVE COMMERCIAL DISTRICT WITH SPECIAL USE FOR A MIXED BUILDING, FOR PROPERTY LOCATED AT 612 ASP AVENUE, 421-427 BUCHANAN AVENUE, 710 ASP AVENUE AND THE ADJACENT LOT TO THE SOUTH.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Project Written Description
4. Rendering – Asp Avenue Elevation
5. Second Floor Plan
6. Site Plan
7. Sidewalk Plan

PRESENTATION BY STAFF:
1. Ms. Hudson – The first application is an update to the NORMAN 2025 Plan. If granted, the area will be commercial designation. The second application is for the rezoning. The existing zoning is C-1, R-3, and CO. The existing land use shows residential, office, and commercial. There were protests submitted for this application, totaling 16.5%. Staff has no recommendation. This comes at the heels of the high density discussion that has been going on all summer, and a report has not been submitted to Council at this time for further direction. The applicant is here with a presentation and to answer any questions you may have.

PRESENTATION BY THE APPLICANT:
1. Mark Risser, 333 Rocky Point Court, Sunnyvale, TX – Sean Rieger is a representative of the project as well. Darren Davis is my development partner on the project. I'm going to allow him to introduce himself as well.

2. Darren Davis, Austin, TX – I want it to be known first and foremost that I am a Sooner through and through. I'm glad to be here. This feels good. Living in Austin is a strange thing when you're a Sooner. When Mark called me about this project – Mark had known that I have some development experience and we had really done some multi-family and living in Austin, Texas we've had a high-density urban lifestyle revitalization in Austin. I was pretty excited to come up here and learn a little bit more about it. As I came up and looked at it, I kind of thought I know where Campus Corner is; I know where downtown is; I know where campus is. But I couldn't quite figure out the location. As we came up here and looked, I said I don't think you have a better site for a high-density project. I said you've got the University on the south end, which is a few hundred yards away, and you've got low-rise, mid-rise, high-rise. Then on the

north side you have the revitalization effort of the downtown which is only, again, a few hundred yards away. You've got these two bookmarks which really are marquee for Norman. I said what a better place to put in the aesthetics of a building like this, along with the density, to provide everything to connect those two bookends. So I was very excited to be a part of this opportunity, and I think as Planning & Zoning looks at this project, I don't know if it's a better project that you could put anywhere else in Norman than a high-density project such as this one.

3. Mr. Risser – Thank you, Darren. Again, we appreciate the opportunity to present the proposed project and I want to reiterate why we're here today. That is a rezoning effort. The properties are currently zoned C-1, CO, and R-3. What we're asking for today is to rezone that property to C-3. A lot of folks might ask why is this project important for Norman and why do we want this project in Norman? Well, one of the beauties of Norman and our community is that we offer a lot of variety on different living environments. We have the older downtown district, we have the tree-lined residential areas near campus, we have the west side which is a little bit more of a suburban type lifestyle, and then we have acreage lots similar to what you'd see on the east side of Norman. But what Norman does not have today is the opportunity to provide our community with a high-density project such as this that is in the heart of the urban community and the Campus Corner and downtown districts. That being said, our primary focus for this project again is to offer more choices for the community of Norman. In today's world, you have a lot more empty-nesters, you have a lot more young professionals, you have a lot more young families without children who actually would choose to live in a higher density project such as this rather than a rural area or a suburban area. Right now, if you were to take a survey across America, six out of ten prospective residents actually prefer a mixed-use or a high-density project when they're talking about living in an urban environment. Throughout the summer, there has been a series of discussions and there's been some talk about the perception of high-density. Being familiar with the Austin and Dallas markets, we understand that there is a perception that high-density may or may not fit within our community. But rest assured that these projects are extremely successful in college-based communities, such as ours, all over the country. There's not necessarily a magical answer as far as what density means, as far as how many units per acre, what a building height should look like. That's purely driven by the market and what the community will accept. We also know that renting is on the rise in America. There are more and more people that are opting to rent as opposed to buy. This would be an apartment project for rent in a walkable, obviously a very pedestrian-friendly community. It's just simply another lifestyle way of living that we're not offering today that we feel that the community deserves.

4. Mr. Davis – One thing that we've experienced in Austin -- when I first moved there in 2000 there wasn't high-rises downtown and Austin was looking for a way to revitalize the downtown. I kind of wanted to go to that small, sleepy college town. What we saw happening there was that just the green effect that it brought to the city for the merchants, the economy, the traffic – everything that it did. As I mentioned earlier, if you look at the location of this project, you're virtually connecting those two bookends on that. So I don't know if the Commission has had a lot of experience. I had virtually none ten years ago, but living in that environment today it's absolutely been one of the more powerful things that have happened to the community with all of the friendly environment, the convenience, everything from putting the community in a close-knit space.

5. Mr. Risser – Again, we recognize that there have been some questions with regard to building design, the scale of the building. We have recognized those questions and those concerns and we've gone through a pretty extensive design effort in order to address some of those. As you will see in the presentation, we have developed and created a new updated building image of what we perceive this project looking like. The lower left would be a view toward the building looking up Asp and the upper aerial view is a similar view looking toward the

north. One of the things that we're trying to do is create a façade on the building utilizing rich materials, utilizing different architectural elements to create visual interest so that, as we've heard about and studied in some of the sessions that we've gone to about stepping back the building and creating a less massive appeal, and we feel like we've accomplished that with the materials and the design of the façade. The building structure itself is composed of a two-story parking garage with four levels of apartments above that. There would be commercial office space that fronts Asp. The parking garage will basically be the same footprint on the first and second floor. We'd be limiting the ingress and egress of the vehicles to two locations onto Asp Avenue. Those would be very well indicated with regard to both the vehicular ingress and egress, as well as the pedestrian area. We understand that that's a highly trafficked area and will do what is necessary to ensure that vehicles coming in and out of that project are doing so appropriately. Again, going back to scale, we feel that the building and the project that we have proposed here today fits very well in the scale of the context in which it is. We've got buildings to the north and buildings to the south that are of similar type scale of the building that we're proposing. Another concern that we recognize is the traffic and the parking. We understand the importance of addressing both of those issues. The parking that we are proposing – this is obviously not a parking garage that is designed to facilitate Campus Corner, but we have adequate parking to accommodate all of our residents and commercial tenants as well. Again, with responding to context and what's out there today, there are larger buildings both to the south 600 yards away as well to the north, so we feel like the scale of the project is appropriate for the area in which we're proposing. One of the things that this project will do is it will attract students and will attract a higher level of folks that are wanting to live in an urban environment that we aren't offering today.

Next on the list here is the economic impact. We won't get into exactly what happens, but we all can recognize that a project of this magnitude is going to provide jobs and going to provide income and tax dollars to the community. The National Association of Home Builders has done studies on projects of this size and if you guys would like to learn more about what that might represent, we can certainly provide that for you. A project of this size, of up to 178 units, could yield upwards of 174 jobs in its first year of construction, and could bring in upwards of $11 million to the economy during that first year. It will obviously have a ripple effect after that; once the project is stabilized the community could recognize up to 45-50 jobs in the area and, again, an annual income base of over $3 million.

6. Mr. Rieger – I don't want it to be lost that also the economic impact is to the merchants in the area. One of the things that just happened recently – and I want to make sure you think about it – is Native Roots just recently announced that they're moving to Deep Deuce. They're moving to a project a lot like this – a project that has high density that can support commerce like that right around them. It's a shame that we're losing them, but this kind of project not just has an effect across the whole community, but it has a tremendous effect to the immediate area around it – the Campus Corner merchants and downtown merchants. Perhaps when this project goes in we don't lose a Native Roots again. So I don't want you to lose that thought.

7. Mr. Risser – So with that, and with this presentation, we just want everyone to consider what a little bit of forward thinking and approval of a project like this might bring to the community. With that, we will take questions or address anything that you guys have.

8. Mr. Boeck – One of my questions is the plans. You talk about up to 178 units. What's the design of these plans? In a college community, there's a lot of units that are designed with four bedrooms and individual bathrooms for students specifically. How are you gearing this design process? What kind of people are you designing this for?

9. Mr. Risser – You can see by the design of the project it's an upper scale product – at least that's what we envision. This is not a student housing project. It is market rate apartments open to whomever would choose to live in it. We actually are not specifically targeting the students

the same way some projects do with the 4-bedroom type floorplans. With that said, our mix is about 70/30 1 bedrooms to 2 bedrooms, so we're actually a lot more ones than anything. We do not have threes and fours at this time, nor do we plan on going that route. There will be a typical dual type master, if you will, in the 2 bedrooms, and the one bedrooms will be standard apartment floorplans and then we'll have some studio apartments. Did that answer your question?

10. Mr. Davis – One thing I'd like to add, Mr. Boeck, is we did some preliminary underwriting with HUD and the feedback we got from them that this is a market rate product, not considered student housing. The demand is for this product. So that was our initial conversations in looking at our lending process.

11. Mr. Boeck – Speaking of HUD, are you designing this – I guess it's all rental units. Is there a certain percentage of – you know, one of my concerns is rates that exceed some people's income that want to still live in an area like this. Is there – have you mixed your rents to possibly allow for lower – medium/low income people to live in an apartment complex like this?

12. Mr. Davis – That's a very good question. Just so you know, I work on affordable housing in Austin, so it's near and dear to my heart. The group that we were talking to and the lending was not an affordable component to it.

13. Mr. Risser – However, that said, like I said, we do have studio apartments designed in the project which would allow for a lower rent rate.

14. Mr. Gasaway – Looking at some of the paperwork we've seen, you had mentioned some live/work spaces. Would you explain what that means and how that works?

15. Mr. Risser – Yes. The leg on the north side of the building would have two floors of studios which could be utilized either for an art studio – that could also be an apartment. They will be designed more as an open space that can kind of be utilized as someone chooses. There will be an entrance specifically to the north side of the building, which would facilitate those units as well. As you can see with the building, what we've done is we've created a lot of ins and outs and a lot of variations with the façade. There is a second story large green space. In this area between the two buildings would be a pool deck with green space, cabanas, and an amenity center. Then this would be the commercial space fronting Asp. The leasing office would be on the corner. The sidewalk area would be a plaza type environment, creating again a very pedestrian-friendly feel as you're traveling across the building. We've utilized some different building materials and setbacks with our window and our fenestration to allow for a better human scale as you're walking down the sidewalk. There's another pocket right here and then the north leg of the building which I was referring to that would house the live/work units would be back here on this side. It would be a vertical circulation corridor in this side of the building as well as this side of the building, so there would be two elevator banks. Guest parking would be non-gated so the general public could come in, pull into the parking garage and park without going through the gates. The gates would be internal and would be for residents only. So once you pass through the gate you would need to be a resident in order to go up there and park in those areas. The second floor, alongside the commercial space, would house a state-of-the-art fitness center. That fitness center would be available to both the residents and the commercial tenants as well. We have a fourth floor club room which would be a wonderful gathering area for community folk to come and utilize as they wish, as well, which would overlook Campus Corner and views back down to the south and the campus area. Again, trying to create a lot of balconies, a lot of outcroppings within the building, to help minimize the scale of the project.

16. Mr. Rieger – I want to add a little bit to that. So often, Commissioners, you know when we're here with projects around OU we're talking about college housing. That's really all we've

ever talked about in Norman around OU in this area. But that's, as you're seeing, not what these projects are about. It's a whole new era for Norman that we're looking at the young professionals and that bookend approach that was discussed earlier between Campus Corner and Norman. I recall one time years ago where somebody told me that, gosh, we've got to look between downtown and Campus Corner and make something happen so we have some vibrancy and pedestrian walk and feel and connection. This is the beginning to that. This is where we start. This is how we launch that and make it happen. It's not student housing. It's a different approach to downtown and Campus Corner that will be incredibly dynamic.

17. Mr. McCarty – Mr. Risser, can you discuss a little bit about your setbacks, how you came up with your architectural design, as far as six stories – just what your thought process was through that versus maybe a smaller scale at the street level and stepping up to six floors possibly – just give us some basic understanding of the site plan and what your thoughts were.

18. Mr. Risser – Well, one of the things that we have to do – in order to create a product in this environment with the values that the land has, we have to achieve a certain amount of density on that, otherwise the project just simply isn't feasible from a land cost standpoint. When you get into downtown and urban areas, that's why you see the buildings are higher because the land is more valuable and, obviously, your unit count needs to reflect that. With regard to setbacks and the building size and site plan, we've basically utilized the site as we needed to or had to with regard to parking. Parking is what really drove this project and drove the height of it. We needed to facilitate a certain amount of vehicles within the garage and doing that yielded the building height. Now you could take the building and maybe take a portion of the top floor off, but then you don't create all of the ins and outs that create an interesting building such as this. The setback off of Asp is 20' from the building to the curb. So the building would be essentially on the property line on Asp, but having the 20' of what we're referring to as plaza space – which we would redevelop this area with a tree-lined walk, benches, landscaped lighting, and so forth – would be the front setback. The side setbacks – again, those were determined by the size of the parking garage. What we are trying to do is make sure that we can maintain some green space around this building as well as the sidewalk and bike path that runs down both the south side and on the north side. We have – actually, this is a parking lot on the south and then there is another commercial office right here. In order not to encroach on that commercial space any more than we need to, the building is pushed to the south so that we're going to hold 10-12' off of that property line and do a green space in between the building and the property to the north. The building on the far north, if you will – that leg – again the width of it is determined by the parking garage, which is essentially 64'. The lot is 75' wide, so we're going to have 11' to play with on our side yard setbacks on that side.

19. Ms. Pailes – We've just been through a lot of the high density discussions, as you are aware. Two virtues that are frequently mentioned is that it will reduce car space – traffic – by making people within walkable distance of their destination, such as work. So if this isn't aimed at students, that doesn't really apply. I mean, people can't walk to work, probably, from this location – or would not be expected to. We all recognize that if you're going to buy a pair of pants or a pound of hamburger, you're going to have to drive from Campus Corner to where those things are sold. So you're not going to be able to supply your basic daily needs from here by walking, and you can't go to work by walking. So that virtue doesn't really apply here. You'll be able to walk recreationally, which is a deal for older people. And you'll be able to walk to restaurants, but that's roughly it. You would not see traffic reduction because of high density in this location with this market. Is that fair?

20. Mr. Rieger – Well, I would disagree with you. Realize we said the target is not students, but the biggest employer in Norman, and in Cleveland County, in a big area is the University of Oklahoma. Significant number of professionals and professors and, obviously, a huge market in the University of Oklahoma. That, very much, could be people walking to work. Again, also, we

can't dispute that people are going to drive to a grocery store. Sure. Of course they are. But I think there are many, many trips that, when you put high density in places like this, that are taken away. The research shows that. The research shows, as you've seen in high density, that traffic count goes down from high density projects, because I would venture to guess absolutely that a lot of these folks will go down and eat at Campus Corner – will go down and shop at Campus Corner. So those trips are taken away.

21. Ms. Pailes – Actually, the research I found, which is admittedly online, says that high density adds to local traffic, because there's more people there. It reduces car trips overall in a general sense. But it inevitably, is the quote, adds to local traffic.

22. Mr. Rieger – I guess we could debate that. Some of the research I've seen from the Urban Land Institute says it reduces traffic, certainly from an overall traffic perspective it does.

23. Ms. Pailes – The second thing that is often listed as a virtue to high density – and this didn't really come up in the discussions in town – and so maybe it's not intended to be a virtue here – is that high density adds to open space. In essence, if you collect the people in one place you're leaving open space somewhere else that is maybe more valuable because it will have a large footprint – large integrity. Okay. So that discussion really never came up here, which is interesting. But I note that you are not obligated to dedicate any parkland. So this high density is not being offset by the normal parkland dedication, which would normally be fairly extensive for a big apartment like this. And you are not required to dedicate any open space. I just make that as a point – that of the two virtues that I would hold most dear in terms of high density, it doesn't appear that this meets either of those. That's the comment.

24. Mr. Rieger – Well, I think that's a debate as to how this is handled from a parkland perspective. But I would suggest that, when you put high densities into these areas, it brings an impetus for the City to invest in more of its recreational amenities in these areas. Imagine if Legacy Trail becomes a constant path of pedestrians because we start seeing projects like this. I would suggest to you that, if that happens, then you would see a tremendous investment from our community into Legacy Trail and other areas which, without the densities, you might not.

25. Ms. Pailes – But this group didn't contribute to that.

26. Mr. Rieger – Well, I think the residents would contribute.

27. Mr. Gasaway – I know you all have participated in some of the community discussions that we've had, and thank you all for being aware. With that in mind, what factors went into your determination to proceed with this now instead of waiting until the results of that study have been vetted through City Council?

28. Mr. Risser – Very good question. We participated in those discussions and, frankly, found them to be extremely helpful. They have actually driven a lot of our design and design values for the project. One of the things that we want to try to do with this project is present what can be. Sometimes there might be an arbitrary decision based on something that might limit what could be done. What we're trying to do is show you what can be done and why we believe that it works. We're trying to help the process along by displaying what the project is.

29. Mr. Knotts – Can you kind of explain to me why you're not using any access from Buchanan?

30. Mr. Risser – We feel that the Buchanan egress is obviously very limited. It's essentially a dead end road. We feel that it's much more appropriate to create two entrances off of Asp Avenue. Now if it becomes an issue and it makes sense to have an ingress only off Buchanan,

we can certainly look at that if it would help direct the flow of traffic. But, again, what we're trying not to do is have people exit the building onto basically a dead end road.

31. Mr. Knotts – I was thinking of ingress particularly.

32. Mr. Risser – Absolutely. That can be studied. If that makes sense and helps with traffic flow, then absolutely there's a possibility to do that.

AUDIENCE PARTICIPATION:

1. Barbara Fite, 535 Shawnee Street – A lot of this discussion has centered around business and I am a business owner on Campus Corner. I own Antique Garden. I have for ten years. I've devoted my life for the last ten years to making Campus Corner a better place. It has become a better place. It is now where everybody wants to be. We have issues with this high density – I do – for several reasons. One is it will increase traffic in an already dangerous area. Two is it's taking up 100 parking spaces that my customers and my employees now buy – I buy parking places and they park there. So those places will be gone. Parking is one of the biggest impediments we have to businesses on Campus Corner. Three is a bigger issue. I have a little bit more upper end retail store. I've been there on a daily basis for ten years. My customers love Campus Corner because it's unique and it's charming and the scale and history of Campus Corner is a lot what makes it that way. I want my high-end customers. I don't want students. I have them already. They are my market already. But I also get people driving in from Edmond, Tulsa, Oklahoma City because they love to shop here. That's who I want to encourage to come here, and this high density won't do it. It's rented. If he would do 401 Lofts right there it would be awesome and sell them to people who have disposable income. But this is not going to help my business. On the contrary, it will hurt it. The parking issue. The traffic issue. And the fact that this will draw students and it will ruin – to me – the feeling and scale of Campus Corner. It's too historical. Once that's gone, we can't get it back. So once the ambience of Campus Corner has been harmed, then it's a done deal and we can't fix it.

2. Don Wood – I guess I have about 50 of those parking spaces and I've yet to get a rent check from anyone for their parking in my spaces. So I don't know what she's talking about as far as people paying for parking in our spaces, because they're used but nobody is paying for that. We own 710 Asp – we – NEDC – the Norman Economic Development Coalition. We bought it 12 years ago. We bought it, and I remember Campus Corner 12 years ago. That was before the TIF – before we did the site improvements that were done there that I think helped the area a lot. There were not any stores that you necessarily wanted to go to there. I just have seen huge changes in Campus Corner, but the other thing I've seen is a constant flow of stores that have come in and they've been there for a year and then they're gone. They haven't made it. That's restaurants and stores. That's because there has not been enough people there to drive those markets – to drive the economics of those stores. If OU grows, that will help a little, but not much. If Norman grows, it will help a little, but not much. What's going to drive the economic vitality of downtown and Campus Corner is more people living in that area – more people going to the restaurants there. I talked to a friend of mine that moved to the Deep Deuce area because he wanted that lifestyle. I went to the Deep Deuce Grill on Tuesday by happenstance and drove right by Native Roots – it's right there in the Deep Deuce area. I see what's happening there. We need that option in Norman. We need to be able to see those kinds of opportunities for our merchants and for the housing opportunities for people. Mark didn't say it, but the commercial space he's talking about – that corner there would be NEDC's office. So we would not be leaving the area. We don't want to leave the area. That area is very important to us. So we would be on that ground floor level and our E-tech incubator would be on the second floor. So that's one of the things that we have an interest in this project for, because it allows us to stay in the area in the mixed use part of that.

3. Jeff Stewart, 1910 Pin Oak Circle – I'm with the Campus Corner Merchants Association. Our concern is primarily the parking is adequate in the unit. I think the project is great for the area, great design. I think it will boost our economy down there. We just want to make sure that there's adequate parking for all the occupants, both commercial and residential, within the unit so that there's not a lot of overflow into the Corner area. Parking is already tough over there. We don't need tenants and/or visitors of tenants parking in the Campus Corner area to go to that unit.

4. Rainey Powell, 1926 Pin Oak Circle – Yes, I do live next door to Jeff. I'm a property owner on Campus Corner. First of all I'd like to say I am a fan of high density. I do think that this type of project has some benefits to the Campus Corner area. But I do have two concerns with this project. One is parking. If you're looking at the parking ratios, there are about 180 units, about 10,000 square feet of commercial – that's 50 parking spaces. So what you're down to is about one space per unit. If you took half of those units and made them into a two-bed unit, then that's another 90 vehicles. To put this in perspective, we have 110 metered parking spaces on Campus Corner. Those cars are going to go someplace. So I think that any high density project needs to meet 100% of its parking requirements. My second issue is with the height of this facility. The picture, I believe looking north, doesn't do it quite justice. I think the property is actually higher than the McFarlin Church. This project is six stories. Financial Center downtown Norman is five. One other point. C-3 – that zoning was originally developed back in the days when OU students were prohibited from having vehicles. So you had commercial districts develop without any parking and if we didn't have a C-3, which does not have any parking requirement, then those commercial districts would be null and void basically. That's my understanding of C-3. Thank you very much.

5. Ty Hardiman, 630 Miller Avenue – I recognize many faces, of course, from the Planning Commission and from the audience tonight that were at the high density meetings the City has held. We have some differing opinions, but a lot of us share the ideas of wanting things like walkable neighborhoods. I certainly support the concept of parking structures for future parking needs. I support the idea of redeveloping some parts of Campus Corner that could be improved from what they are now. And I certainly support vibrant and thriving business districts. But there's some complicated things about this, which is why it has taken so long to get to this point, and I don't think we're quite ready to move forward. One of my concerns is that – by my math here, if you have 230 bedrooms inside of these 178 units, there's 230 cars that, in making their trips each day, are either going to have to go north, east, or west out of Campus Corner and there's three very complex intersections going any of those ways. There's not an easy and convenient way to get out of Campus Corner without going through a poorly designed intersection. Sometimes those intersections are several blocks away from the structure. My concern is having 230 people down there now and having another 200 or 300 a few months from now and another few hundred after that. I think that we need to take a long-term approach to what the future of this district is, and I think the applicant is just slightly premature in coming before you before we actually have the conclusions that all of us put forth and worked on so hard during the summer. Thank you.

6. Jeanette Coker, 620 E. Main Street – I didn't realize there was a 2-minute limit. As you know the City held a series of six dialogues over the summer. At the final meeting on the 30th of August a group of us handed out a survey to those who were there. We tried very hard to make the questions straightforward and direct. We did not want to lead responders toward a given set of conclusions. Some people took the survey home and we are still getting those returned. But I want to share with you some of the results and comments we have gotten so far. Question 1 was do you want high-density high-rise in core Norman? 71% said no. Do you want high-density high-rise in other areas of Norman if adjacent to residential? 74% said no. Should high-rise high-density be built in the same city block as a neighborhood of single-family homes? 82% said no. Should it be built across the street from a single-family home neighborhood separated

by a four-lane street? 64% said yes. Should it be built across the street from a single-family home neighborhood separated by a two-lane street – which is Asp? 79% said no. Should it be restricted to no more than 12' taller than adjacent structures? 72% said yes. We got into parking spaces and 15 of the respondents said it should be per unit; 32 people said it should be per bedroom, but in both categories they all – and our choices were 1.2, 1.5, 1.8, and 2. Do you understand what that means? The majority of them said 2. Should green space be required? 85% said yes. Am I out of time already? Let me read one more. Given that Norman has ordinances that regulate apartment buildings, would it be appropriate that any consideration of new high-density high-rise projects in Norman be deferred until after those issues have been resolved. 87% said yes.

7. Mr. McCarty – Ms. Coker, thanks for giving us that information. Would you tell us how many surveys were sent out, how many were returned, and what your target area was, and how you selected where it was sent?

8. Ms. Coker – We have asked people to send it out on their email, but none of those are included. This was only what was given out at the last dialogue and the ones that I've gotten back so far. There's 55 of them, I believe, that we've gotten back from that night.

9. Mr. McCarty – So do you know how many were sent out? And was the target market just the people that went to the high density?

10. Ms. Coker – It was just the ones that were there that night.

11. Mr. McCarty – But you have no idea how many were sent out?

12. Ms. Coker – Well, nothing was included in this. I've had them put on different colored paper so I could tell where they were coming back from and these were all from that night. Some people took them home with them and then either mailed them in or we had them take them to Midway Deli.

13. Mr. McCarty – So your only distribution was either email, by word of mouth, or the last meeting?

14. Ms. Coker – No. Not on this survey. No. These results are strictly from the people that actually went that night.

15. Steve Ellis, 633 Reed Avenue – I want to second Mr. Hardiman's comments about this. We have had a rather lengthy discussion about high density in the community and, as the City staff noted, the City is still digesting this issue. I think it would be premature to vote in favor of this proposal until that issue has been resolved through the process that has been set. My particular concern about this request is that it ends up providing a sort of template for an end-run around the public process that we've had before. When you actually look at the change in zoning requested, you'll notice that the move from C-1 to C-3 really doesn't play much role in this request at all, because you're moving from roughly 10,000 square feet of office space and commercial to roughly 10,000 feet – and that actually includes the work/live spaces – in the new proposal. So, really, what's going on here is you're being asked for a special use permit that involves 230 extra bedrooms. If this proposal goes through, it looks like it's a mechanism for allowing high-density regardless of what the City comes up with regarding the high-density regulations. I, myself, am enthusiastic about certain aspects of high-density, precisely because it might prevent some more expensive urban sprawl. But I think it's worth pointing out that almost all of the economic impact that's been suggested here is really a matter of just moving economic activity around Norman. I mean, it's arguably a benefit, but it's not like OU is going to hire more people to live there specifically. They're living someplace now; they may move there

if they prefer it, but this is really just moving stuff around. That may be beneficial, but Norman has to think about that. We have been thinking about it. Don't short-circuit that process.

16. Jayne Crumpley, 423 Elm Avenue – I also have participated in the high-density meetings and request that you please postpone this until that process is completed. A couple of things that I found interesting were the comments from the presenters continually talking about projects in Austin or other places that were "downtown". I do not consider Campus Corner downtown. To me, downtown represents a whole different style of architecture, much larger buildings, much closer together. Campus Corner is unique. And, as the lady said, if we destroy it, once it's gone, it's gone. That's what people come to see. I don't live very far from Campus Corner and I'm impacted by the parking for game day and other things. And when I read this – at one point in the Pre-Development Meeting they said they would provide 5-20 spaces for guests. So we've got 230 beds and they're going to have 5-20 guests at one time? I think that this project really needs to be put on hold until we're through with the process. Thank you very much.

17. Ann Groff, 806 Mockingbird Lane – I live a mile east of the art museum. I have two questions – a question and a comment. I went to a very small meeting – like 20 people – when they first proposed – Mark did. I didn't remember it was six stories high and I want to know if it has changed. Also, the way they have the picture up there is deceiving. If we could see a frontal from Asp Street looking at it – I think there's another whole building back there and that little beauty shop is tucked in there in the middle – I would like to see a frontal picture up there so that we can get a better idea of how it fits in with St. John's Episcopal Church. And, as someone stated, it is a lot bigger than McFarlin. It's not in keeping with the rest of the architecture there. Could I ask those two questions or comments?

18. Evan Dunn, 1014 Missouri Street – I, too, have participated in the high density meetings. I don't have any prepared remarks. I respect everyone's comments that have kind of expressed a little bit of anxiety about approving this without having created an official ordinance defining what high density is. Personally, I love the idea. Being a person who is maybe not the youngest person here, but I'm not a teenager any more – being somebody whose generation will be making choices about where we live, where we work in the next 20 and 30 years, I think that these types of projects represent the type of forward thinking that Norman needs to implement to attract the young, creative individuals who are aware of problems that are much larger in scope. This type of a living arrangement would be attractive to me simply because the walkability, the ability to attract and to maintain the businesses like Native Roots that simply didn't have enough clientele to be profitable. All of that contributes to, I think, a much more healthy Campus Corner. It can kind of, I think, bridge that gap between Campus Corner and what we all think of as being the downtown area. I'm absolutely in favor of it. Thank you.

19. Cindy Rogers, 633 Reed Avenue – I'm absolutely in favor of high density. Norman needs to think about high density. But, to think about high density, you need to plan it. When is it best? When you have good access – you have the roads. You don't have impacts on immediate neighborhoods. When it is clustered. I don't see how we are going to get a cluster of high density around this particular building. There's a church. There's already existing structures. There's another thing. The way you do this is you do the planning first. You figure out what areas we can have high density. You make it clustered. You have good access that would service all those. By setting up the ordinances first, you pave the way for more high density that fits the community, instead of every project having to come up and everybody hash out all the details. That makes the planning process more efficient, effective, less contentious. So I'm going to urge you to let the process weed itself out, figure out what we need in Norman, what we want in Norman, what we can support in Norman, where these projects should go – rather than a project here, a project there, a project there. That's not the way to do high density. I've been in cities that have lots of extensive high density and they have a big strip of nice buildings, good

facilities, good bike lanes, everything connected up nicely, but you don't do it by putting the projects up before you do that planning – before you get the homework done. So I encourage you just wait a little bit longer and so we can do it right instead of piecemeal.

20. John Woods, 4104 Castlerock – I wanted to address just some of the comments that were made today and give my perspective of them. First, there's a question about the disposable income of those that typically live in high density. I would argue that those that question the disposable income of individuals that live in this type of project would do so at their own loss. You will actually find that individuals that tend to live in higher density projects like this will have a greater percentage of disposable income than individuals that live in $300,000 homes, because they're typically mortgaged to the hilt. These individuals tend to have a lot of disposable income and I would recommend marketing to them if you have a local business. Secondly, the comment that this will destroy the character of Campus Corner. As someone who is a fan, an alum, and a big believer and booster of Campus Corner, I would encourage you to relook at the pictures of the buildings that would no longer be located in the facility if you were to put this in. Those are not buildings that I would necessarily consider full of a lot of character. Third, when we talk about the zoning requirements of high density and where we're at on the discussion, we absolutely, as a community, are having a very important discussion in terms of higher density. However, I would make note, and ask for you to consider the fact that this particular applicant had submitted and started his process – his work – months and months before this city decided it needed to have a high density conversation. Now to tell an applicant that once they've invested those funds that the city itself, or the community, wants a time out so they can discuss it in a wider sense, I think is unfair to that specific applicant that has started his process much in advance. It's not his fault the city wasn't prepared for the game. What I would encourage you to do is look at the individual project on its own merits and the fact that it is legally being asked to be zoned in a manner that does legally fit this particular project and look at it on its own merits. Finally I would say, if you look at the standards of parking, this does indeed have enough parking. We need more parking at Campus Corner. But that's not the responsibility of a single applicant. That's the responsibility of this community and it is something we absolutely should address for campus. Thank you.

21. Mr. Rieger – Can I run through a few that I have jotted down? I want to address a couple of points. One was mentioned of height. Why six stories?. Well, this is a very important point that I want to talk about in some detail, and as it concerns also as to why wait. I'm intrigued always when I hear people that say let's wait for the community to plan the ordinances as to how these projects are going to work. Think about that. The community doesn't put the investment risk into it. The community is not going to build one and hasn't built one. It's this man and his investment team that has to figure out how to make it work, and that means economically. That means that if it means six stories has to happen, that means six stories has to happen. If the community comes back and says four stories is the only thing we're going to allow, then we've destroyed all opportunities for high density. So I would urge you to consider that the applicant is as much a part of this process, if not more, than the community in the sense that economically it has to work. Six stories is the only way it works. We shouldn't wait for an ordinance, as Mr. Woods said. I'll give you a little bit of history on that. North Porter. I was a zoning applicant on Van's and Goodman, and I remember when we went through, and we got the second one done and then the City said let's do a study. I remember the call. I was in my office and Midway Bob Thompson, the Council member then, called me and said, "Sean, will you just wait six months – if you'll assure me that you won't bring another zoning here for six months, we'll have the study done, we'll be alright, we'll know what we're going to do." It was over two years later that that study got done. When it got done, I think more importantly, we had asked at the time – in, I think, 2004 or 2005, for Van's to have a parking lot in the back. As part of the debate within the neighborhood and everything, we had proposed a wall on a line with shrubbery and maintaining mature trees. Lo and behold, we didn't win that zoning, but later – many years later -- that applicant saw the Porter process play out and actually they got

more after the process was done than they did before. They had actually done a good job, as has Mr. Risser, in responding to the community dialogue at the time that they submitted. I think the same thing is happening here. He has responded to that community dialogue. He has used the ordinances as they exist. He ought to be allowed to go on through because I'm quite concerned that if you put him on hold, it could be another two years. It could be a long, long, long time and then we'd lose that opportunity.

I want to also address comments about Deep Deuce and areas like that. It's been mentioned as an example of those areas. I want to remind you that they didn't build the grocery store first. They didn't build the elementary school first. They brought the people in first. They brought the people and the population into those intense areas first and then the services and other things follow and they followed quickly. That's how high density tends to work. You bring the population in and the people in and the commerce follows.

The last point I want to make before I get into a couple of the questions and Mark will, too – sustainability has been mentioned a couple of times. We've talked so many times in this community about sustainability and sustainable growth. It's becoming very clear – more and more evidently clear in our community that growing on the outward edge is going to be heavily debated. We just saw it tonight. I want you to think back to a moment at this podium when Mr. Milligan was challenged because of a WQPZ zone. Well, there's going to be WQPZ zones on a lot of projects going forward because about the only other areas left in Norman to grow into are the Thunderbird watershed where the WQPZ zones affect. You just saw the fight and debate that happened there on a tiny site. The growth in this community, if it's going to happen to sustain the Norman 2025 goal of 137,000 people by 2025, is very likely absolutely going to have to happen through high densities. It's the only way we will get there. It's the only way we will satisfy that population. If we don't, then areas to the south and Moore will continue to grow and surpass us. It is the goal of this community, stated in 2025, to grow and manage growth to accommodate that population. But as a community we've continued to defy that on the perimeter. Alright. If we're going to do that, so be it. But then we must accept these projects and we must start putting these projects through. When it's been done well, we ought to accept it.

I do want to address one other thing, is the parking. I want Mark to talk about that. If there's any others I missed, please tell me.

22. Mr. Risser – With regard to parking, our unit count and the unit mix at this point is what we propose to go up to. So that still will need to be defined. We have landed on 256 parking spaces in the building now, which is about 2.5 times what Campus Corner offers as it sits today with regard to metering, from what I had heard. Again, our units will be established by the number of parking. So we will make sure that we have adequate parking for the commercial spaces. Guest parking will be able to park in the commercial areas in the evenings. We will have guest parking for the residents and for the commercial space. The typical project like this will work off of one per bedroom and that is what we intend to provide. Again, the whole project has been derived by what we can park. Please keep in mind that parking is a big concern and one that we are focused on addressing in this project.

23. Mr. McCarty – Real quick on parking. So one per bedroom, and then what are you proposing in the commercial area? There's 10,000 square feet of commercial space potentially – is that right?

24. Mr. Risser – Actually, no. There's 5,000 square feet in the commercial office for NEDC. There's another 1,000 with the leasing and the live/work units can be considered commercial as well, so we've got some crossing over there with regard to parking. So, again, we've maximized the parking at 256 and we will develop the unit count based off of that parking and what it can support.

25. Ms. Gordon – Can I just ask a few parking numbers? I know that it's kind of fluid right now because it's based on how many units. But in the estimate, you're currently estimating around 230 units. Is that right?

26. Mr. Risser – No. I think we're estimating around 176 units.

27. Ms. Gordon – Okay. Then you said it was about a 70/30 mix – or you plan on that for single to double room.

28. Mr. Risser – Yes. Approximately.

29. Ms. Gordon – So that will come out, if you were to work the numbers, it would come out to around 256.

30. Mr. Risser – Again, this is a fluid component of it right now, but I believe we landed on 216 bedrooms and then the additional was commercial space and guest parking. But, again, the unit count may be 74 or 75.

31. Ms. Gordon – So that would leave approximately about 50 extra spaces for guests and commercial and that type of thing. Right?

32. Mr. Risser – That's right.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. Boeck – In thinking through this, having been in Norman for 40 years and looking at Campus Corner and understanding the conversation about what Campus Corner was before we got the TIF and what it is now – I actually went to Pepe's last night. It looks like about 30% of Campus Corner, or somewhere around there, is empty. One of the biggest issues is not the people on Campus Corner, it's parking. I would comment right now one of the things that we need to do – parking and circulation are probably the biggest issues that we need to deal with on anything that goes on Campus Corner. I've talked to a number of communities about mixed use and high density development. Talked to a planner in Austin – talked to a planner in Ann Arbor. One of the biggest concerns – and I've brought this up a number of times – is having a private/public collaboration to get enough parking spots to make an area work. Campus Corner has never had enough parking. I was hoping to see that some of the additional parking needed to make Campus Corner work could be coordinated, like it is in some other communities, between the City and the developers themselves, where they work out – well, if you give us a few more parking spots that can be used by the community, the Campus Corner area, we'll allow this to happen. I'm not sure that we've gotten to that point yet. So I generally am feeling that we really need to finish – I mean this is C-3 – this is asking for C-3 zoning, but it still brings up the issues that we have with all the high-density mixed-use development that we're talking about. Until we actually have a policy and a program and a statute and a zoning ordinance that specifically not only calls out for certain kind of things but also allows for certain other kind of collaborations to go on, I'm having a hard time saying let's approve this now because I don't think we're ready for it. I understand your comment, Sean, but I participated in the whole series of discussions, and I really feel that – I mean, you could say the Elseys are being hurt by what we're discussing. But we need to have this discussion and it needs to happen because the idea of doing things in a holistic approach – I think about cars – 250 cars dumping out onto Asp Street and, having been on Campus Corner last night and seeing the traffic that's usually there – people looking for parking spots – it's a mess and it's just going to get messier. I know Don – it is an important – I like the concept. I love the concept. I'm into high density and mixed use. But I feel that we don't want to have a knee-jerk reaction to every project that comes up and we need to have a holistic approach. That's my comment.

2. Mr. Knotts – It's my understanding we can't postpone something.

3. Ms. Connors – The Planning Commission has the authority to postpone an action.

4. Mr. Knotts – It seems to me that we had many hours with Mr. Heiple telling us that we couldn't.

5. Ms. Connors – No. You never changed your rules. Mr. Heiple requested that that be a part of new rules. But your rules have not changed.

6. Mr. Knotts – Golly. That just shows you how much, if you hear it often enough. Okay. So on this project, I kind of have an odd kinship with this architect here because I think it's a good project. I don't think it's a great project, and I think this needs to be a great project. I think Don needs to come with megabucks and you guys build a facility that can park the Campus Corner area, and then I think that then this will be the basis for a real large planning effort. But since I find out that we can postpone, I'm kind of leaning that way, just because we have a process. Planning is a great process. So I'm kind of having difficulty supporting the project as it is.

7. Ms. Gordon – I want it to be noted in the record that I actually agree with Sean Rieger this once. I know it's a shock. I think there are some flaws with this, but – I could be wrong with this, but it seems to me that it's not their job to provide parking for Campus Corner. It's their job to provide parking for their development. It seems to me that, based on what I'm hearing about the numbers, that it seems that they will be providing adequate parking. I think the problem necessarily isn't the parking. I think – and Tom brought this up earlier – I think the problem is going to be more of the traffic with the ingress and the egress and dumping out onto Asp, because it's already so highly congested there. I think that might be kind of an issue that needs to be looked into more. I just think that urban sprawl is going to be a problem in Norman. I think high density developments are important. I'm not saying that we shouldn't necessarily wait; then, again, I'm not saying that we should necessarily go forward quite frankly. I'm not really sure what to do with that. Because I disagree slightly in that the suggestion that what the community has to say about it isn't as important as what the developer has to say, because, ultimately, these are the people living around this area and dealing with the traffic, and dealing with any potential parking issues – although I don't think there are going to be. So I don't know the answer whether we should wait. But I'm actually supportive of this project.

8. Mr. Gasaway – I'm glad Mr. Rieger brought up Porter, because I wanted to take a little different point of view on that. To me, high density is probably of equal importance as the Porter Corridor study is in terms of affecting the entire citizenry of Norman. It's not just the people in Campus Corner; it's the entire citizens of town. It's a brand new concept. Whether we're years behind, I don't know. All of a sudden Norman is a hot market for high density, and I don't know what's caused that all of a sudden. But I do agree with Mr. Rieger that the Porter Corridor study took too darn long, and I was chair of that committee, and it took too darn long. But what I wanted to tell you about Porter is that, before the corridor study when we would have Van's or some of the other businesses come before Planning and Council with their business plan, this chamber would be packed with angry citizens – very angry citizens. After the Porter Corridor Plan, we've had at least three applicants with major changes who met those recommendations. There was not even one person in attendance to dispute that. It was an incredibly important study and I liken high density very much to the Porter Corridor study. Now, there's some facts today that I think are very important. Mixed use is here. We don't have much of it in Norman. I think mixed use is very important. It's kind of a hard concept to get your hands around. We do have it. More will be coming. I think it's very important. High density is coming. I think it's very important. It's coming, but I think it's very important to be where we want to be before we say it's here. This is a great project for NEDC, which is an extremely important function in the city. I think it's good for the economy of Norman. It probably does meet an unmet need

for rental apartments for professionals in town that we don't have much of. I would agree the subject area that we're looking at tonight is probably not Campus Corner's finest hour in its current state. It could do much better. I think the design of what we've seen tonight, in my opinion, is much more appropriate for the downtown area in its current form than the Campus Corner area. I asked a question about – they had participated in the conferences and I said, well, why did you decide to go ahead and proceed, and I'm going to paraphrase a little bit, and the answer was we want to be a poster child for this type of project. Well, being a poster child is okay unless it's the kind of poster child that 40 years from now people are still pointing at saying, "Good grief, how did that get here?" Who let that happen 40 years ago? We don't know that that's where we want to be right now. In the six public meetings, I think there were some people there who disagree with the importance of high density, but I think there were more people there who said we're willing to look at it but we want it to be right for the City of Norman. We want it to be in the right places. I'm in favor of this concept in some form. But, you know, we're not Dallas; we're not Austin; we're not even Deep Deuce. I think until we can take some time to look at this further – and I certainly hope we can do it faster than Porter Corridor – that we need to take some time to look at this before we approve this kind of project.

9. Ms. Pailes – Again, in reference to the meetings that we held, there was some kind of general agreement – people were in general accord that small parking garages were a good idea. The general accord was that they should be put on arterials, and Asp is not, by any stretch of the imagination, an arterial. Several times the location of high density was brought up, and I'd say – absolutely nothing was unanimous – but there was certainly a great deal of voiced sentiment that high density was inappropriate for Campus Corner or the organized historical neighborhoods. That was fairly clearly expressed on a number of occasions. Now, again, Mr. Rieger, if you don't care how the community feels, it doesn't matter. But we've all invested 40 years of our life and most of our income here and that investment counts, just as does the investment by people who are attempting to build things. To quote Mr. Heiple, who has often mentioned how important it is for developers and builders to have reasonable expectations – you begin a project, you should have a reasonable expectation that the community will find this legal, acceptable, and so that you can proceed and put your money into this with a reasonable expectation that it will bear fruit. Okay. That's entirely appropriate. What I'm thinking here is one question we didn't address. If we decide, say, that Campus Corner is appropriate for high density, how much is a real question. If one is put up, that's a precedent for having another one, too. If two high density units go up, well, that makes it more reasonable for three, four, five, six. At some point, you've lost Campus Corner, which was characterized by one architectural study as an area of human scale and small, amusing vistas. At some point, you lose that and you have a high-density apartment district. At that point you've kind of killed the goose that was attractive. So I don't think we ever addressed the expectations of a developer. If you put in one high density unit, can you just have many, or do you draw boundaries around an area and say this much in this area, this much somewhere else? I don't know. We didn't address that. I think you kind of have to before you proceed – before you set the precedent. I think you have to kind of know where you want to go with the whole area in terms of how much high-rise you can expect and still maintain the character of an attractive area – an already attractive area. I mean, I'm from Phoenix and I just don't get it why massive apartments would be interesting – I just don't get it because I've been there. Other people enjoy that and fine. It's a mystery to me. To me it seems perfectly reasonable to have a town character and to maintain a town character. We have a city 30 miles away and everybody wants to live here. So I don't see high density as exciting. I've seen a lot of it. It might be a good thing. I don't know. Just personally.

10. Mr. Lewis – In thinking about this, change such as this in an area such as Campus Corner is often – not always – approached with trepidation – the fear of the unknown. What are we going to have? Because many times we can't visualize completely – 100% -- and grasp what is going in. I think Mr. Risser and Mr. Rieger and their group have done an extraordinary job in

presenting us what concept actually will be on Campus Corner. When I think about the many businesses that transition in and out of Campus Corner and the economic impact – why are those businesses transitioning? Like Mr. Stewart's business. How will that be impacted by a development of this sort? I can only imagine that it would be impacted in a positive manner. When I think about what are we going to do with the traffic, and as Commissioner Gordon did the numbers as well – there's going to be adequate parking for the complex. There's also going to be additional parking that Campus Corner can use, however, that's something that's being provided, but not mandated. I believe that the deciding factor for me was when Mr. Dunn came to the podium and spoke very eloquently about looking forward. This is about looking forward to the future of what Campus Corner is going to be. Are we going to allow the development that is much-needed there? Or are we going to tell young adults – business professionals – take your dollars and go to a different community that can provide a housing design and community that you would prefer to live in? Is that going to be Oklahoma City? Is that going to be Deep Deuce? What is that going to be? So even though I came to this meeting with the decision I was going to vote against this, this has to be a project that, of the many that come before this Commission and I've seen, that this is the one that has the greatest amount of impact in pushing Norman forward into an area – even though I, myself, have trepidation about the project – I have to believe in the design and the concept, the economic impact that it is going to have in our community, especially in an area where we see significant transitions in business because there's not enough money or economy there to support it.

Tom Knotts moved to postpone Resolution No. R-1112-129 and Ordinance No. O-1112-38 until we have the high density planning process completed. Roberta Pailes seconded the motion.

11. Vice Chairman Lewis asked whether the Commission has the ability to postpone an item. Ms. Messner explained that it is her opinion that the Commission has the authority to postpone, especially if they are asking for more information from the applicant or waiting on other pieces of information that it needs in order to make what they feel is an informed recommendation to City Council. The motion should be to postpone indefinitely or to postpone to a date certain.

12. Mr. Rieger – I think our deepest concern here is how long is it going to take? I think we would support a postponement for one month and see what happens at Council now, with this project basically in front of them – if not through your vote – in the forefront, and also to see what kind of progress they've put forth for this study to conclude. But we want to be back here in one month and see what that is.

13. Ms. Connors reported that the only date certain in the continuing process on high density is September 24 to go to the Community Planning and Transportation Committee for them to receive staff's report from the discussion. There is no direction where the process will go from there.

14. Mr. Rieger – That, Mr. Chairman, is our concern. As much as we hear that we need the community direction, with all due respect we have not seen a timetable for that yet. So I think we need to be continuing on on the agenda in one month.

15. Vice Chairman Lewis – We have a motion and a second on the floor for postponement that truly, I believe, is putting an undue burden on the applicant that this body truly does not have the authority to do. While Leah certainly has given her interpretation, I believe this is a question that needs to go to the City Council. We are only a recommending body – nothing more; nothing less. And to put an undue burden on the applicant I believe is unfair.

16. Harold Heiple – With all due respect to Leah, I've said before and I say again you do not have the authority to postpone without the consent of the applicant. There is a distinction here between what happened in Porter Corridor and what's happening here, and that was that City

Council specifically said to the Planning Commission while Porter Corridor was going on don't bring any rezoning applications forward during that consideration process. I don't think the City Council has said that – has formalized that with respect to high density. That being the case, it throws you right back into the situation that you are nothing but a recommending body and when you say you don't have enough information before you – they've complied with all the ordinances. The staff report shows that. They've got the right to go forward and, unless they say it's alright with us to postpone for a month, you can't impose financial burdens on them. You can vote no, but that lets them get to the City Council. So I respectfully maintain my same position I've always voiced about that.

17. Mr. Rieger – Mr. Chairman, I certainly respect Mr. Heiple and would agree with his opinion and would disagree with Leah's. I agree with that, that you don't have the authority. We simply, as we said a few minutes ago, are willing in good faith to say, okay, we'll come back in one month. But I want to assure you our patience will wear thin on that, as it did on Porter and on other projects, because this is a project that, when you see projects like this, with all due respect, they can't just sit around and wait and percolate for that long of a period of time. They're under timeframes of a lot of investment issues and they have to go forward. So, respectfully, we will agree to one month. We disagree to your ability to move on your own, but we'll agree to one month. And then we'll be back here and we're prepared to go forward again at that point.

18. Mr. Knotts – How many times have we had this project withdrawn by the applicant? Three times?

19. Ms. Connors – I believe it was three times.

20. Mr. Rieger – Commissioner Knotts, this is not our motion.

21. Mr. Knotts – Let me finish. If the project is uncertain enough to be postponed three times to our body, I think we have the ability and the responsibility to have a full and adequate review of that and the process that we have started inside the City of Norman and the population.

22. Mr. Lewis – I would say to that, that is not this body placing an undue financial burden on the applicant. That is the applicant making a choice, in and of themselves, to request a postponement.

23. Mr. McCarty – Point of information. I was at a couple of the Pre-Development meetings for this. I think they went to two or three of them, and the project had grown. The reason they had to go back to Pre-Development is because they acquired more land. So that is why some of the postponement or removal from the docket had gone forward. I was at, like I said, a couple of those meetings. So, again, I think it sends a bad message to postpone something that meets all of our requirements as a city or it wouldn't be on our agenda.

24. Mr. Rieger – You know, this reminds me, if I may, Mr. Chairman, again, there's no uncertainty on this side of the dais. We're very certain of what we're doing. We're happy to go forward right now. This does remind me a little bit of the project that went through recently that went through on the MUD ordinance and met the ordinances and it got pushed through. That was decided that that was not going to be held back. You recall that one. I think we fit in the same category. Absolutely.

25. Steve Ellis – I think it's important to note that the applicant is actually asking for you to make a positive recommendation, one, that they're not fully in compliance with the law right now – they don't meet the zoning. So, given that they're asking you to change the zoning, it's clear that they don't meet the current regulations. You have the authority to do with that what

you will. If you don't think that you should ask them if you want more information – again, I'm not a lawyer. I assume that Leah is. But I think the idea that it's a financial hardship on the applicant when they actually have to ask for a change in the rules in order to do what they want to do, assumes that you are under an obligation to change the rules because they have a plan, and that's not the case. The rules would not allow them to build it now, so they have to ask, and you can say what you will about their request to ask. But they're asking – it follows that they don't currently have a right to the change they're asking for.

Mr. Knotts withdrew his motion to postpone, and Ms. Pailes concurred.

Curtis McCarty moved to recommend approval of Resolution No. R-1112-129 and Ordinance No. O-1112-38 to the City Council. Cindy Gordon seconded the motion.

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

YEAS	Cindy Gordon, Curtis McCarty, Chris Lewis
NAYES	Dave Boeck, Jim Gasaway, Tom Knotts, Roberta Pailes
ABSENT	Diana Hartley, Andy Sherrer

Ms. Tromble announced that the motion, to recommend approval of Resolution No. R-1112-129 and Ordinance No. O-1112-38 to City Council, failed by a vote of 3-4.

* * *

RECESS
8:22 to 8:32 p.m.

* * *

Vice Chairman Lewis announced that during the break the applicant for item No. 9 requested a postponement for one month.

Curtis McCarty moved to postpone Ordinance No. O-1213-9 for one month to the October 11, 2012 meeting. Tom Knotts seconded the motion.

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

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

Ms. Tromble announced that the motion, to postpone Ordinance No. O-1213-9 for one month, 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: O-1213-8

File ID:	O-1213-8	**Type:**	Zoning Ordinance	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 9	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	08/16/2012
File Name:	UTC Easement Closures			**Final Action:**	

Title: CONSIDERATION OF ORDINANCE NO. O-1213-8 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING AND RELOCATING A UTILITY EASEMENT LOCATED IN LOT 1, BLOCK 2 OF A REPLAT OF A REPLAT OF UNIVERSITY NORTH PARK ADDITION, SECTION III, TO THE CITY OF NORMAN, OKLAHOMA, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (LOCATED APPROXIMATELY 840 FEET NORTHWEST OF 24TH AVENUE N.W. ON THE SOUTH SIDE OF CONFERENCE DRIVE)

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1213-8 upon First Reading by title.

ACTION TAKEN: _____---

Notes:

Agenda Date: 10/23/2012

Agenda Number: 9

Attachments: Text File O-1213-8 First Reading, O-1213-8 UTC UE-DE, UTC UE Closure Location, Memo from Clerk O-1213-8, UTC Application for Closure, Grant of Utility Easement, Grant of Drainage Easement, UTC Easement Closure Staff Rpt, 9-13-12 PC Minutes - UTC UE Closure

Project Manager: Jane Hudson, Principal Planner

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	09/13/2012	Recommended for Adoption at a subsequent City Council Meeting	City Council	Pass

Action Text: Recommended for Adoption at a subsequent City Council Meeting to the City Council

1	Planning Commission	09/13/2012

Text of Legislative File O-1213-8

body

. **BACKGROUND**: The final plat for subject addition was filed of record on October 15, 2009. Within the final plat, public utility and drainage easements were dedicated for a sanitary sewer system and storm water system to serve the properties. The location is approximately 840-feet northwest of 24th Avenue N.W. on the south side of Conference Drive.

DISCUSSION: Since the final plat was filed of record, the owners have succeeded in developing three junior tenant buildings adjacent to Academy Sports. However, during design, a conflict between the north building and existing public utilities was discovered. The only utilities within the easements are sanitary sewer and storm water pipelines owned by the City of Norman. The owners hired a professional engineer to design and submit construction plans for relocation of the sanitary sewer and storm water pipelines. The construction plans have been approved for the relocation of these utilities and storm water systems. The attorney for the owners has submitted new easement dedication documents for the relocated sanitary sewer and storm water pipelines. All the franchised utility companies were notified to assess the impact of their facilities with the requested closure. No objections were presented by the franchised utility companies. Planning Commission, at its meeting of September 13, 2012, recommended adoption of this ordinance.

RECOMMENDATION: The platted easements were specifically designed to serve the University North Park Additions. With the relocation of the public improvements, staff recommends approval of the request for partial closure of utility easement and drainage easement and the ultimate vacation of that portion of easements that is in conflict with the proposed building and accept the new easement dedication documents for the sanitary sewer and storm water systems that have been submitted by the attorney for the owner as part of this request and submittal.

O-1213-8

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING AND RELOCATING A UTILITY EASEMENT AND A DRAINAGE EASEMENT LOCATED IN LOT 1, BLOCK 2 OF A REPLAT OF A REPLAT OF UNIVERSITY NORTH PARK ADDITION, SECTION III, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That, pursuant to Resolution Number R-8182-66, UTC II, L.L.C., owners of the subject property, have petitioned the City to have the utility and drainage easements in Lot 1, Block 2 of a REPLAT OF A REPLAT OF UNIVERSITY NORTH PARK ADDITION, SECTION III closed and relocated; and,

§ 2. That, also pursuant to Resolution Number R-8182-66, the proper notice has been given, and the maps, memorandums and other items required by said Resolution have been presented to this Council; and

§ 3. That, also pursuant to Resolution Number R-8182-66, a public hearing has been held regarding said closing; and

§ 4. That, the utility easement in Lot 1, Block 2, REPLAT OF A REPLAT OF UNIVERSITY NORTH PARK ADDITION, SECTION III, herein after described, to wit:

A utility easement to be vacated in the Northeast Quarter of Section 23, Township 9 North, Range 3 West, of the Indian Meridian, City of Norman, Cleveland County, Oklahoma, being more particularly described as follows:
Commencing at the West property corner of Lot 1, Block 2, of a Replat of a Replat of University North Park Section III, (recorded in Book 22, Page 79 of Plats):
Thence North 36°37' 02" East, along the Northwest property line of said Lot 1, Block 2, a distance of 250.03 feet;
Thence South 86°52' 06" East a distance of 48.14 feet to the Point of Beginning.
Thence South 86°52' 06" East a distance of 164.32 feet;
Thence South 19°20' 01" West a distance of 15.62 feet;
Thence North 86°52' 06" West a distance of 157.26 feet;

Thence North 07°04' 52" West a distance of 15.24 feet to the Point of Beginning.

Containing 2,411 square feet or 0.0553 acres, more or less.

is hereby closed and relocated as follows:

Easement No. E-1213-10: A new utility easement lying in the Northeast Quarter of Section 23, Township 9 North, Range 3 West, of the Indian Meridian, City of Norman, Cleveland County, Oklahoma, being more particularly described as follows:
Commencing at the West property corner of Lot 1, Block 2, of a Replat of a Replat of University North Park Section III, (recorded in Book 22, Page 79 of Plats):
Thence North 36°37' 02" East, along the Northwest property line of said Lot 1, Block 2, a distance of 250.03 feet;
Thence South 86°52' 06" East a distance of 48.14 feet to the Point of Beginning.
Thence North 72°42' 22" East a distance of 110.51 feet;
Thence South 54°27' 52" East a distance of 71.97 feet;
Thence South 19°20' 01" West a distance of 15.62 feet;
Thence North 54°27' 52" West a distance of 68.88 feet;
Thence South 72°42' 22" West a distance of 105.76 feet;
Thence North 07°04' 52" West a distance of 15.24 feet to the Point of Beginning.

Containing 2,678 square feet or 0.0615 acres, more or less.

§ 5. That, the drainage easement in Lot 1, Block 2, REPLAT OF A REPLAT OF UNIVERSITY NORTH PARK ADDITION, SECTION III, herein after described, to wit:

A drainage easement to be vacated lying in the Northeast Quarter of Section 23, Township 9 North, Range 3 West, of the Indian Meridian, City of Norman, Cleveland County, Oklahoma, being more particularly described as follows:
Commencing at the West property corner of Lot 1, Block 2, of a Replat of a Replat of University North Park Section III, (recorded in Book 22, Page 79 of Plats):
Thence North 36°37' 02" East, along the Northwest property line of said Lot 1, Block 2, a distance of 250.03 feet;

Thence South 86°52' 06" East a distance of 48.14 feet to the Point of Beginning.
Thence North 07°04' 52" West a distance of 20.32 feet;
Thence South 86°52' 06" East a distance of 92.02 feet;
Thence North 22°31' 00" East a distance of 41.81 feet;
Thence North 72°42' 22" East a distance of 3.84 feet;
Thence South 54°27' 52" East a distance of 17.50 feet;
Thence South 22°31' 00" West a distance of 33.29 feet;
Thence South 86°52' 06" East a distance of 60.52 feet;
Thence South 19°20' 01" West a distance of 20.83 feet;
Thence North 86°52' 06" West a distance of 164.32 feet to the Point of Beginning.

Containing 4,158 square feet or 0.0955 acres, more or less.

is hereby closed and relocated as follows:

Easement No. E-1213-11: A new drainage easement lying in the Northeast Quarter of Section 23, Township 9 North, Range 3 West, of the Indian Meridian, City of Norman, Cleveland County, Oklahoma, being more particularly described as follows:
Commencing at the West property corner of Lot 1, Block 2, of a Replat of a Replat of University North Park Section III, (recorded in Book 22, Page 79 of Plats):
Thence North 36°37' 02" East, along the Northwest property line of said Lot 1, Block 2, a distance of 250.03 feet;
Thence South 86°52' 06" East a distance of 48.14 feet to the Point of Beginning.
Thence North 07°04' 52" West a distance of 20.32 feet;
Thence North 72°42' 22" East a distance of 116.84 feet;
Thence South 54°27' 52" East a distance of 76.09 feet;
Thence South 19°20' 01" West a distance of 20.83 feet;
Thence North 54°27' 52" West a distance of 71.97 feet;
Thence South 72°42' 22" West a distance of 110.51 feet to the Point of Beginning.

Containing 3,754 square feet or 0.0862 acres, more or less.

§ 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)

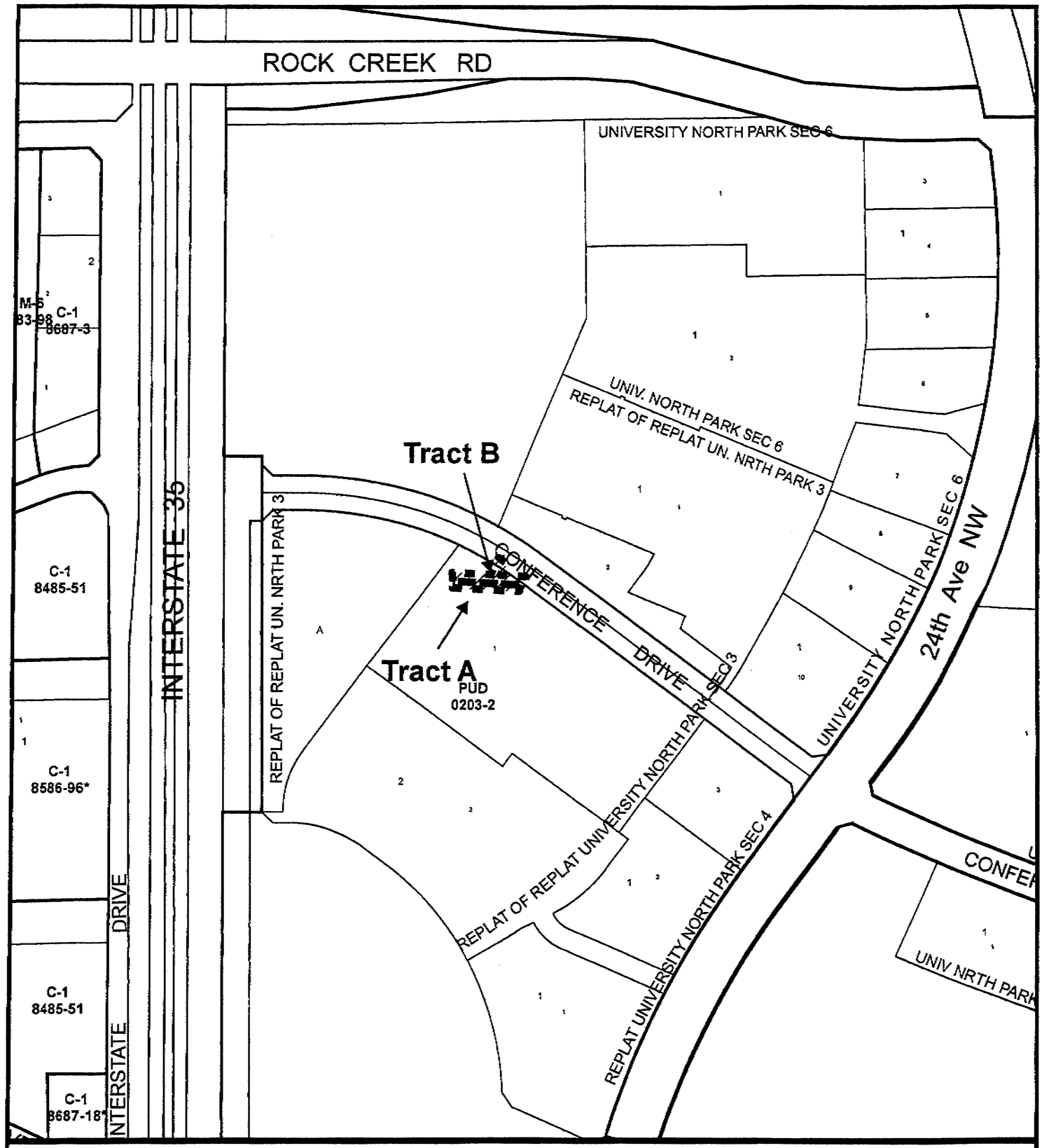
ATTEST:

_____
(City Clerk)

NOT ADOPTED this _____day of

_____, 2012.

_____
(Mayor)



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
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S

August 20, 2012

0 150 300 Ft.

Subject Tract

Zoning

office memorandum

DATE: July 23, 2012

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

FROM: Brenda Hall, City Clerk

SUBJECT: Request to Close and Relocate Parts of a Utility and Drainage Easement

I am in receipt of a request to close and relocate parts of a utility and drainage easement in Lot 1, Block 2, of a Replat of a Replat of University North Park Addition, Section III.

In accordance with Resolution No. R-8182-66, I am forwarding the request and certified ownership list to your office and requesting that your office send notice to the furnished list of property owners and have the necessary ordinance prepared. If further action is needed from my office, please notify me.

BH:smr
attachments

To: City of Norman, c/o City Clerk Brenda Hall
Norman City Hall, Norman, OK (hand-delivered)

Re: **Closing and relocating parts of a utility easement and a drainage easement in Lot 1, Block 2 of a Replat of a Replat of University North Park Section III Addition**

Date: July 20, 2012

1. The undersigned Applicant, **UTC II, LLC,** is the beneficial owner of all the land embracing the portions of the easements, described below, to be closed and relocated.

2. It is in the best interest of both the undersigned and the City of Norman to relocate and then close, vacate, and foreclose the right to reopen in District Court the portions of the following-described easements in **Lot 1, Block 2 of a Replat of a Replat of University North Park Section III Addition,** filed in Book 22 Plats, Pages 79-81, Cleveland County Clerk's office:

(a). The portion to be **vacated** of the fifteen foot (15') platted **utility** easement in said Lot 1, Block 2, more fully described on attached "Exhibit A" (the "**Vacated U/E**")

(b) The portion to **be relocated** of the fifteen foot (15') platted **utility** easement in said Lot 1, Block 2, more fully described on attached "Exhibit B" (the "**Relocated U/E**")

(c) The portion to be **vacated** of the twenty foot (20') platted **drainage** easement in said Lot 1, Block 2, more fully described on attached "Exhibit C" (the "**Vacated D/E**")

(d) The portion to be **relocated** of the twenty foot (20') platted **drainage** easement in said Lot 1, Block 2, more fully described on attached "Exhibit D" (the "**Relocated D/E**")

Collectively, **(a), (b), (c) and (d)** are referred to as the "**SUBJECT PROPERTY**"

3. If there are utility lines or facilities in, on under or over any part(s) of Subject Property, Applicant will cause same to be respected and protected, as required by law.

4. An ownership list certified by a bonded abstracter, reflecting all owners of record, according to County Treasurer records, of property within 300 feet in any direction of the above-described Subject Property is submitted herewith. A map which is attached to said ownership list shows the location of the ownership lines for each owner of record whose name appears on the ownership list. Enclosed is our firm check for the required filing fee of $400.

5. Action by the Board of County Commissioners of Cleveland County is not necessary. The undersigned will pay the cost of newspaper publication of the required Notice.

Wherefore, pursuant to Resolution 8182-66, as amended, of the City of Norman, the undersigned Applicant requests official **relocation and closing** of the above-described Subject Property, by enactment of an ordinance by the City Council of the City of Norman.

UTC II, LLC, Applicant, by: Harold Heiple (H. L. Heiple, Attorney-Agent)
Heiple Law Offices, Inc., PO Box 847, Norman, OK 73070, Phone (405) 321-0090, FAX 321-9763

cc: Ken Danner, CON Public Works
Rone' Tromble, CON Planning Dept.
Client

FILED IN THE OFFICE
OF THE CITY CLERK
ON 7/23/12

EXHIBIT "A"
(SHEET 1 OF 2)

LEGAL DESCRIPTION FOR UTILITY EASEMENT TO BE VACATED
A REPLAT OF A REPLAT OF UNIVERSITY NORTH PARK SECTION III
NORMAN, CLEVELAND COUNTY, OKLAHOMA
JULY 17, 2012

A UTILITY EASEMENT TO BE VACATED IN THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 3 WEST, OF THE INDIAN MERIDIAN, CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

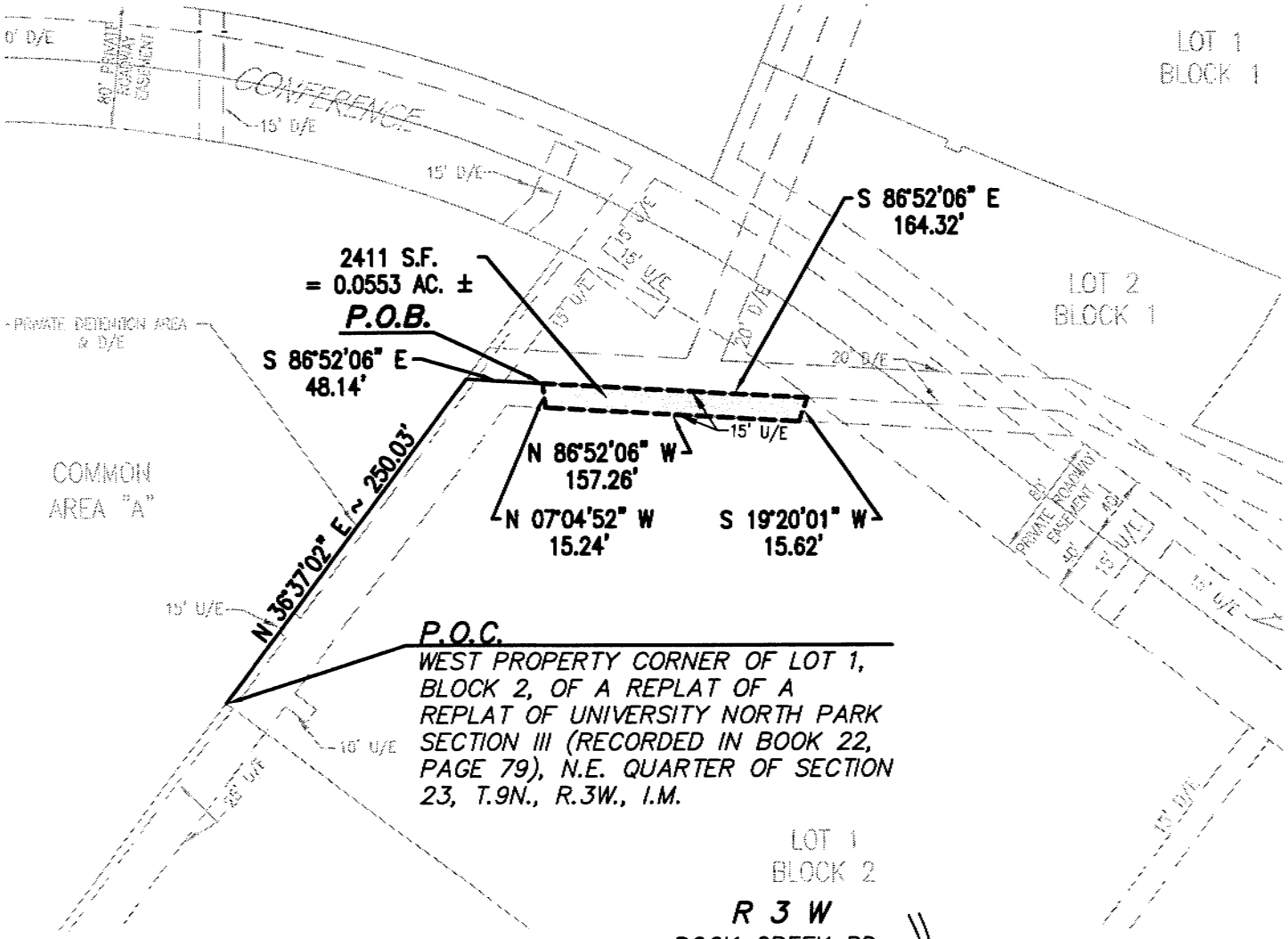
COMMENCING AT THE WEST PROPERTY CORNER OF LOT 1, BLOCK 2, OF A REPLAT OF A REPLAT OF UNIVERSITY NORTH PARK SECTION III, (RECORDED IN BOOK 22, PAGE 79 OF PLATS):
THENCE NORTH 36°37'02" EAST, ALONG THE NORTHWEST PROPERTY LINE OF SAID LOT 1, BLOCK 2, A DISTANCE OF 250.03 FEET;
THENCE SOUTH 86°52'06" EAST A DISTANCE OF 48.14 FEET TO THE POINT OF BEGINNING.

THENCE SOUTH 86°52'06" EAST A DISTANCE OF 164.32 FEET;
THENCE SOUTH 19°20'01" WEST A DISTANCE OF 15.62 FEET;
THENCE NORTH 86°52'06" WEST A DISTANCE OF 157.26 FEET;
THENCE NORTH 07°04'52" WEST A DISTANCE OF 15.24 FEET TO THE POINT OF BEGINNING.

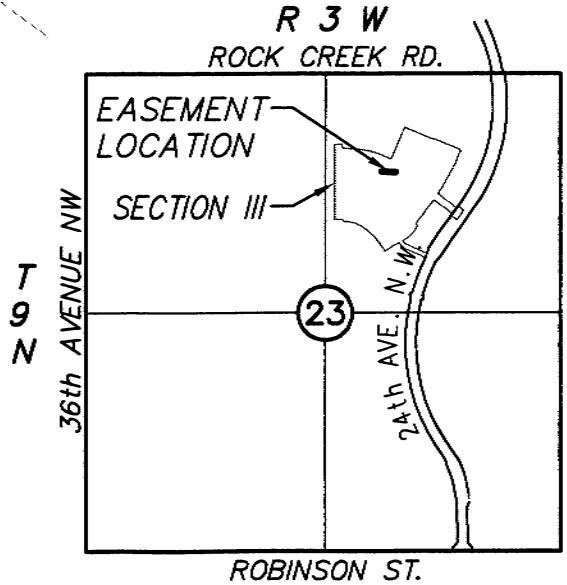
CONTAINING 2,411 SQUARE FEET OR 0.0553 ACRES, MORE OR LESS.

EXHIBIT "A"
(SHEET 2 OF 2)

LEGAL DESCRIPTION FOR UTILITY EASEMENT TO BE VACATED
A REPLAT OF A REPLAT OF UNIVERSITY NORTH PARK SECTION III
NORMAN, CLEVELAND COUNTY, OKLAHOMA
JULY 17, 2012



SCALE: 1" = 100'



LOCATION MAP
SCALE: 1"=2000'

North

EXHIBIT "B"
(SHEET 1 OF 2)

LEGAL DESCRIPTION FOR NEW UTILITY EASEMENT
REPLAT OF A REPLAT OF UNIVERSITY NORTH PARK SECTION III
NORMAN, CLEVELAND COUNTY, OKLAHOMA
JULY 17, 2012

A NEW UTILITY EASEMENT LYING IN THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 3 WEST, OF THE INDIAN MERIDIAN, CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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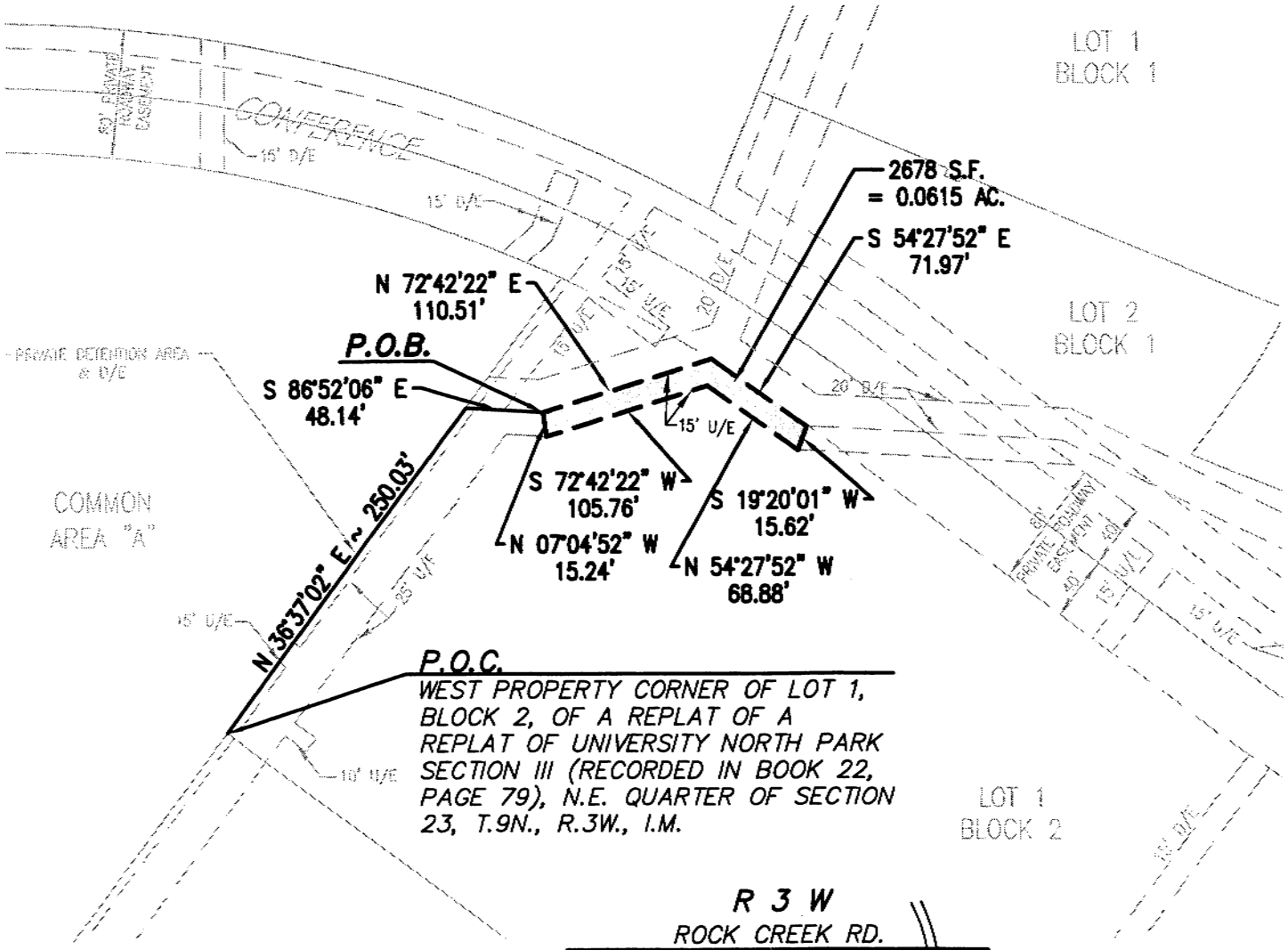
THENCE SOUTH 86°52'06" E A DISTANCE OF 48.14 FEET TO THE POINT OF BEGINNING.

THENCE NORTH 72°42'22" EAST A DISTANCE OF 110.51 FEET;
THENCE SOUTH 54°27'52" EAST A DISTANCE OF 71.97 FEET;
THENCE SOUTH 19°20'01" WEST A DISTANCE OF 15.62 FEET;
THENCE NORTH 54°27'52" WEST A DISTANCE OF 68.88 FEET;
THENCE SOUTH 72°42'22" WEST A DISTANCE OF 105.76 FEET;
THENCE NORTH 07°04'52" WEST A DISTANCE OF 15.24 FEET TO THE POINT OF BEGINNING.

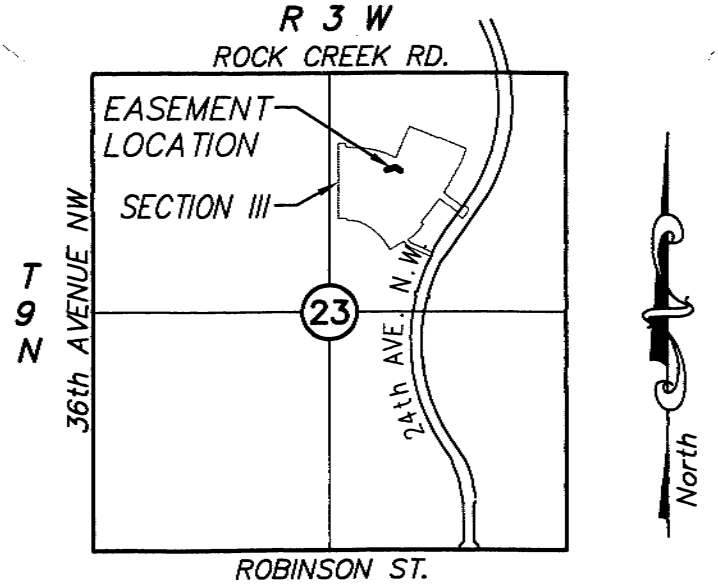
CONTAINING 2,678 SQUARE FEET OR 0.0615 ACRES, MORE OR LESS.

EXHIBIT "B"
(SHEET 2 OF 2)

LEGAL DESCRIPTION FOR NEW UTILITY EASEMENT
A REPLAT OF A REPLAT OF UNIVERSITY NORTH PARK SECTION III
NORMAN, CLEVELAND COUNTY, OKLAHOMA
JULY 17, 2012



SCALE: 1" = 100'



LOCATION MAP
SCALE: 1"=2000'

EXHIBIT "C"
(SHEET 1 OF 2)

LEGAL DESCRIPTION FOR DRAINAGE EASEMENT TO BE VACATED A REPLAT OF A REPLAT OF UNIVERSITY NORTH PARK SECTION III NORMAN, CLEVELAND COUNTY, OKLAHOMA JULY 17, 2012

A DRAINAGE EASEMENT TO BE VACATED LYING IN THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 3 WEST, OF THE INDIAN MERIDIAN, CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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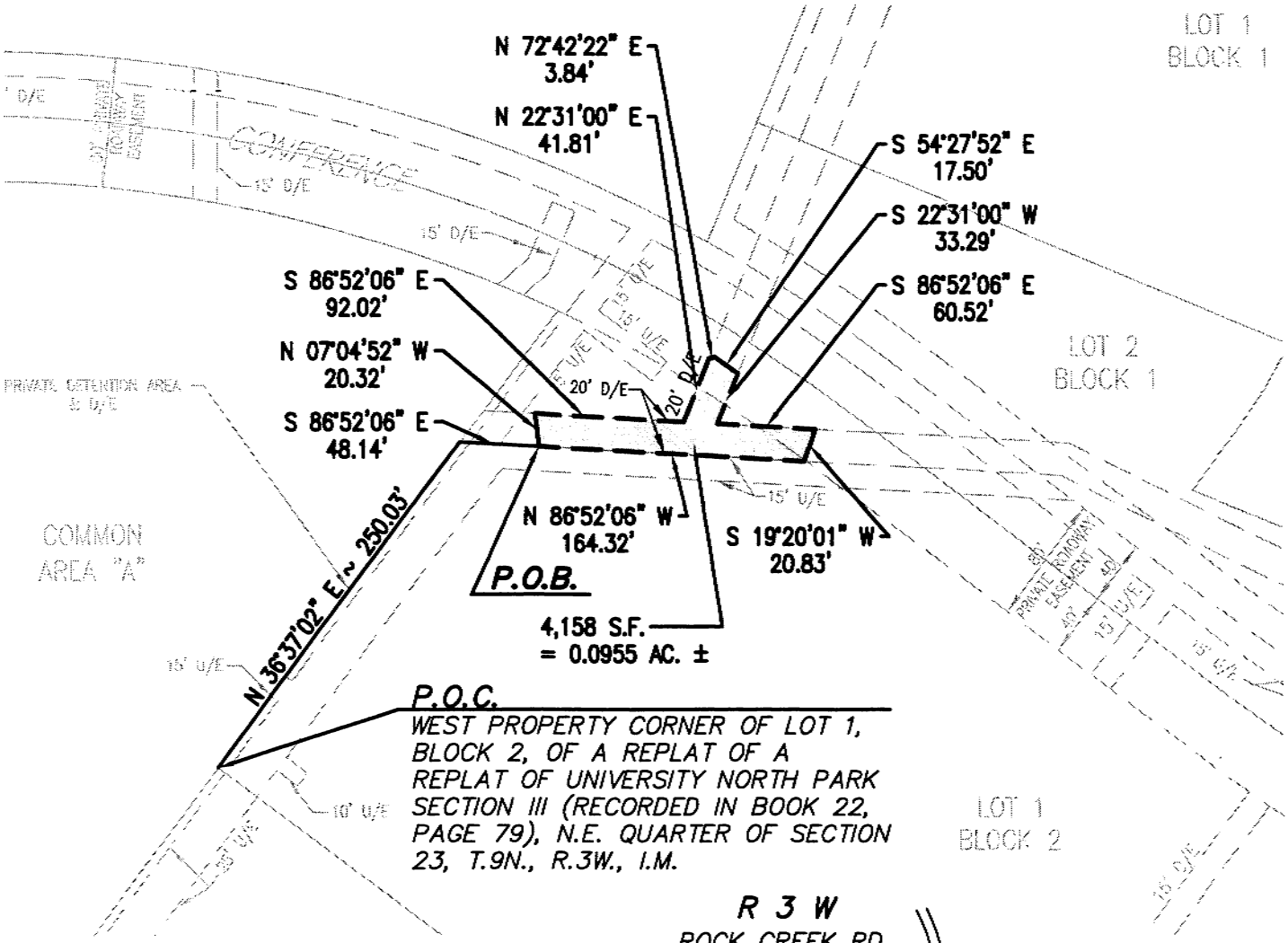
THENCE SOUTH 86°52'06" E A DISTANCE OF 48.14 FEET TO THE POINT OF BEGINNING.

THENCE NORTH 07°04'52" WEST A DISTANCE OF 20.32 FEET;
THENCE SOUTH 86°52'06" EAST A DISTANCE OF 92.02 FEET;
THENCE NORTH 22°31'00" EAST A DISTANCE OF 41.81 FEET;
THENCE NORTH 72°42'22" EAST A DISTANCE OF 3.84 FEET;
THENCE SOUTH 54°27'52" EAST A DISTANCE OF 17.50 FEET;
THENCE SOUTH 22°31'00" WEST A DISTANCE OF 33.29 FEET;
THENCE SOUTH 86°52'06" EAST A DISTANCE OF 60.52 FEET;
THENCE SOUTH 19°20'01" WEST A DISTANCE OF 20.83 FEET;
THENCE NORTH 86°52'06" WEST A DISTANCE OF 164.32 FEET TO THE POINT OF BEGINNING.

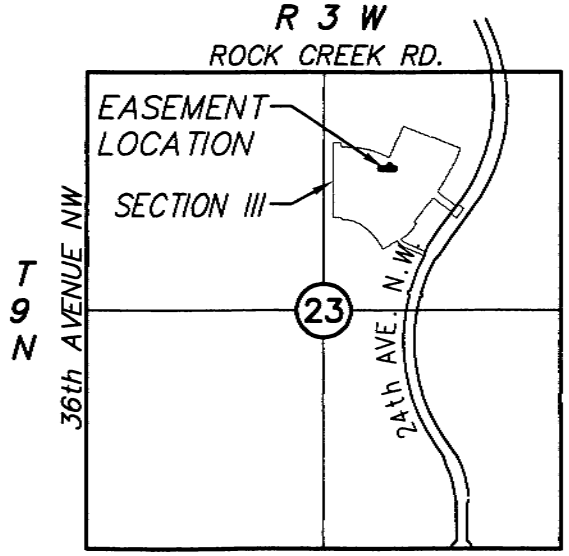
CONTAINING 4,158 SQUARE FEET OR 0.0955 ACRES, MORE OR LESS.

EXHIBIT "C"
(SHEET 2 OF 2)

LEGAL DESCRIPTION FOR DRAINAGE EASEMENT TO BE VACATED
A REPLAT OF A REPLAT OF UNIVERSITY NORTH PARK SECTION III
NORMAN, CLEVELAND COUNTY, OKLAHOMA
JULY 17, 2012



P.O.C.
WEST PROPERTY CORNER OF LOT 1, BLOCK 2, OF A REPLAT OF A REPLAT OF UNIVERSITY NORTH PARK SECTION III (RECORDED IN BOOK 22, PAGE 79), N.E. QUARTER OF SECTION 23, T.9N., R.3W., I.M.



LOCATION MAP
SCALE: 1"=2000'

North

SCALE: 1" = 100'

EXHIBIT "D"
(SHEET 1 OF 2)

LEGAL DESCRIPTION FOR NEW DRAINAGE EASEMENT
A REPLAT OF A REPLAT OF UNIVERSITY NORTH PARK SECTION III
NORMAN, CLEVELAND COUNTY, OKLAHOMA
JULY 17, 2012

A NEW DRAINAGE EASEMENT LYING IN THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 3 WEST, OF THE INDIAN MERIDIAN, CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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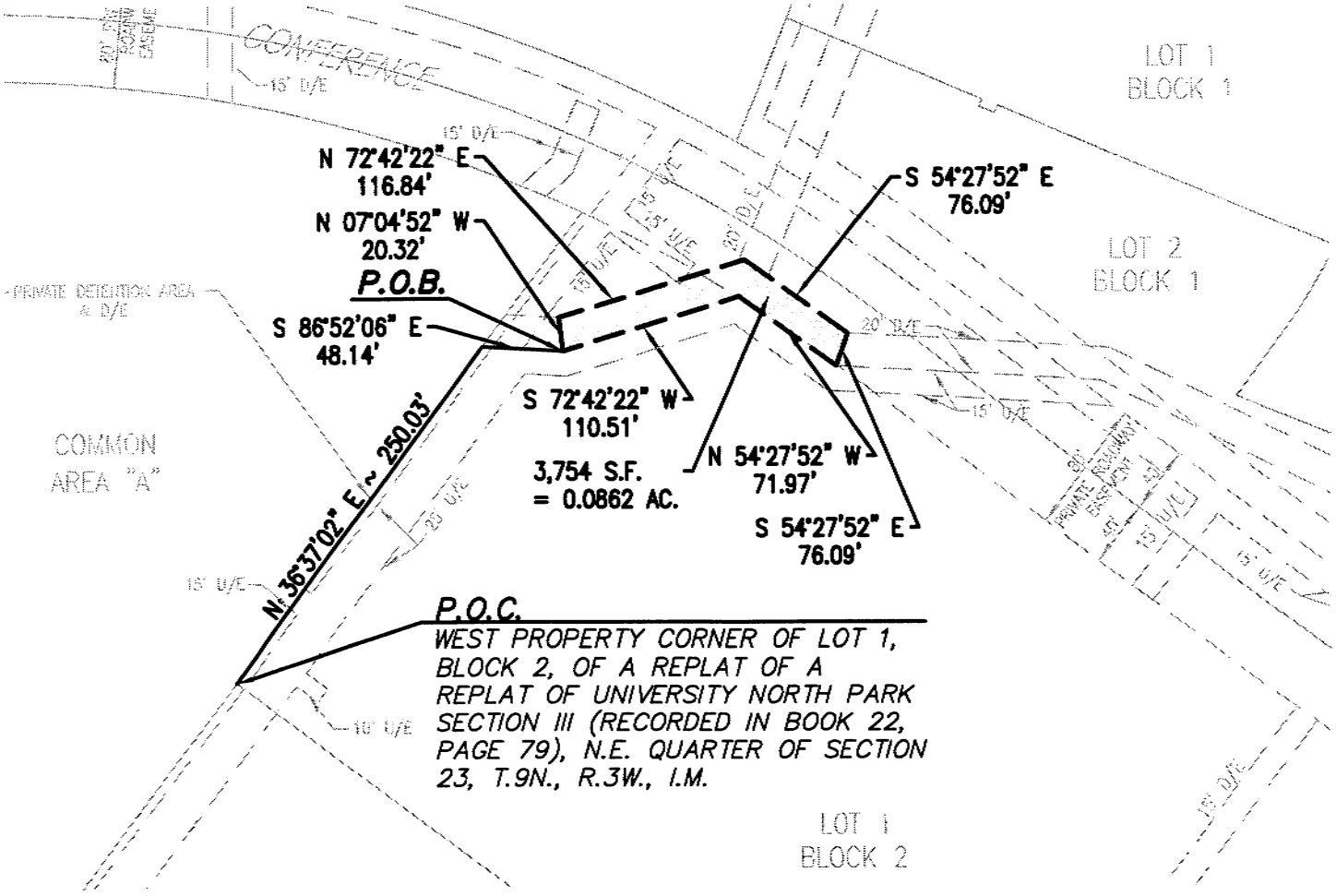
THENCE SOUTH 86°52'06" E A DISTANCE OF 48.14 FEET TO THE POINT OF BEGINNING.

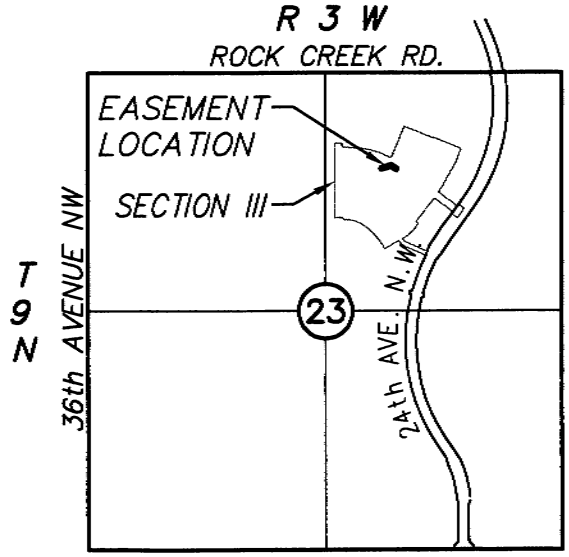
THENCE NORTH 07°04'52" WEST A DISTANCE OF 20.32 FEET;
THENCE NORTH 72°42'22" EAST A DISTANCE OF 116.84 FEET;
THENCE SOUTH 54°27'52" EAST A DISTANCE OF 76.09 FEET;
THENCE SOUTH 54°27'52" EAST A DISTANCE OF 76.09 FEET;
THENCE NORTH 54°27'52" WEST A DISTANCE OF 71.97 FEET;
THENCE SOUTH 72°42'22" WEST A DISTANCE OF 110.51 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,754 SQUARE FEET OR 0.0862 ACRES, MORE OR LESS.

EXHIBIT "D"
(SHEET 2 OF 2)

LEGAL DESCRIPTION FOR NEW DRAINAGE EASEMENT
A REPLAT OF A REPLAT OF UNIVERSITY NORTH PARK SECTION III
NORMAN, CLEVELAND COUNTY, OKLAHOMA
JULY 17, 2012





GRANT OF UTILITY EASEMENT E-1213-10

KNOW ALL MEN BY THESE PRESENTS:

THAT UTC II, LLC, for and 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, and in order to replace a section of an existing 15' utility easement which is being closed and vacated, does hereby grant, sell and convey unto the City of Norman, a municipal corporation, a utility easement and right-of-way over, across, and under the following described real estate and premises situated in Cleveland County, Oklahoma, to wit:

Part of Lot 1, Block 2 of Replat of Replat of University North Park Section 3 Addition to Norman, as more fully described by text and map in the attached **2-page Exhibit "B"**

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating utility lines, fixtures and equipment,

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

Signed and delivered on August 23rd, 2012.

UTC II, LLC, by: Robert C. Collett (Manager)

ACKNOWLEDGEMENT

STATE OF NC,
COUNTY OF Union, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on Aug. 23, 2012, personally appeared Robert C. Collett to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as its Manager and acknowledged to me that he executed the same as his free and voluntary act and deed, and as the free and voluntary act and deed of the LLC, for the uses and purposes therein set forth.

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

(SEAL)

Notary Public

My Commission # n/a expires on Nov. 2, 2016

LORRAINE ENGLISH NOTARY PUBLIC UNION COUNTY, NC

APPROVED as to form and legality this 23 day of August, 2012.

9/24/12 City Attorney

APPROVED and accepted by the Council of the City of Norman, this _____ day of _____, 20___.

ATTEST:

City Clerk

Mayor

EXHIBIT "B"
(SHEET 1 OF 2)

LEGAL DESCRIPTION FOR NEW UTILITY EASEMENT REPLAT OF A REPLAT OF UNIVERSITY NORTH PARK SECTION III NORMAN, CLEVELAND COUNTY, OKLAHOMA JULY 17, 2012

A NEW UTILITY EASEMENT LYING IN THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 3 WEST, OF THE INDIAN MERIDIAN, CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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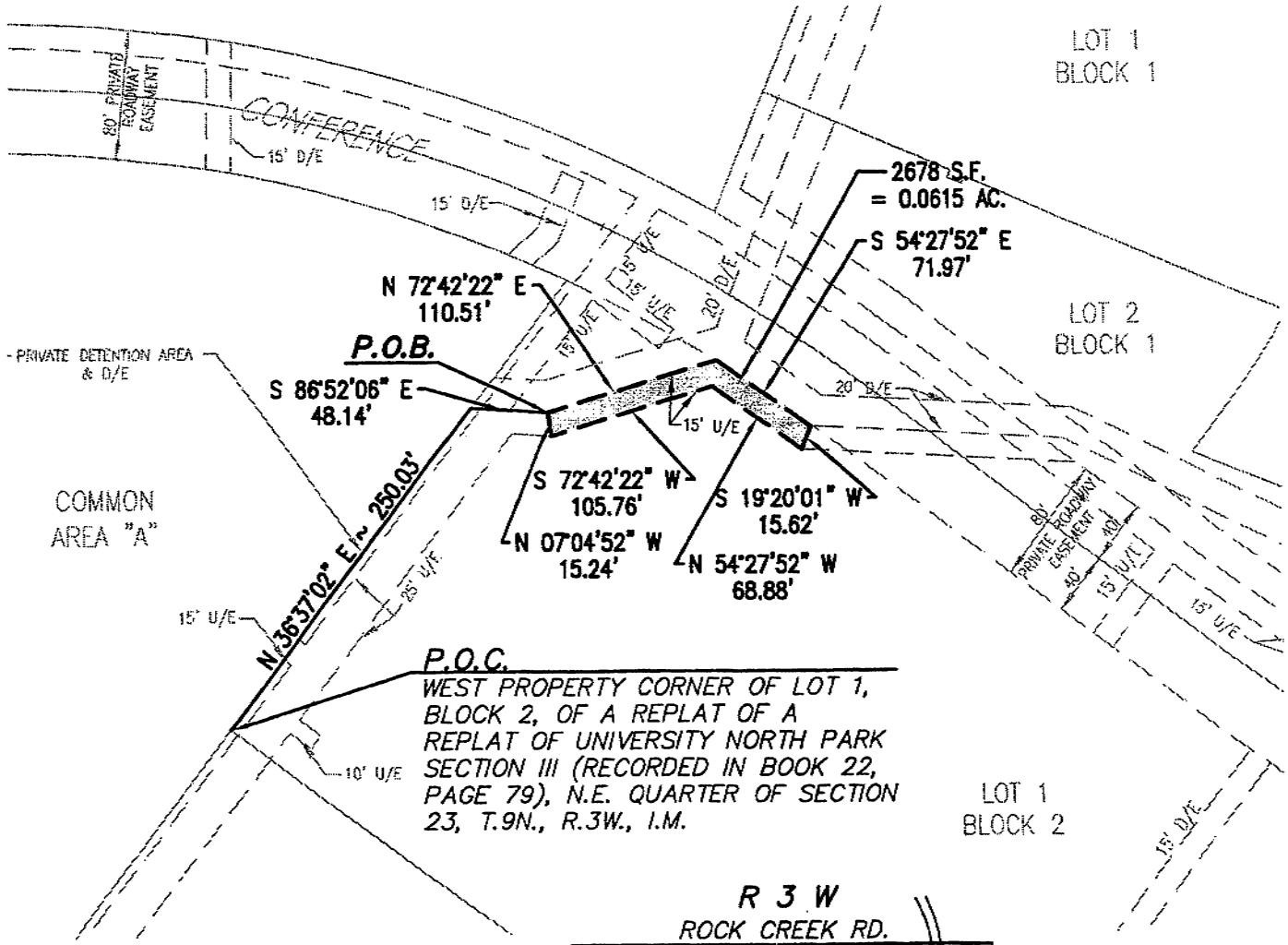
THENCE NORTH 72°42'22" EAST A DISTANCE OF 110.51 FEET;
THENCE SOUTH 54°27'52" EAST A DISTANCE OF 71.97 FEET;
THENCE SOUTH 19°20'01" WEST A DISTANCE OF 15.62 FEET;
THENCE NORTH 54°27'52" WEST A DISTANCE OF 68.88 FEET;
THENCE SOUTH 72°42'22" WEST A DISTANCE OF 105.76 FEET;
THENCE NORTH 07°04'52" WEST A DISTANCE OF 15.24 FEET TO THE POINT OF BEGINNING.

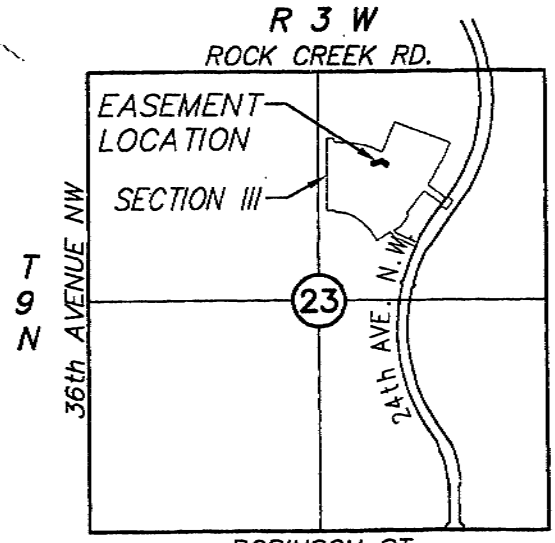
CONTAINING 2,678 SQUARE FEET OR 0.0615 ACRES, MORE OR LESS.

EXHIBIT "B"
(SHEET 2 OF 2)

LEGAL DESCRIPTION FOR NEW UTILITY EASEMENT
A REPLAT OF A REPLAT OF UNIVERSITY NORTH PARK SECTION III
NORMAN, CLEVELAND COUNTY, OKLAHOMA
JULY 17, 2012



SCALE: 1" = 100'



LOCATION MAP
SCALE: 1"=2000'

GRANT OF DRAINAGE EASEMENT E-1213-11

KNOW ALL MEN BY THESE PRESENTS:

THAT UTC II, LLC, for and 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, and in order to replace a section of an existing 20' drainage easement which is being closed and vacated, does hereby grant, sell and convey unto the City of Norman, a municipal corporation, a drainage easement and right-of-way over, across, and under the following described real estate and premises situated in Cleveland County, Oklahoma, to wit:

Part of Lot 1, Block 2 of Replat of Replat of University North Park Section 3 Addition to Norman, as more fully described by text and map in the attached **2-page Exhibit "D"**

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating drainage channels and pipes

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

Signed and delivered on August 23rd, 2012.

UTC II, LLC, by: Robert C. Colkett (Manager)

ACKNOWLEDGEMENT

STATE OF NC,
COUNTY OF Union, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on Aug. 23, 2012, personally appeared Robert C Colkett to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as its Manager and acknowledged to me that he executed the same as his free and voluntary act and deed, and as the free and voluntary act and deed of the LLC, for the uses and purposes therein set forth.

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

Notary Public

My Commission # N/A expires on Nov. 2, 2016

LORRAINE ENGLISH NOTARY PUBLIC UNION COUNTY, NC

APPROVED as to form and legality this 23 day of Aug., 2012

9/26/12 City Attorney

APPROVED and accepted by the Council of the City of Norman,
this _____ day of _____, 20___.

ATTEST:

City Clerk

Mayor

EXHIBIT "D"
(SHEET 1 of 2)

E-1213-11

LEGAL DESCRIPTION FOR NEW DRAINAGE EASEMENT
A REPLAT OF A REPLAT OF UNIVERSITY NORTH PARK SECTION III
NORMAN, CLEVELAND COUNTY, OKLAHOMA
JULY 17, 2012

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THENCE NORTH 72° 42'22" EAST A DISTANCE OF 116.84 FEET;
THENCE SOUTH 54° 27'52" EAST A DISTANCE OF 76.09 FEET;
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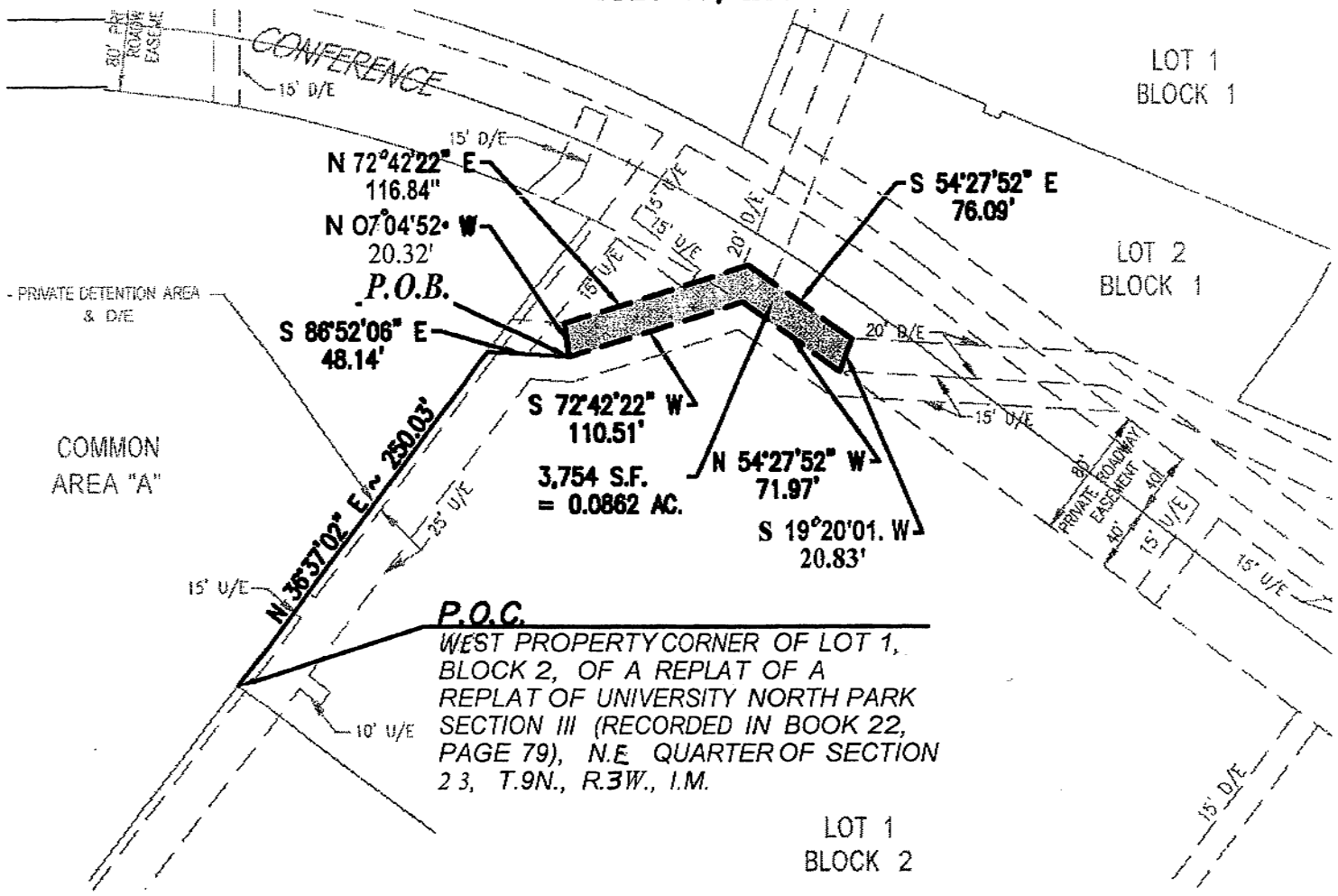
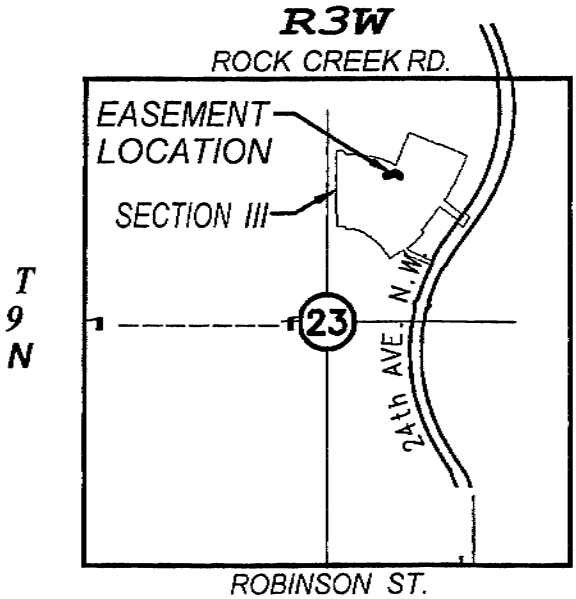
THENCE NORTH 54° 27'52" WEST A DISTANCE OF 71.97 FEET;
THENCE SOUTH 72° 42'22" WEST A DISTANCE OF 110.51 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,754 SQUARE FEET OR 0.0862 ACRES, MORE OR LESS.

LEGAL DESCRIPTION FOR NEW DRAINAGE EASEMENT E-1213-11
A REPLAT OF A REPLAT OF UNIVERSITY NORTH PARK SECTION
NORMAN, CLEVELAND COUNTY, OKLAHOMA
JULY 17, 2012



SCALE: 1.= 100'



LOCATION MAP
SCALE: 1.=2000'

ORDINANCE NO. O-1213-8 ITEM NO. 8

STAFF REPORT

GENERAL INFORMATION

APPLICANT	UTC, II, L.L.C.
REQUESTED ACTION	Closure of parts of Utility Easement and Drainage Easement in Lot 1, Block 2, of a Replat of a Replat of University North Park, Section III.

BACKGROUND: This is a request for closing parts of existing platted utility easements and drainage easements and relocating a sanitary sewer main and storm sewer and providing new described legals for new easements within the documentation provided for Lot 1, Block 2 of a Replat of a Replat of University North Park Section III filed of record on October 15, 2009.

DISCUSSION: All franchised utilities were notified to assess the impact on their facilities with the closure of easement; there were no objections. However, the City of Norman has existing utilities within the easement. Currently, a sanitary sewer main and storm sewer are located in their respective easements. The owners hired a professional engineer to submit plans for the relocation of the public sanitary sewer main and public storm sewer. These plans have been approved. The attorney for the owners has submitted separate instrument easements that will cover the proposed sanitary sewer main and storm sewer.

RECOMMENDATION: The easements in question were specifically designed to serve the University North Park Additions. With the relocation of the public improvements, staff recommends approval of this request to close, and ultimately vacate, that portion of easement that is in conflict with a proposed building.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

SEPTEMBER 13, 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 13th day of September 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions at least twenty-four hours prior to the beginning of the meeting.

Vice Chairman Chris Lewis called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

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

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Leah Messner, Asst. City Attorney Jeff Bryant, City Attorney Rick Hoffstatter, GIS Analyst Terry Floyd, Development Coordinator Scott Sturtz, City Engineer

* * *

Vice Chairman Lewis noted the request for postponement submitted by the applicant for Item 11, OSOI Tecumseh Development, L.L.C. and NE Development, L.L.C. (R-1213-36, O-1213-11, and PP-1213-4).

Curtis McCarty moved to postpone Item Nos. 11a, 11b and 11c until the October 11, 2012 Planning Commission meeting. Tom Knotts seconded the motion.

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

Item No. 8, being:
ORDINANCE NO. O-1213-8 – UTC II, L.L.C. REQUESTS CLOSURE OF PARTS OF A UTILITY EASEMENT AND A DRAINAGE EASEMENT IN LOT 1, BLOCK 2 OF A REPLAT OF A REPLAT OF UNIVERSITY NORTH PARK ADDITION SECTION III, GENERALLY LOCATED WEST OF 24TH AVENUE N.W. AND SOUTH OF CONFERENCE DRIVE.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Petition for Closure and Exhibits A-D

PRESENTATION BY STAFF:
1. Mr. Danner – The University North Park Section III replat was filed of record in 2009, and the Academy store facility was built on Lot 2, which is south of the lot that is in question. Lot 1 is presented with a structure that will encroach on these easements. As a result, the applicant has chosen to close and vacate the easements, reroute a sanitary sewer and drainage pipe. That is in the process. Plans have been approved for that. In order for the structure to be built on this particular lot, this closure and vacation has to take place. With the rerouting and new easements, staff is not opposed to the closure. We have new utility and drainage easements to take the place for the rerouting of the utilities. Utility companies have not objected to the closure. The City recommends approval.

PRESENTATION BY THE APPLICANT:
1. Harold Heiple, 218 E. Eufaula, representing the applicant – Garden variety closing of a very short stretch of both a utility easement and a drainage easement. Instead of going across, we're just going to "V" it up in order to be able to have a little more building space to situate a building. We've already turned in that and nobody complains and we've complied with everything, so we'd respectfully request that you recommend approval.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Jim Gasaway moved to recommend approval of Ordinance No. O-1213-8 to the City Council. Dave Boeck seconded the motion.

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

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

Ms. Tromble announced that the motion, to recommend approval of Ordinance No. O-1213-8 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: O-1213-18

File ID:	O-1213-18	**Type:**	Ordinance	**Status:**	Consent Item
Version:	4	**Reference:**	Item No. 10	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	10/10/2012
File Name:	O-1213-18 Urban Chickens			**Final Action:**	

Title: CONSIDERATION OF ORDINANCE NO. O-1213-18 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 3-501 OF THE CODE OF THE CITY OF NORMAN TO ESTABLISH REQUIREMENTS TO KEEP AND MAINTAIN CHICKENS OR LAYING HENS IN R-1, SINGLE FAMILY RESIDENTIAL ZONING DISTRICT, AND ADDING SECTIONS 3-115 AND 3-116 TO INCLUDE DEFINITIONS FOR REQUIRED STRUCTURES; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1213-18 upon First Reading by title.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 10

Attachments: Text File O-1213-18, O-1213-18 Clean, O-1213-18 Annotated, September 12 Oversight Minutes

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

Entered by: jayme.rowe@normanok.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File O-1213-18

Body

BACKGROUND: On September 12, 2012, staff presented the City Council Oversight Committee with a proposed ordinance related to the keeping of chickens in urban settings. The ordinance packet also included research the committee requested on the subject of keeping pygmy goats in the City limits, along

with articles on diseases sometimes associated with poultry-keeping submitted by a concerned citizen.

In addition to staff and council members, discussion participants included several members of the public who have experience keeping chickens in the city and two citizens who oppose the idea. Staff also made a presentation on the subject of urban chickens to the Oversight Committee on April 4, 2012 and to City Council at the May 15, 2012 Study Session.

Current City ordinances restrict the place and manner under which chickens can be kept inside city limits. After the staff presentation, committee members discussed the conditions, place, and manner under which chickens could be kept, heard public comment, and requested that staff prepare a revised ordinance outlining such conditions.

DISCUSSION: During committee meetings and the study session, staff reported that a growing number of Norman citizens have expressed interest in keeping chickens, mirroring nationwide trends. The April 4 meeting packets included a 120-name petition the City received requesting this ordinance change. Based on their research, staff reported that growing interest in keeping chickens in urban settings is driven primarily by three factors:

- The local food movement is gaining interest and momentum around the nation and here in Norman;
- News about food recalls and other animal industry issues have provoked concerns about the safety of the food supply;
- Many citizens view the practice of urban agriculture, including the raising of backyard chickens, as contributing to great environmental sustainability.

Article V Sec. 3-501 of Norman's Municipal Code currently requires that chicken enclosures must be at least "100 feet from the nearest dwelling other than the owner's and 25 feet from the nearest property line". Proponents of urban chickens believe that this setback requirement effectively bans chickens in all but agricultural zones or large residential estates inside the city limits.

Committee members generally agreed upon conditions under which chickens could lawfully be kept based on the policy case studies presented from other communities, as well as input from Animal Welfare and City Legal staff. Committee members agreed that the policy change was intended to allow up to four hens, which can lay around 1-2 dozen eggs per week, enough to supply an average-sized family. Under the proposed amendment, four chickens or laying hens could be kept in fully enclosed coops with at least four square feet per animal that are located at least 25 feet from a neighboring house. Members agreed that roosters would not be permitted under the proposed amendment due to the modification of the setback requirement.

Regulations on the keeping of other domesticated animals, including the keeping of more than four chickens and roosters, would not change and could continue to be kept lawfully on lots that meet the previously defined setback requirements of 100 feet from the nearest dwelling unit other than the owner's and 25 feet from the nearest property line.

RECOMMENDATION: Based upon the above and foregoing, Staff has prepared Ordinance #O-1213-18 which incorporates the suggestions made by the Oversight Committee and Council.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 3-501 OF THE CODE OF THE CITY OF NORMAN TO ESTABLISH REQUIREMENTS TO KEEP AND MAINTAIN CHICKENS OR LAYING HENS IN R-1, SINGLE FAMILY RESIDENTIAL ZONING DISTRICT, AND ADDING SECTIONS 3-115 AND 3-116 TO INCLUDE DEFINITIONS FOR REQUIRED STRUCTURES; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That Sections 3-115 and 3-116 of Chapter 3 of the Code of the City of Norman, Oklahoma, shall be added to read as follows:

* * * * *

Sec. 3-115. Chicken Coop.

A chicken coop is a small structure or enclosure where chickens nest, roost or perch and may include feeding and water devices.

Sec. 3-116. Chicken Run.

A chicken run is an enclosed area physically connected to the coop where chickens are able to walk or run about which may include feeding and watering devices.

* * *

§ 2. That Section 3-501 of Chapter 3 of the Code of the City of Norman, Oklahoma, shall be amended to read as follows:

Sec. 3-501. Keeping of Animals other than dogs and cats.

(a) Except as provided otherwise, all animals commonly known as domesticated farm animals may be kept and maintained in any of the City's zoning districts only as long as:

(1) The provisions of Chapter 22 of this Code pertaining thereto are complied with;

(2) Such animals are maintained on land upon which the owner or occupant resides;

(3) Such animals maintained on single-family, two-family or multi-family districts are not permitted closer than:

[a] Twenty-five (25) feet to a lot line upon which is situated an inhabited dwelling, nor

[b] One hundred (100) feet to any dwelling other than the owner's;

(4) The owner or occupant of the land upon which such animals are kept and maintained erects and maintains a suitable barrier sufficient to insure compliance with the above distance requirements.

(b) Except as provided otherwise, chickens or laying hens may be kept and maintained in the R-1 Zoning District so long as:

(1) The provisions of Chapter 22 of this Code pertaining thereto are complied with;

(2) Such chickens or laying hens are maintained on land upon which the owner or occupant resides;

(3) Chickens or laying hens may only be kept under the following conditions:

[a] No more than four (4) chickens or laying hens are allowed per R-1-zoned parcel unless additional setback conditions can be achieved as described in Section 3-501(a);

[b] Roosters are not allowed;

[c] The chickens are kept within a designated chicken coop and chicken run, unless supervised as described in (3)[m] below;

[d] The chicken coop and chicken run shall be located in the rear or backyard of a residential property. No part of the coop or run shall be located in the side or front yard;

[e] The chicken coop and chicken run shall be attached and shall be located no closer than five (5) feet from any side or rear property lines and no closer than twenty-five (25) feet from any dwelling unit other than the owner's. Movable chicken enclosures are permitted as long as they meet the setbacks as indicated in this paragraph;

[f] The minimum size for a chicken coop shall be four (4) square feet per animal and the chicken run shall be eight (8) square feet per animal;

[g] During daylight hours, the chickens shall have access to a chicken run and a chicken coop;

[h] From dusk until dawn, chickens shall be kept within the chicken coop as protection from predators;

[i] Chicken coops shall be predator resistant and any open walls or windows shall be designed to prevent access by predators;

[j] Chicken runs shall be adequately fenced and protected from predators;

[k] The outside openings of any enclosure shall be screened to prevent the spread of disease by flies and vermin;

[l] Water shall be provided onsite and accessible to chickens at all times;

[m] Chickens are permitted to be outside of a run or coop during daylight hours but must be supervised and contained inside a fenced yard at all times; chickens that stray outside the fenced yard may be regarded as nuisance animals under §3-111 of this chapter;

[n] All chicken enclosures shall be cleaned regularly to prevent an accumulation of food, fecal matter, or nesting material from creating a nuisance or unsanitary condition due to odor, vermin, debris, or decay.

(4) Outdoor slaughter of chickens is prohibited.

(5) Electrical and heat sources shall comply with the City's building code.

(c) No person shall own, keep, or maintain a swine within the City limits, except in those areas zoned A-1 or A-2 and only then when in compliance with the limitations regarding those areas.

(d) However, where a person has continually kept and maintained such animals since April 23, 1968, such keeping and maintenance constitutes a nonconforming use, and may continue until such time that those animals expire, are removed, or are otherwise disposed of.

(e) Except as otherwise provided, no person shall keep and maintain, or allow to be maintained any exotic or native wildlife or dangerous or poisonous reptiles.

(f) Persons excepted from subsection ~~(d)~~(e) shall be:

(1) Duly authorized and licensed circuses or educational institutions;

(2) Agents or employees properly authorized by an educational institution to keep and maintain that institution's animals in connection with any lawful experimental or research program;

(3) Zoological gardens;

(4) Zoos which are supervised and publicly maintained;

(5) Falconry facilities that have a current license issued by the U.S. Department of the Interior, by the U.S. Fish and Wildlife Service, or a license issued by the Oklahoma Department of Wildlife Conservation under the rules adopted in 50 CFR 21 of the federal regulations.

* * *

§ 3. 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, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this _____ day of

of _____, 2012.

Cindy Rosenthal, Mayor

ATTEST:

Brenda Hall, City Clerk

NOT ADOPTED this _____ day

of _____, 2012.

Cindy Rosenthal, Mayor

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§ 3. 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, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this _____ day of

of _____, 2012.

_____
Cindy Rosenthal, Mayor

NOT ADOPTED this _____ day

of _____, 2012.

_____
Cindy Rosenthal, Mayor

ATTEST:

_____
Brenda Hall, City Clerk

CITY COUNCIL OVERSIGHT COMMITTEE MINUTES

September 12, 2012

The City Council Oversight Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 5:30 p.m. in the City Council Conference Room on the 12th day of September, 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:	Councilmember Lockett and Chairman Kovach
ABSENT:	Councilmembers Castleberry and Jungman
OTHERS PRESENT:	Councilmember Roger Gallagher, Ward One Councilmember Jim Griffith, Ward Six Mayor Cindy Rosenthal Mr. Josh Calfy, 4405 Vincent Street Ms. Crystal Calfy, 4405 Vincent Street Ms. Sandra May, 1503 Avondale Drive Ms. Amanda Nairn, Chair, Environmental Control Advisory Board, 1629 Wilderness Drive Ms. Joy Hampton, The Norman Transcript Ms. Carol Ketchum, 1507 Avondale Drive Mr. Andrew Kershen, 1214 Leslie lane Ms. Catheryn Kershen, 1214 Leslie Lane Ms. Vera Willey, 1424 Avondale Drive Mr. Gabe Wingfield, 1355 Dorchester Drive
STAFF PRESENT:	Ms. Susan Atkinson, Planner I Ms. Susan Connors, Director of Planning and Community Development Mr. Greg Hall, Street Superintendent Mr. Ken Komiske, Director of Utilities Mr. Charlie Thomas, Capital Projects Engineer Mr. Steve Lewis, City Manager Ms. Leah Messner, Assistant City Attorney Ms. Kathryn Walker, Assistant City Attorney Mr. Aaron Milligan, Storm Water Pollution Specialist Mr. Shawn O'Leary, Director of Public Works Mr. Scott Sturtz, City Engineer Ms. Syndi Runyon, Administrative Assistant IV

Item 1, being:

REGULATIONS REGARDING CHICKENS AND PYGMY GOATS IN URBAN AREAS.

City Council met in a Study Session on May 15, 2012, to discuss a proposed ordinance regulating chickens in urban areas. Councilmembers asked the Oversight Committee to continue its study and provide a definition for a chicken coop and run and asked them to include information on pygmy goats. Councilmembers also requested information on the location of enclosures in respect to waterways or creeks.

Item 1, continued:

Ms. Susan Connors, Director of Planning and Community Development, said the City of Norman does not ban raising chickens, but regulates the place and manner in which chickens can be kept inside the city limits. She said broadening the allowable place and manner would move Norman into a growing circle of American municipalities successfully regulating chicken keeping by recognizing that urban chickens are one of a number of strategies that communities can use to promote environmental sustainability.

Ms. Connors said the current City ordinance, adopted in 1975, allows chickens in any residential zoning category if setbacks of at least 100 feet from the nearest dwelling other than the owners and 25 feet from the nearest property line are met. She said these setbacks have effectively banned chickens in many of the dense urban dwelling areas where those distances cannot be met and there is a growing interest with citizens to allow chickens in urban areas.

Ms. Connors said opposition to allowing urban chickens include noise; odor; the potential spread of disease; hazards from chickens running loose; and the attraction of vermin and predators. Opponents also assert that chickens are not pets and are not appropriate in an urban environment. She said citizens interested in raising chickens want to produce food locally and three or four hens can produce one to two dozen eggs per week, which would meet the needs of an average family.

Ms. Connors said the intent of the proposed ordinance is to limit the number of chickens to four (4) hens with no roosters; require chicken enclosures be set five (5) feet from the property line and 25 feet from a neighboring structure; require a minimum size for coops and runs with requirements for sanitary and environmentally sound handling practices; and minimize nuisances to neighboring residents.

Councilmember Kovach said Councilmembers had expressed concerns regarding run-off from chicken waste and Ms. Connors said the Agricultural Extension Agent for the Cleveland County Cooperative Extension Agency said that four hens would not create enough chicken droppings to be a health hazard and chickens scratch their droppings into the ground creating compost in the area.

Mayor Rosenthal said she had concerns about diseases carried by chickens and asked whether the Committee had discussed some of the issues found in documentation provided by Ms. Carol Ketchum, 1405 Avondale, such as not keeping chickens in a household with children under the age of five or persons with weakened immune systems. She asked if Staff had reviewed any ordinances that incorporated public health issues and Ms. Connors said no. Staff tried to address some of those issues by requiring an enclosed chicken coop and run to keep chickens from wandering in the yard or flying over the fence into neighboring properties. Chairman Kovach said the Committee had previously discussed health issues and Councilmember Griffith, former Oversight Committee Chairman, said the Committee had decided the small number of chickens proposed did not seem to pose a health issue. He said no one had raised any questions regarding health issues when the proposal to allow chickens in urban areas was first introduced. Ms. Connors said this type of information could be placed on the City's website and Channel 20 prior to the adoption of the ordinance as a way to make citizens aware of personal responsibilities of chicken ownership. Chairman Kovach said he would like to add information on chickens being a nuisance.

Councilmember Gallagher asked Staff to describe a chicken run and Ms. Connors said a run is defined as an enclosed area physically connected to the coop where chickens are able to walk or run about which may include feeding and watering devices. Councilmember Gallagher asked what the length of the run would be and Ms. Connors said eight (8) square feet per animal would be required.

Item 1, continued:

Ms. Connors said pygmy goats were small goats imported from European zoos in the 1950's and have gained popularity as pets over the years. She said they are adaptable to most climates, but do not like the rain and have to be kept warm in the winter so they require a draft proof, dry shelter. They need a fenced play area with items they can jump onto as well as a companion because if they get lonely they bleat constantly and try to run away. Some communities require a minimum of two. Pygmy goats require a fresh water source at all times or they will not drink. They grow to be the size of a large dog, approximately 16 to 23 inches tall, and can weigh up to 85 pounds. Male pygmy goats need to be neutered otherwise they emit a foul odor and are not suitable in an urban setting. Ms. Connors said goat manure can be added to compost piles or used directly as a fertilizer then tilled into the soil. She summarized potential regulations for allowing pygmy goats in an urban area.

Ms. Connors said setbacks for pygmy goats need to be discussed as well as the sanitation of pens and shelter. She said Mr. John Bowman, Animal Welfare Superintendent, indicated that goats are considered domestic animals so if they were dumped or abandoned, they would have to be kept in a pen by the City and sold at auction because they cannot be adopted due to State law. Mr. Bowman said it would be important for each goat to be "chipped" so their owners could be identified easily if they got out of their yard.

Councilmember Griffith asked if there will be a limit on the number of goats allowed other than the two minimum as suggested and Ms. Connors felt two should be the maximum allowed. She said some communities require a 20,000 square foot lot to keep goats, so that potentially eliminates them in urban areas.

Councilmember Gallagher asked how many people in Norman have pygmy goats and Ms. Connors said there are some goats in east Norman, but the City does not keep track of animals in agricultural districts.

Councilmember Gallagher asked what the setbacks for outbuildings in residential areas are and Ms. Connors said rear setback requirements are 20 feet and there are lots that just have a 20 foot rear setback and could not accommodate two goats and still have the needed play area. Councilmember Gallagher said a tall fence would be needed as well and he did not believe a wood panel fence would work.

Mayor Rosenthal said she did not see a demand to add goats to the discussion at this point. She said allowing chickens is about local food and being able to have food in backyards and goats do not fit into that category. She said she certainly does not want people raising pygmy goats for slaughter. She said if people want to raise goats, they can do that in agriculturally zoned districts and she would like to separate the two issues. She suggested moving forward with chickens and discussing pygmy goats another time and Councilmember Griffith agreed.

Councilmember Lockett said she would like to see the requirement that chickens be kept in runs be relaxed so when people are home, the chickens can run around the yard freely. Councilmember Griffith said he would not like to see free range chickens in neighborhoods. He asked if owning chickens would be a permitted process and Ms. Connors said no, not unless the coop is large enough to require a building permit, but a permitting process could be created. Councilmember Griffith felt that in order to get health information distributed to owners, a permitting or registration process would be needed.

Councilmember Gallagher said not all owners will provide a coop and run so it will be similar to dog owners not providing a dog house. He felt the City is asking for trouble by allowing chickens citywide. He said the City already is overtaxed with loose and barking dog complaints so Code Enforcement will need to hire more people to enforce chicken violations. He said he would like to limit chickens to a certain lot size.

Item 1, continued:

Ms. Connors said animal issues are usually regulated by Animal Welfare not Code Enforcement, so Animal Welfare would handle chicken complaints.

Mayor Rosenthal said no matter what Council decides, someone will not be happy and she supports the limit of four chickens, but would like to see some type of requirement for notification to neighbors when someone decides to raise chickens. She does not believe a new licensing process is needed, but some notice to neighbors would be appropriate. Councilmember Kovach said he is concerned about the legal aspect of requiring notice because there are some lots that currently meet setback requirements for chickens and no notice to neighbors is required of them. Ms. Kathryn Walker, Assistant City Attorney, said it would depend on the justification for providing notice particularly if it is a quantity or odor issue. She said notification requirements would need to be done by zoning district. Mayor Rosenthal suggested a registration process where owners can be instructed to notify neighbors as a courtesy as well as be given information on coops, runs, and health issues. Councilmember Lockett asked if other communities had difficulties keeping chickens and Ms. Connors said there was not much literature on problems with keeping chickens.

Ms. Carol Ketchum, 1507 Avondale Drive, said she had an issue with a neighbor wanting to keep chickens and it was quite a problem. She said there is substantial documentation that chickens carry diseases and should not be raised around small children or people with weakened immune systems. She said her husband has cancer and should not be around them and they cannot afford to move. She said people in her neighborhood are mainly renters and they will not keep their yards, coops or runs clean if allowed to have chickens. She said Norman wants to be "green," but how can it be green when there is waste run-off from chickens and goats.

Ms. Catheryn Kershen, 1214 Leslie Lane, said the ordinance should be designed to promote responsible chicken ownership which she believes is the goal. She said there are so many communities that allow chickens and there is evidence that more densely populated areas than Norman are not having problems. She said it seems as if people are getting worked up about things that have not come to fruition in real life. She said responsible chicken ownership coupled with the right for neighbors to call in a complaint would solve any issues raised tonight.

Ms. Sandra May, 1503 Avondale Drive, asked what would happen when renters who have chickens decide to move and leave the yards in a total mess? She said there are several air born diseases chickens carry as well as diseases carried in groundwater. She said she lives on a corner lot and all the drainage from rains flow to her yard, which means chicken and goat waste will come to her yard and that is something that needs to be considered. She said people with allergies, minimal lung capacity, cancer, immune suppression, etc., will be affected by the diseases associated with chickens. Councilmember Gallagher felt Ms. May made a good point about allergies and air born diseases.

Ms. Joy Hampton, Norman Transcript, said her experience with Code Enforcement is that it can take weeks before compliance is enforced and asked if Staff had called the cities that allow chickens to find out first hand whether there are problems. Chairman Kovach said there was a study presented by the University of Albuquerque and this ordinance is based on the best practices in 25 cities that are both larger and smaller than the City of Norman. He said the study looked at a variety of issues from nuisance complaints to health concern and that is the reason for limiting the number of chickens to four. He said the waste of four chickens is less than the waste of a medium size dog and the City allows up to four large dogs per residence. He said the City is not discussing a chicken factory with toxic waste running off into people's yards. He said he did not know if Staff had called any of those cities and Ms. Connors said they did not.

Item 1, continued:

Mayor Rosenthal asked if a complaint is given to Animal Welfare, how long does the citizen have to wait before action is taken? Ms. Walker said Animal Welfare does not follow the same procedures as Code Enforcement by giving property owner's notice of the violation and ten days to comply. She said Animal Welfare will usually respond the same day. Mayor Rosenthal said if someone has a dozen chickens and no coop, what is the remedy? Ms. Walker said, typically, if Animal Welfare finds more animals than is allowed they write the owner a citation and continue to monitor the residence until compliance is met. She said the Legal Department has rarely had to file court action to take animals. Ms. Hampton said that does not guarantee a remedy occurs on the same day. Chairman Kovach asked if language could be included in the ordinance to empower Animal Welfare to confiscate chickens or roosters immediately if there is a violation and Ms. Walker said Staff can research that. Chairman Kovach said the underlying concern he is hearing is there are irresponsible people in the world and neighbors should not have to wait for a long delayed process.

Councilmember Gallagher said raising chickens should be limited to a certain lot size and require a permitting process by the City or he could not support the ordinance. Mayor Rosenthal asked Ms. Walker if there would be a problem with setbacks being no closer than ten or thirty feet to the property line and Ms. Walker said not if setbacks were rationally related to the issues Council is trying to address such as odor, waste, air born disease, etc. She said if setbacks address concerns about chickens being too close to neighbors then that would be an appropriate way to handle the issue. Councilmember Griffith said based on proposed requirements for the number of chickens, coop size, run size, etc., Council should look at making sure the lot meets the setback requirements. Ms. Connors said if permits were required, the City would do that.

Chairman Kovach asked the Committee's thoughts on adding permitting requirements to the ordinance. He said Council does not want to create a burdensome process for Staff or owners. Councilmember Lockett said she does not believe permitting is needed and violations should be handled on a complaint basis. She suggested if there are huge problems after s ix months, review the ordinance again.

Mayor Rosenthal asked about roosters and Chairman Kovach said roosters would not be allowed. He asked if people who currently have a rooster would be forced to give them up or would they be grandfathered in? Ms. Connors said that could be reviewed. Ms. Leah Messner, Assistant City Attorney, said currently if setback requirements are not met then people cannot have chickens or roosters.

Mayor Rosenthal suggested bringing the ordinance forward to the full Council since it has already been reviewed in a Study Session. She said although permitting may not be necessary, she did feel that Animal Welfare should provide owners with information on responsible chicken ownership and possible health issues; however, she believes requiring a permit will create a burden to Staff and a public responsibility that is not warranted.

Items submitted for the record

1. Memorandum dated September 12, 2012, from Susan F. Connors, AICP, Director of Planning and Community Development, to Chairman and Members of Council Oversight Committee, with Attachment A, Draft Ordinance
2. City Council Study Session minutes of May 15, 2012
3. Article on Health risks associated with raising chickens provided by Ms. Carol Ketchum
4. Department of Health and Human Services, Centers for Disease Control and Prevention – Psittacosis provided by Ms. Carol Ketchum, 1507 Avondale Drive

Items submitted for the record, continued

5. National Center for Infectious Diseases, Healthy Pets Healthy People articles - Cryptococcus Infection, Diseases from Farm Animals, and Salmonella Infection provided by Ms. Carol Ketchum
6. Centers for Disease Control and Prevention, Compendium of Measures to Prevent Disease Associated with Animals in Public Settings provided by Ms. Carol Ketchum
7. Article from the Associated Press entitled, "Salmonella Infections Rise with Popularity of Chicks," provided by Ms. Carol Ketchum

* * * * *

Item 2, being:

NON-STRUCTURAL WATER QUALITY INTERVENTION STRATEGIES.

Mr. Shawn O'Leary, Director of Public Works, said Norman has 13 primary watersheds, two major watersheds, and 30 sub-primary watersheds. He said the focus tonight is on phosphorus control specifically around the Lake Thunderbird Watershed. He said phosphorus is a concern because it is a nutrient that increases the production of algae and Chlorophyll-A is a by-product of algae and is recognized as a drinking water issue. He said Chlorophyll-A levels in lake Thunderbird currently exceed water quality standards.

Mr. O'Leary said Norman makes up 51% of the Lake Thunderbird Watershed with the other 49% being Oklahoma City, Moore, and unincorporated Cleveland County so no matter what Norman does in terms of best practices, 49% is outside of Norman's control. He said a cooperative effort is needed from all of the municipalities to decrease the phosphorus load.

Councilmember Kovach said there are Total Maximum Daily Load (TMDL) numbers for the Canadian River and asked if phosphate is one of the TMDL totals and Mr. Ken Komiske, Director of Utilities, said no, but that is something that will be looked at in the near future. He said the TMDL numbers do include nitrogen.

Mr. O'Leary said the Storm Water Master Plan's (SWMP) primary goal is to protect Lake Thunderbird because Norman drinks its storm water, not that it makes the Canadian River Basin any less important because some community is drinking that water as well. Mr. O'Leary said key issues of the SWMP are stream planning corridors and additional buffer strips; structural and non-structural storm water quality controls; acquisition of drainage easements and rights-of-way; enhanced maintenance of creeks and detention facilities, and dam safety.

Mr. O'Leary said excess nitrogen and phosphorus lead to significant water quality problems including reduced spawning grounds and nursery habitats; fish kills; hypoxic/anoxic conditions; harmful algal blooms; and public health concerns related to impaired drinking water sources. He said Lake Thunderbird is a phosphorus limited system.

Mr. O'Leary said the state standard for Chlorophyll-A is ten micrograms per liter and according to a study done by Vieux and Associates in 2007, Lake Thunderbird was at 30.8 micrograms per liter. Mr. Vieux projected micrograms per liter would grow as high as 44 micrograms per liter or more if nothing is done and recommended best practices that include fertilizer reduction, constructed wetlands, and structural controls are not implemented.

Item 2, continued:

Mr. O'Leary said proposed water quality solutions include continuing the 2025 density limitations in watershed; structural and nonstructural water quality controls; stream planning corridors; 15 foot buffer zones for areas in suburban residential and country residential areas; low impact development; educating the public on fertilizer use and control fertilizer overuse; monitoring septic tank installation and operation; managing Norman's MS4 Program; coordinating with the Oklahoma Department of Environmental Quality's (ODEQ) Watershed Plan Development (ongoing study); and continuing Norman's Water Quality Monitoring Program. He said Norman is applying these solutions to the Canadian River Basin as well.

Mr. O'Leary said structural controls and nonstructural controls can help in preventing further water quality degradation in Lake Thunderbird and the Canadian River. It is recommended that Norman provide structural controls (primarily by developers) as well as nonstructural controls (developers and City) such as stream bank stabilization, creating regional detention basins, water sampling, street sweeping, public education, and fertilizer usage targeting lawn care companies.

Mr. O'Leary highlighted the SWMP Action Plan that include 31 action items, eleven (11) of which are complete, twelve (12) are currently under way, and eight (8) cannot be done until funding is available.

Mr. O'Leary said a draft ODEQ Watershed Plan Development is due to be completed in November 2012, with a finalized plan sometime in the spring of 2013. He said the plan will establish the allowable TMDL for cities and ODEQ will expect communities to adhere to that.

Mr. O'Leary said voluntary fertilizer reduction programs around the country have been reasonably effective, but in the case of Lake Thunderbird, that would only impact or reduce the phosphorus load by 4% and a mandatory program would reduce the load by 8%. He said in order to make an impact on phosphorus loading into the watershed a number of practices will need to be used.

Mr. O'Leary said the Environmental Control Advisory Board (ECAB) has been active in looking into the reduction of phosphorus and conducted surveys in conjunction with Earth Day. He said survey results indicated citizens do not know if the fertilizer they use contains phosphorus, which indicates better public education is needed. He said fertilizer control can be accomplished through a voluntary cooperative effort with local retailers to stock fertilizer that does not contain phosphorus.

Mayor Rosenthal said there is a copy of an ordinance for Ann Arbor, Michigan and asked if Staff had reviewed other ordinances and Ms. Amanda Nairn, Chair of ECAB, said they had not reviewed many. She said Florida has a statewide policy that did not seem to do as much for water quality as one would hope. She said the City does not need to ban phosphorus, just control the use of it. She said none of the cities reviewed had banned phosphorus, but had placed specific rules on its use. She did not believe banning phosphorus is a reasonable option because it would be difficult to enforce. Chairman Kovach said the Ann Arbor ordinance has an allowance if soil tests prove phosphorus is needed. He said the biggest effect of a ban is that if your soil does not need phosphorus there is no reason to use it. He said a bag of fertilizer that contains phosphorus is the same price as a bag of fertilizer that does not contain phosphorous. He said most people will buy the cheapest fertilizer and if fertilizer with phosphorus is not available, they will not care as long as it makes their lawn green. He said the Vieux and Associates study showed spiking numbers in phosphate levels after a rain event because of storing fertilizer outside and having ripped bags. He said things like that can make a big difference in the amount of phosphorus going into the ground and waterways. He said a recommendation in the SWMP is to ban phosphate and the City has tried education for two years without measurable progress.

Item 2, continued:

Chairman Kovach felt a ban on phosphorous would place the least amount of burden on the public and meet reductions sought. He said would like the City to modify the Ann Arbor ordinance to meet Norman's situation. Councilmember Lockett agreed and said if the City wants to enact an ordinance in the spring, then major garden centers and other retailers should be notified as soon as possible. She said the City cannot enact an ordinance without giving them warning and Chairman Kovach agreed and said that is one of the reasons for fast tracking the ordinance. Councilmember Griffith said inventory considerations are probably looked at now for spring orders and Chairman Kovach asked Staff to contact some of the larger retailers to see when they ordered spring inventory and give them a heads up. Mr. O'Leary said Staff will contact the larger retail stores. He said many cities have been successful in reducing phosphates by going straight to the seller as most consumers do not have a clue what their soil content is or what phosphorus is.

Councilmember Lockett suggested retailers distribute educational information and hand out stickers or signs that say, "Green Norman" as a sort of perk for not using phosphorus. Ms. Nairn said most retailers would be happy to do this. She said when you tell someone they cannot do something it tends to incite hostility. She said one way to get the subject discussed in public is to teach people that a healthy, fertilized lawn is more environmentally friendly than a non-fertilized, unhealthy lawn because there is more runoff if you have a lot of weeds or soil instead of grass. She said the City should stress they are not telling people they cannot fertilize, just that fertilizer does not necessarily need to contain phosphorus.

Mr. O'Leary said Staff will research more ordinances and Chairman Kovach said he would like to know what types of restrictions might be on outside storage. Mayor Rosenthal said portions of the Ann Arbor ordinance are okay, but some portions are not appropriate for Norman so she would like to review more local ordinances. She said there is a big difference between statewide policies and municipal ordinances.

Mayor Rosenthal asked about the licensing portion of the ordinance and said she did not believe Norman currently licenses commercial businesses that apply fertilizer. She said she would like to know the number of commercial businesses that apply fertilizer and the Staff workload that would be generated through licensing. She said there are several, complicated layers of regulations so she would like to see how other communities have dealt with these subjects. Chairman Kovach said he would like to keep regulations as simple as possible. He said Councilmember Williams spoke to someone in the fertilizer application business and they have assured him they do have non-phosphorus based fertilizers available in liquid form. He said one idea to avoid licensing would be to use Councilmember Lockett's suggestion of distributing a "Green Norman" sticker or seal when consumers voluntarily bring in soil samples. He felt the City could avoid creating a huge new bureaucracy that no one really wants and education continues to be the key.

Chairman Kovach said he would like more information on wetlands. He said this is a big issue and he thought Central Oklahoma Master Conservancy District (COMCD) was doing some type of study along those lines and he would like to know more. Mr. O'Leary said Staff will follow up on that. He said Vieux and Associates may be doing some of those studies for the State of Oklahoma and Lake Thunderbird would be the perfect place for constructive wetlands.

Councilmember Gallagher suggested meeting with the cities that share Lake Thunderbird to try to correlate activities and find out how aggressive they are being. Mr. O'Leary said Staff can provide a summary of those cities practices at the next meeting. He said the outcome of the ODEQ Watershed Plan Development is going to dictate the impact to cities and, at that point, Staff can find out what the other communities are going to do. He said Oklahoma City leads the State in storm water run-off controls. Chairman Kovach said this is a regional problem that requires a regional solution so maybe a regional contribution into the wetlands would be possible.

Item 2, continued:

Chairman Kovach asked if a draft ordinance would be ready in three weeks to e-mail to Council and Mr. O'Leary said yes.

Items submitted for the record

1. Memorandum dated September 6, 2012, from Shawn O'Leary, Director of Public Works, and Scott Sturtz, City Engineer, to Council Oversight Committee with Norman Public Information; pertinent excerpts from the Storm Water Master Plan; Environmental Control Advisory Board Agenda of October 19, 2011; Water Testing Data; Draft Ordinance; and Urban Water Quality and Fertilizer Ordinances:
2. PowerPoint presentation entitled, "Storm Water Master Plan, Non-Structural Water Quality Intervention Strategies," City Council Oversight Committee, Wednesday, September 12, 2012
3. Storm Water Action Plan (by milestone)

* * * * *

Item 3, being:

MISCELLANEOUS DISCUSSION.

None

* * * * *

ADJOURNMENT.

The meeting adjourned at 6:45 p.m.

ATTEST:

City Clerk

Mayor

City of Norman, OK

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

Master

File Number: AP-1213-15

File ID:	AP-1213-15	**Type:**	Appointment	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 11	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**		**File Created:**	10/08/2012
File Name:	Appointments			**Final Action:**	

Title: CONSIDERATION OF THE MAYOR'S APPOINTMENTS OF GEORGIA BERRY, ROBIN STAFFORD, ALLYSON FELT, AND JULIE MORRIS TO THE CHILDREN'S RIGHTS COORDINATING COMMISSION; DARREN ALEXANDER, ODETTE HORTON, AND HOLLY ARMSTRONG TO THE ENVIRONMENTAL CONTROL ADVISORY BOARD; DAVID JOHN, O'NEIL ROBINSON, AND ANNA EDDINGS TO THE HISTORIC DISTRICT COMMISSION; THEO POPE, CHERYL WATTLEY, MARY DRYWATER, AND JOSE DELA CRUZ TO THE HUMAN RIGHTS COMMISSION; AND TOM CLOTE, DR. MUHAMMAD ANWAR, AND DR. CAROL ANDERSON TO THE NORMAN REGIONAL HOSPITAL AUTHORITY.

ACTION NEEDED: Motion to confirm or reject the appointments:

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 11

Attachments: Text File Appointments

Project Manager: Brenda Hall, City Clerk

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 AP-1213-15

Body

INFORMATION: In accordance with the Mayor's request, the above-described item is submitted for City Council's consideration. Allyson Felt will fill the unexpired vacancy left by Chris Tweedy who has resigned; Julie Morris will fll the unexpired vacancy left by Diana Blackmon who has resigned; Theo Pope will fill the unexpired vacancy left by Robert Ruiz who has resigned; and Georgia Berry, Robin Stafford, Darren Alexander, Odette Horton, Holly Armstrong, David John, O'Neil Robinson, Anna Eddings, Cheryl Wattley,

Mary Drywater, Jose Dela Cruz, Tom Clote, Dr. Muhammad Anwar, and Dr. Carol Anderson are reappointments.

CHILDREN'S RIGHTS COORDINATING COMMISSION
TERM: 10-16-12 TO 10-16-15: GEORGIA BERRY, 1006 WOODLAND DRIVE
TERM: 10-16-12 TO 10-16-15: ROBIN STAFFORD, 2909 WATERVIEW COURT
TERM: 10-23-12 TO 10-16-15: ALLYSON FELT, 1308 CLEARWATER DRIVE
TERM: 10-23-12 TO 10-16-14: JULIE MORRIS, 1711 EAST LINDSEY STREET

ENVIRONMENTAL CONTROL ADVISORY BOARD
TERM: 10-27-12 TO 10-27-15: DARREN ALEXANDER, 1132 SPARROW HAWK DRIVE
TERM: 10-27-12 TO 10-27-15: ODETTE HORTON, 318 COLLEGE AVENUE
TERM: 10-27-12 TO 10-27-15: HOLLY ARMSTRONG, 3912 STONEWELL COURT

HISTORIC DISTRICT COMMISSION
TERM: 10-26-12 TO 10-26-15: DAVID JOHN, 410 SOUTH PETERS AVENUE
TERM: 10-26-12 TO 10-26-15: O'NEIL ROBINSON, 635 SOUTH LAHOMA AVENUE
TERM: 10-26-12 TO 10-26-15: ANNA EDDINGS, 475 ELM AVENUE

HUMAN RIGHTS COMMISSION
TERM: 07-13-12 TO 07-13-15: CHERYL WATTLEY, 2007 TRAILPINE COURT
TERM: 07-13-12 TO 07-13-15: MARY DRYWATER, 1707 SHEFFIELD CIRCLE
TERM: 07-13-12 TO 07-13-15: JOSE DELA CRUZ, 418 NORTH CRAWFORD AVENUE
TERM: 10-23-12 TO 07-13-13: THEO POPE, 1501 NAVAJO ROAD

NORMAN REGIONAL HOSPITAL AUTHORITY
TERM: 11-21-12 TO 11-21-15: TOM CLOTE, 512 SHAWNEE STREET
TERM: 11-21-12 TO 11-21-15: DR. MUHAMMAD ANWAR, 727 SUNDOWN DRIVE
TERM: 11-21-12 TO 11-21-15: DR. CAROL ANDERSON, 3514 RIVERWALK DRIVE

City of Norman, OK

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

Master

File Number: RPT-1213-15

File ID:	RPT-1213-15	**Type:**	Communication or Report	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 12	**In Control:**	City Council
Department:	City Council Finance Committee	**Cost:**		**File Created:**	10/08/2012
File Name:	Finance Director's Investment Report Sept 2012			**Final Action:**	

Title: SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF SEPTEMBER 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: 10/23/2012

Agenda Number: 12

Attachments: Finance Director's Investment Report

Project Manager: Anthony Francisco, Director of Finance

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File RPT-1213-15

DATE: 03-Oct-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 FYE13	MONTHLY INTEREST EARNINGS September 2012	MONTHLY % INCREASE (DECREASE)	MONTHLY % OF PORTFOLIO HOLDINGS	ANNUAL BUDGETED INTEREST EARNINGS FYE13-YTD	INTEREST EARNINGS YTD FYE13	YTD % INCREASE (DECREASE)	YTD % PORTFOLIO HOLDINGS
GENERAL FUND	$8,583	$1,504	-82.48%	2.98%	$25,750	$4,785	-81.42%	3.37%
NET REVENUE STABILIZATION	N/A	$677	100.00%	1.34%	N/A	$2,060	100.00%	1.45%
PUBLIC SAFETY SALES TAX FUND	N/A	$4,567	100.00%	9.04%	N/A	$13,549	100.00%	9.54%
ROOM TAX FUND	$250	$90	-63.92%	0.18%	$750	$304	-59.44%	0.21%
CAPITAL PROJECTS FUND	$12,500	$11,192	-10.46%	22.15%	$37,500	$33,773	-9.94%	23.77%
SINKING FUND	$2,083	$1,305	-37.34%	2.58%	$6,250	$4,952	-20.77%	3.48%
G.O. BOND FUND	$167	$76	-54.63%	0.15%	$500	$248	-50.34%	0.17%
WESTWOOD FUND	$625	$2,366	278.58%	4.68%	$1,875	$124	-93.40%	0.09%
WATER FUND	$10,000	$9,142	-8.58%	18.09%	$30,000	$27,002	-9.99%	19.00%
WASTEWATER FUND	$8,333	$4,379	-47.45%	8.67%	$25,000	$12,479	-50.09%	8.78%
DEVELOPMENT EXCISE	$16,667	$6,360	-61.84%	12.59%	$50,000	$19,590	-60.82%	13.79%
SEWER SALES TAX	$5,000	$3,503	-29.94%	6.93%	$15,000	$10,658	-28.95%	7.50%
SANITATION FUND	$2,500	$2,497	-0.12%	4.94%	$7,500	$4,284	-42.88%	3.02%
PARKLAND FUND	$1,250	$543	-56.58%	1.07%	$3,750	$1,751	-53.31%	1.23%
RISK MANAGEMENT FUND	N/A	$778	100.00%	1.54%	N/A	$1,430	100.00%	1.01%
TRUST & AGENCY FUNDS	N/A	$3	100.00%	0.01%	N/A	$8	100.00%	0.01%
TAX INCREMENT DISTRICT	$1,701	$848	-50.17%	1.68%	$5,104	$2,776	100.00%	1.95%
SPECIAL GRANTS FUND	N/A	$196	100.00%	0.39%	N/A	$855	100.00%	0.60%
CLEET FUND	N/A	$12	100.00%	0.02%	N/A	$39	100.00%	0.03%
HOUSING	N/A	$0	100.00%	0.00%	N/A		100.00%	0.00%
SITE IMPROVEMENT FUND	N/A	$21	100.00%	0.04%	N/A	$63	100.00%	0.04%
ARTERIAL ROAD FUND	N/A	$213	100.00%	0.42%	N/A	$649	100.00%	0.46%
SEIZURES	$42	$254	509.67%	0.50%	$125	$714	470.94%	0.50%
	$69,701	$50,525	-27.51%	100.00%	$209,104	142,091	-32.05%	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 $139.8 million as of 09/30/12 are represented by working capital cash balances of all City funds of approximately $ 72.88 million, outstanding encumbrances of $28.8 million, General Obligation Bond proceeds of $21.1, NUA revenue bond proceeds of $9.63 million, NMA bond proceeds of $767 thousand, and UNP TIF reserve amounts of $6.62 million.

INVESTMENT BY TYPE

September 30, 2012

LIST BY TYPE	SEC. NO.	PURCHASED	MATURITY	YIELD	EARNED INTEREST	COST	MARKET
**Checking							
BANK OF AMERICA	GEN'L DEP.			0.25%	$208.37	$248,212.14	$248,212.14
BANK OF OKLAHOMA	GEN'L DEP.			0.15%	$2,782.28	$25,903,448.74	$25,903,448.74
BANK OF OKLAHOMA	WARRANTS PAYABLE					($2,712,686.58)	($2,712,686.58)
BANK OF OKLAHOMA	PAYROLL					($2,402,151.58)	($2,402,151.58)
BANK OF OKLAHOMA	COURT BOND REFUNDS					$236,153.01	$236,153.01
BANK OF OKLAHOMA	INSURANCE CLAIMS					($14,593.27)	($14,593.27)
BANK OF OKLAHOMA	LOCK BOX					$2,117,070.22	$2,117,070.22
**Subtotal					$2,990.65	$23,375,452.68	$23,375,452.68
**Money Market							
BANCFIRST-NUA	MONEY MKT.			0.01%	$4.08	$1,034,931.35	$1,034,931.35
BANCFIRST-NMA Sanitat.	MONEY MKT.			0.01%	$30.79	$479,353.14	$479,353.14
BANCFIRST-NMA Golf	MONEY MKT.			0.01%	$2,338.13	$288,018.09	$288,018.09
BANCFIRST-NUA Water	MONEY MKT.			0.01%	$41.69	$8,598,923.04	$8,598,923.04
BANK OF OKLAHOMA UNP TIF	MONEY MKT.			0.01%	$41.96	$6,093,675.70	$6,093,675.70
REPUBLIC BANK UNP TIF	MONEY MKT.			0.40%	$173.02	$526,437.25	$526,437.25
FIRST FIDELITY	MONEY MKT.			0.25%	$27.98	$0.00	$0.00
BANK OF OKLAHOMA	MONEY MKT.			0.15%	$44.35	$37,467.27	$37,467.27
BANK OF OKLAHOMA	MONEY MKT.			0.15%	$57.79	$477,273.62	$477,273.62
BANK OF OKLAHOMA-Clean Wtr	MONEY MKT.			0.15%	$0.00	$0.20	$0.20
BANK OF OKLAHOMA- 2008A	MONEY MKT.			0.15%	$89.57	$728,600.44	$728,600.44
BANK OF OKLAHOMA-2008B	MONEY MKT.			0.15%	$145.62	$1,182,956.99	$1,182,956.99
BANK OF OKLAHOMA-2010	MONEY MKT.			0.15%	$115.68	$813,389.01	$813,389.01
BANK OF OKLAHOMA-2012A	MONEY MKT.			0.15%	$34.28	$278,811.22	$278,811.22
BANK OF OKLAHOMA-2012B	MONEY MKT.			0.15%	$1,855.38	$15,092,197.53	$15,092,197.53
BANK OF OKLAHOMA-2012C	MONEY MKT.			0.15%	$370.75	$3,007,692.04	$3,007,692.04
**Subtotal					$5,371.07	$38,639,726.89	$38,639,726.89
**Sweep/Overnight							
JP MORGAN	SHORT TERM			0.00%	$0.00	$3,252,010.19	$3,252,010.19
**Certificate of Deposit							
FIRST FIDELITY BANK	CD	09/30/11	09/30/12	0.30%	$440.58	$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					$576.00	$500,000.00	$500,000.00
**U.S. Treasury Securities/Agency Securities							
FFCB	31331G2R9	03/31/10	12/07/12	1.58%	132.46	100,000.00	$100,311.00
US T-Note	912828MN7	05/20/11	02/15/13	0.48%	3,019.52	7,500,000.00	$7,533,975.00
FFCB	31331JBV4	06/30/11	02/21/13	0.49%	831.62	2,000,000.00	$2,011,560.00
FHLMC	312SX1EJ2	12/31/09	05/22/13	2.08%	3,649.08	2,000,000.00	$2,051,560.00
FHLB	3133XYHD0	07/22/10	06/14/13	1.05%	3,547.07	4,000,000.00	$4,039,840.00
FFCB	31331KET3	05/20/11	09/23/13	0.80%	3,339.47	5,000,000.00	$5,037,100.00
FHLB	313376UFO	03/30/12	01/29/14	0.38%	2,111.69	7,500,000.00	$7,513,725.00
FAMCA	31315PSG5	09/29/11	03/14/14	1.50%	951.79	2,000,000.00	$2,035,480.00
US T-Note	912828KV1	06/30/11	05/31/14	0.76%	2,299.34	3,500,000.00	$3,616,620.00
FHLB	313379SK6	08/31/12	07/02/14	0.40%	1,073.21	4,500,000.00	$4,510,620.00
FNMA	31398A3G5	08/31/11	09/08/14	1.50%	1,345.11	3,000,000.00	$3,060,870.00
FNMA	3136FPEW3	03/30/12	12/16/14	1.50%	476.67	1,000,000.00	$1,024,600.00
FFCB	3133EANJ3	05/31/12	05/01/15	0.50%	2,171.90	5,500,000.00	$5,517,435.00
FHLB	3133XWNB1	08/30/12	06/12/15	2.70%	1,154.22	3,170,000.00	$3,382,390.00
FNMA	3135G0LN1	05/31/12	07/02/15	0.50%	2,660.24	5,500,000.00	$5,516,555.00
FNMA	3136FPAB3	11/30/11	08/18/15	0.96%	2,077.50	2,500,000.00	$2,611,375.00
FNMA	31398A3T7	11/30/11	09/21/15	1.00%	1,729.16	2,000,000.00	$2,093,900.00
FHLB	3133796P9	04/30/12	10/30/15	0.60%	1,822.92	3,500,000.00	$3,520,650.00
FFCB	3133KS92	11/30/11	11/16/15	1.17%	2,436.99	2,500,000.00	$2,502,425.00
FHLB	3133724Y7	04/27/12	12/23/15	1.90%	1,742.57	3,000,000.00	$3,146,430.00
FNMA	3135G0ES8	05/31/12	11/15/16	1.30%	3,014.82	4,250,000.00	$4,384,087.50
**Subtotal					41,587.35	74,020,000.00	$75,211,508.50
TOTAL					50,525.07	139,787,189.76	$140,978,698.26

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-1213-16

File ID:	RPT-1213-16	**Type:**	Communication or Report	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 13	**In Control:**	City Council
Department:	City Manager Department	**Cost:**		**File Created:**	10/08/2012
File Name:	Monthly Departmental Reports			**Final Action:**	

Title: SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF SEPTEMBER, 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: 10/23/2012

Agenda Number: 13

Attachments: Monthly Report September 2012

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File RPT-1213-16

City of Norman, OK

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

Master

File Number: RPT-1213-17

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File Name:	Library Audit			**Final Action:**	

Title: SUBMISSION OF A REPORT ENTITLED "PIONEER LIBRARY SYSTEM FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2012, TOGETHER WITH AUDITORS' REPORT" AS PREPARED BY GRAY, BLODGETT, AND COMPANY, P.L.L.C., CERTIFIED PUBLIC ACCOUNTANTS.

INFORMATION: The above-described item appears on City Council's agenda in order that acknowledgment of the receipt of the report may be noted in the minutes as a matter of permanent record.

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

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 14

Attachments: 2012 Signed Audit Report

Project Manager: Brenda Hall, City Clerk

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-1213-17

Financial Statements

For the Year Ended June 30, 2012

PIONEER LIBRARY SYSTEM

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June 30, 2012

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INDEPENDENT AUDITORS' REPORT

September 19, 2012

To the Board of Directors of
Pioneer Library System
Norman, Oklahoma

We have audited the accompanying statements of financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of Pioneer Library System (the Library) as of and for the year ended June 30, 2012, which collectively comprise the Library's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the Library's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audits in accordance with auditing standards generally accepted in the United States of American and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the governmental activities, each major fund, and the aggregate remaining fund information of Pioneer Library System, as of June 30, 2012, and the respective changes in financial position thereof, for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated September 19, 2012, on our consideration of Pioneer Library System' internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audits.

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information on pages 4 through 10 and 28 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

GRAY, BLODGETT & COMPANY, PLLC
Gray, Blodgett & Company, PLLC

MEMBER OF
OKLAHOMA SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS
AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS
PRIVATE COMPANIES PRACTICE SECTION

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America Counts on CPAs

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Pioneer Library System
Management's Discussion and Analysis for the
Fiscal year Ended June 30, 2012

Pioneer
LIBRARY SYSTEM

This discussion and analysis of the financial performance of Pioneer Library System provides an overall review of the System's financial condition and results of operations for the fiscal year ended June 30, 2012. Readers should read this information in conjunction with the System's financial statements.

Pioneer Library System implemented Governmental Accounting Standards Board (GASB) statement 34 in 2004.

Financial Highlights

For fiscal year 2011-2012, the Library's general fund reported an ending balance of $5,447,930 versus $6,743,816 for the fiscal year 2010-2011. Of the 2011-12 year end-total, $213,318 is reserved for outstanding encumbrances and $718,996 is designated for service upgrades and improvements of library services at current and future libraries within the system. Although the remaining balance of $4,515,616 is unrestricted, the Library administration, with the Board of Trustee's approval, plans to use some of these funds to help fund the remodeling of the building that the Library purchased last year. The building will house administrative offices of the Library System and a branch library leased by the City of Norman. The remainder of the money in these funds will be prudently used or committed to alleviate summer/fall cash flow problems and other emergencies that might arise.

The Pioneer Library System's operating revenue increased by 2.6% this year. This increase, along with the use of fund balance reserve funds, allowed the library system to undertake numerous projects throughout the system. The Library System purchased the old Borders Book Store building. The Library System plans to use the building to house the administrative offices of the Library System and a new branch library leased by the City of Norman. The total cost associated with this project in 2011-2012 was $1,683,714. The Southwest Oklahoma City library opened in March and the Library System spent $491,784 in the areas of materials, equipment, and technology during 2011-2012 for this project. The Purcell Library was remodeled at a cost of $23,205 to the Library System.

The Pioneer Library System Foundation completed its second year of operation as of June 30, 2012. The Foundation was organized for the purpose of supporting, promoting and improving the programs, collections, facilities and services of the Pioneer Library System. The Foundation has been included as a component unit of the Library System and the Foundation has issued its own financial statements, available from the Library Foundation administrative office.

Grant highlights for FY12 included the following: The computer lab at the Shawnee Library was completed. This project was funded by a $65,000.00 grant from the Oklahoma Department of Libraries which was made during the previous fiscal year along with funds from the Library System. The Norman Arts Council awarded the Library System a $4,588 Readers and Writers Workshop grant. The Oklahoma Humanities Council awarded the Purcell Library a grant to help fund their Key Ingredients event which included a traveling exhibit from the Smithsonian Institution.

The general fund balance decreased by $1,295,886 or 19.3% from fiscal year 2011 due to the purchase of the old Borders Book Store building and the completion of the Southwest Oklahoma City Library project.

Overview of the Financial Statement

The Pioneer Library System's basic financial statements consist of fund financial statements, notes to financial statements, and required supplementary information.

Government-Wide Financial Statements

The government-wide financial statements are designed to provide readers with a broad overview of the Library's finances, in a manner similar to a private-sector business.

The statement of net assets represents information on all of the Library's assets and liabilities, with the difference between assets and liabilities reported as net assets. Over time, increases or decreases in net assets may serve as a useful indicator of whether the financial position of the Library is improving or deteriorating.

The statement of activities presents information showing how the Library's net assets changed during the most recent fiscal year. All changes in net assets are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows.

Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future periods (e.g. uncollected taxes and earned but unused vacation leave).

The government-wide financial statements can be found on pages 11 and 12 of this report.

Fund Financial Statements

The Library System has two kinds of funds – Governmental Funds and Fiduciary Funds:

Governmental Funds encompass two types: General Fund and Other Governmental Funds:

> General Fund represents unrestricted resources that are available for on-going general library operations. This is the Library System's primary operating fund.
>
> Other Governmental Funds include Gift/Grant Funds.
>
> > Gifts/Grant Funds include funds provided by intergovernmental grants and other third parties' gifts and grants. All those funds are generally restricted as to use. Therefore, each fund accounts for its receipts and disbursements of the restricted functions.

Fiduciary Funds are reported in the fiduciary fund financial statements but are excluded from government-wide reporting. They include the Pioneer Library System Pension Plan. Fiduciary fund financial statements report resources that are not available to fund Library System general operations.

Notes to the Financial Statements

The accompanying notes to the financial statements provide information essential to a full understanding of the Library System's fund financial statements.

Supplemental Information

In addition to the basic financial statements and accompanying notes, this report also presents certain required supplementary information, such as comparative statement between budget and actual expenditures, and combined financial statements for other governmental funds.

Financial Analysis of Library System's Funds

As financial information is accumulated on a continuous and consistent basis, financial statements and expenditure reports for governmental funds are presented to the Pioneer Library System Board of Trustees.

For fiscal year 2011-12 governmental fund balances changed as follows:

	General Fund Funds	Other Governmental Funds	Total Governmental Funds
Revenues	$ 14,088,150	$ 187,999	$14,276,149
Expenditures	$ 15,384,036	$ 255,292	$15,639,328
Net Decrease	$ (1,295,886)	$ (67,293)	$ (1,363,179)

For fiscal year 2010-11 governmental fund balances changed as follows:

	General Fund Funds	Other Governmental Funds	Total Governmental Funds
Revenues	$ 13,731,457	$ 326,346	$14,057,803
Expenditures	$ 12,799,835	$ 298,165	$13,098,000
Net Increase	$ 931,622	$ 28,181	$ 959,803

General Fund:

The Library System is primarily (or 96%) funded by Ad Valorem (property) tax. For the 2011-12 financial year the tax rates were; a 6.06 mill Ad Valorem (property) tax in Pottawatomie County, a 6.11 mill Ad Valorem (property) tax in McClain County and a 6.11 mill Ad Valorem (property) tax in Cleveland County. For fiscal year 2011-12, the Counties' assessed property value had an increase of 3.8% versus 4.4% for 2010-11. Actual tax collections increased by 3.3% versus 5% for the prior year. The smaller increase was due to the slowed growth of the economy. Fine and other charges for services revenue for 2011-12 increased by $17,484 from 2010-11. This increase was due to an increase in the number of customers and the increased size of the collection with the opening of the new Southwest Oklahoma City Library. State Aid decreased by $31,648 over the prior year. This decrease was caused by state budget cuts due to the economy. Interest income decreased by $25,079 over the prior year. This decrease is attributed to lower interest rates caused by the downturn in the economy and less funds being held in reserve.

The Expense category Personnel Services increased from 2011 to 2012 due to a large increase in hospitalization expense, the 2.5% graduated COLA that was given to the staff, the addition of staff for the Southwest Oklahoma City branch, an increase in workers compensation insurance, an increase in group term life and disability insurance, an increase in unemployment, and an increase in retirement costs. The Expense category of Materials was decreased because a majority of the costs of the opening day collection for the Southwest Oklahoma City library were paid out of last year's budget and therefore weren't spent out of this year's budget. The Technology and Automation category was higher in 2012 than 2011 due to the purchase of the equipment for the Southwest Oklahoma City library.

The System Services and General and Administrative expense categories were different in 2012 than in 2011 because of the following:

- The increase in attorney fees was due to the negotiation of several contracts including the purchase of a building, revisions in the retirement plans, and revisions in the personnel policy.

- The decrease in literacy expense was due to the fact that the Prime Time family literacy program wasn't held this year.
- The increase in system signage supported phase two of an ongoing project to install new interior signage throughout the system.
- The decrease in equipment is due to the fact that most of the equipment purchases for the Southwest Oklahoma City Library were purchased last year and there weren't as many equipment requests made from the branches this year.
- The Outreach expense category increased because a customer survey was conducted for Norman residents to determine the needs and wants of the library customers.
- The Public Information expenses increased to pay for additional advertising and promotion for the system and for business services materials.
- The Reprographics expenses increased because the PIO department created more in house materials this year than last year and a new copier was added with the opening of the Southwest Oklahoma City Library.
- The Continuing Education expenses increased in order to provide system-wide program coverage and to provide interactive training for new staff, especially at the Southwest Oklahoma City Library. In addition, several staff members were sent to the Public Library Association Conference.
- Supplies increased because additional supplies were purchased due to the addition of the Southwest Oklahoma City Library.
- System facilities increased because of the purchase of a building and addition of the Southwest Oklahoma City Library location.
- Insurance increased because additional coverage was needed to insure the building that was purchased and a law enforcement legal liability policy was added to cover the Libraries security officers.
- Postage costs increased because postage rates were increased.
- Travel costs increased due to the fact that the Library System paid for the travel expenses for Amy Tan to speak at the Big Read Event, and the opening of a new branch added new staff.
- Vehicle costs increased because two vans that were ordered last year weren't paid for until the current year.
- Data processing cost increased because the cost of processing payroll increased.
- Revaluation costs increased because the cost of the service increased.
- Programming costs increased in order to provide business service programming.

Other Governmental Funds:

Gifts/Grants Funds – In FY12, Pioneer Library System received $183,590 in gifts and grants.
Outright gifts to PLS totaled $88,834, almost half of which was provided by Friends groups throughout the library system ($43,675). This past year, Pioneer Library System received $94,756 in grants. In addition to the grants mentioned in the financial highlights section there were several other grants received this year. A $54,971 award was granted by the Oklahoma Department of Libraries for Pottawatomie County's ongoing TANF program. With a combined gift of $12,002, the Oklahoma Department of Libraries continued to support adult literacy in all three counties. The Oklahoma Department of Libraries also provided continuing education grants to the library system for $1,961. The Oklahoma Department of Libraries awarded an early literacy book giveaway for $2,500 to the library system. The Mom's Club of Norman donated $4,090 to fund the Touch a Truck program for the Norman Public Library's Children's Department. Hastings Entertainment donated $1,138 to help fund literacy programs within the Pioneer Library System. All of the grantors and donors have not only provided financial support but have also been active partners providing excellent library services to the community.

Fiduciary Funds:

The investments of the System Pension Plan decreased due to the decrease in the stock market. The Pioneer Library System Board of Trustees froze the defined benefit pension plan as of December 31, 2008 and instituted a defined contribution retirement plan.

The Library System as a Whole

	2011-12	2010-11
Assets		
Current and Other Assets	6,233,785	7,682,125
Capital Assets	8,038,345	5,985,690
Total Assets	14,272,130	13,667,815
Liabilities		
Accounts Payable and Accrued Expenses	55,357	81,495
Other Liabilities	303,641	279,582
Total Liabilities	358,998	361,077
Net Assets		
Invested in Capital Assets	8,038,345	5,985,690
Unreserved/Unrestricted Net Assets	5,607,298	6,986,266
Restricted Net Assets	267,489	334,782
Total Net Assets	13,913,132	13,306,738
Change in Net Assets:		
Beginning Net Assets	13,306,737	11,603,849
Revenues		
Property Taxes	13,418,882	12,921,337
Charges for Services	410,276	391,578
Operating Grants	183,590	322,148
Capital Grants	11,520	28,925
State Aid	154,385	186,033
Investment Earnings	25,934	50,801
Loss on Disposal	(6,631)	(2,095)
Total Revenues	14,197,956	13,898,727
Expenses		
Public Library Services	9,924,894	8,407,166
Administrative Services	2,198,142	1,937,689
Depreciation – unallocated	2,168,525	1,850,983
Total Expenses	13,591,561	12,195,838
Increase in Net Assets	606,395	1,702,889
Ending Net Assets	13,913,132	13,306,738

General Fund Budgetary Highlights

The General Fund budget for fiscal year 2011-12 was $15,825,495. This was a 6.4% increase over the previous year. The highlights of the budget include:

- A 2.5% cost of living increase averaged over the pay grades was awarded to all staff.
- The Materials budget shows a decrease because a majority of the Southwest Oklahoma City Library opening day collections were purchased during the prior year.
- Health insurance cost increased 34%.
- The Continuing Education budget was increased by $15,000 to provide system-wide program coverage and innovative, interactive training for new staff.
- Supplies were increased $13,000 in response to the addition of two locations.

- Contract Labor was increased by $20,000 to cover branch re-design projects in Purcell and Tecumseh, phase three of the pay compensation study including performance evaluation revisions, service contracts for system video surveillance, and other outsourced projects.
- Vehicles were decreased by $25,000 to cover the replacement cost of only one vehicle.
- Audit expenses were increased $7,000 to cover the new contract price and the audit needed for the operation of the Pioneer Library System Foundation.
- Reprographics was increased by $7,000 to cover the increased amount of in-house generated public information items and for the addition of services at the Gray Street and Southwest Oklahoma City locations.
- Fine Collection was decreased $5,000 to reflect actual expenses.
- Revaluation was increased by $5,000 to reflect actual and estimated costs.
- The Technology budget was decreased because the purchase of technology for the Southwest Oklahoma City Library was mostly completed last year.
- The System Services budget was increased to cover the costs of standardizing branch signage, to cover Business Services programs and marketing and publicity, and to reflect the costs of leasing and operating two facilities and the purchase of the old Borders Book Store building.
- Fund Balance Reserved For Encumbrances is a new line item which reflects outstanding purchase orders at year end.
- The Designated Fund Balance was decreased because the fund balance designated for the Southwest Oklahoma City Library project was released once the project was complete.
- The Library Automation Services Agreement with the Norman Public Schools was renewed and the funds received were classified as general funds.

Capital Asset and Long-Term Debt

The Library System's investment in capital assets, net of accumulated depreciation, as of June 30, 2012 was $8,038,345 and on June 30, 2011 was $5,985,690. Of the total depreciable capital assets, net of accumulated depreciation, on June 30, 2012, 13% are furniture, equipment and vehicles; 21% are building and property; and the remaining 66% are books and materials. Of the total depreciable capital assets, net of accumulated depreciation, on June 30, 2011 14% are furniture, equipment, and vehicles; 0 % are building and property; and the remaining 86% are books and materials.

The Library System has no long-term liabilities. The Board limits borrowing to short-term, usually in the fall in anticipation of ad valorem receipts beginning in December. The note is usually paid off in mid-January. This year the library system didn't need to borrow any money. The investment policy that the board of trustee's adopted this year was a major factor in the library system not having to borrow money during the year.

Economic Environment and Next Year's Budget

The Library System's primary revenue is Ad Valorem (property) tax. The annual growth in the Cleveland, McClain and Pottawatomie County's property value is the most important factor for the Library System's revenue outlook. For the most recent fiscal year the System collected 6.11, 6.11 and 6.06 mills of the assessed property value from the respective counties. The voters in all three counties approved a two mill increase in May of 2008 that went into effect for the previous budget year. The millage increase was much needed, especially since there had been no increase in millage since the voters approved the 4 mill increase in 1990 for Cleveland County and in 1992 for the other two counties. The factional part of the millage is due to the abolishment of the personal property tax in two of the counties. The system is now at the millage cap allowed by state law.

The presence of interstate traffic in all three counties has accounted for some of the continued growth as well as being in the middle of the State and near the State Capitol. The dramatic growth in facilities and related commercial services emanating from the University of Oklahoma has made a favorable climate around the Norman area. Moore has grown dramatically as more shopping centers along I-35 have been and continue to be developed. This growth continues in Norman as well with the implementation of a TIF district along I-35.The growth did continue this past year but at a slower rate than previous years due to the downturn in the economy.

In general, the Library System still expects a continued growth in the tax revenue for the next year. The Cleveland County Assessor has certified a 2.17% growth in property value for 2012; the Pottawatomie County Assessor has certified a 2.49% growth and the McClain County Assessor has certified a 5.70% growth.

For fiscal year 2012-13, the Library Board approved a general fund budget of $14,142,084 versus $15,825,495 for 2011-12.

- A 2.5% cost of living increased averaged over the pay grades will be awarded to all staff.
- Health insurance costs increased 13% this year.
- Contract labor was decreased $33,000. There were several projects that were completed last year.
- Workers compensation insurance was increased by $5,200.
- The Materials budget was decreased by $455,000. $200,000 of this decrease was placed into designated fund balance and $255,000 of the decrease reflects the fact that last year's budget included amounts for the Southwest OKC branch collection.
- Continuing Education was decreased $9,300.
- Equipment was decreased by $60,000. This amount will be increased when the budget is revised in January to account for the equipment for the Pioneer building project.
- Vehicles was increased $30,000 to cover the cost of the purchase of an additional box delivery vehicle. The new vehicle will be a CNG vehicle.
- Insurance was increased $23,500 to cover the new insurance policy on our security officers and to cover the increased cost associated with the purchase of the Pioneer building. This amount may be adjusted $2,000 in the January Revised Budget to reflect coverage of the 24/7 library which will be an additional service outlet that will be located in East Norman.
- Revaluation was increased by $8,000 to reflect actual and estimated costs.
- The Technology budget was decreased by $100,000. This decrease reflects the fact that last year's budget included amounts for the opening of the Southwest Oklahoma City branch. This item will be increased when the budget is revised in January for the Pioneer building project.
- Virtual Library was decreased by $10,000.
- Construction Project Norman Center Court is a new line item in the budget to reflect the costs associated with the remodeling of the Pioneer building. This amount will be revised when the budget is revised in January.
- Development was decreased by $5,000.
- Public Information was increased $5,000.
- System Facilities was decreased to reflect the fact that last year's budget included the cost of purchasing the Pioneer building.
- Fund Balance Designated Current Year is a new line item that reflects the amount of the current year income that is being budgeted to fund balance reserves from the materials budget: $150,000 will be designated for Cleveland County materials and $25,000 each for materials for McClain and Pottawatomie Counties.
- Designated Fund Balance reflects several items: Cleveland County, $495,000; McClain County, $173,996; and Pottawatomie County, $50,000.

Contacting the Library System's Financial Management

This financial report is designed to provide a general overview of the Pioneer Library System, comply with finance-related laws and regulations, and demonstrate the Library System's commitment to public accountability. If you have any questions about this report or would like to request additional information, contact the Library System's Business Office at 225 North Webster, Norman, OK 73069.

PIONEER LIBRARY SYSTEM
Statement of Net Assets
June 30, 2012

	Primary Government	Component Unit
	Governmental Activities	Library Foundation
Assets		
Cash and Cash Equivalents	$ 5,633,999	$ 75,957
Ad Valorem Tax Receivable, net of Allowance for Uncollectible Taxes	252,748	--
Pledges Receivable	--	150
Accrued Interest Receivable	1,690	21
Other Current Assets	319,797	7,900
Note Receivable	92,581	--
Depreciable Capital Assets, Net	8,038,345	--
Total Assets	$ 14,339,160	$ 84,028
Liabilities		
Accounts Payable and Accrued Expenses	$ 122,387	$ 3,200
Compensated Absences Payable	303,641	--
Total Liabilities	$ 426,028	$ 3,200
Net Assets		
Invested in Capital Assets	$ 8,038,345	$ -
Unrestricted Net Assets	5,607,298	30,813
Restricted Net Assets	267,489	50,015
Total Net Assets	$ 13,913,132	$ 80,828

See Accompanying Notes to Financial Statements

PIONEER LIBRARY SYSTEM
Statement of Activities
For the Year Ended June 30, 2012

Functions/Programs	Expenses	Program Revenues: Charges for Services	Program Revenues: Operating Grants and Contributions	Program Revenues: Capital Grants and Contributions	Net (Expense) Revenue and Changes in Net Assets: Primary Government Governmental Activities	(Expense) Revenue and Changes in Net Assets: Component Unit Library Foundation
Governmental Activities:						
Public Library Services	$ 9,224,894	$ 410,276	$ 183,590	$ 11,520	$ (8,619,508)	
Administrative Services	2,198,142	-	-	-	(2,198,142)	
Depreciation - unallocated	2,168,525	-	-	-	(2,168,525)	
Total Primary Government	$ 13,591,561	$ 410,276	$ 183,590	$ 11,520	$ (12,986,175)	
Component Unit						
Library Foundation	$ 91,871	$ --	$ 128,934	--		$ 37,063
General Revenues:						
Property taxes, levied for general purposes					$ 13,418,882	$ -
State Aid					154,385	-
Book Sales					-	536
Investment earnings					25,934	145
Loss on Disposals					(6,631)	-
Total General Revenues					$ 13,592,570	$ 681
Change in net assets					$ 606,395	$ 37,744
Net assets - beginning					13,306,737	43,084
Net assets - ending					$ 13,913,132	$ 80,828

See Accompanying Notes to Financial Statements

PIONEER LIBRARY SYSTEM
Balance Sheet
Governmental Funds
June 30, 2012

ASSETS	General Fund	Gifts and Grants Fund	Total Governmental Funds
Cash	$ 5,523,766	$ 101,033	$ 5,624,799
Receivable from General Fund	--	65,203	65,203
Ad Valorem Tax Receivable	252,748	--	252,748
Accrued Interest Receivable	1,690	--	1,690
Grants Receivable	--	8,422	8,422
Note Receivable	--	92,581	92,581
Foundation Receivable	3,704	250	3,954
Deposit	9,200	--	9,200
Other Receivable	1,821	--	1,821
Prepaid Expenses	305,600	--	305,600
Total Assets	$ 6,098,529	$ 267,489	$ 6,366,018
LIABILITIES AND FUND BALANCES			
Liabilities			
Accounts Payable	$ 69,825	$ --	$ 69,825
Accrued Salaries and Employee Benefits	52,562	--	52,562
Compensated Absences Payable	303,641	--	303,641
Payable to Special Revenue	65,203	--	65,203
Deferred Revenue	159,368	--	159,368
Total Liabilities	$ 650,599	$ --	$ 650,599
Fund Balances			
Reserved for Encumbrances	$ 213,318	$ --	$ 213,318
Designated for Service Upgrades/Improvements For			
Cleveland County Libraries	495,000	--	495,000
McClain County Libraries	173,996	--	173,996
Pottawatomie County Libraries	50,000	--	50,000
South OKC Libraries	--	--	--
Undesignated reported in :			
General Fund	4,515,616	--	4,515,616
Special Revenue Funds	--	267,489	267,489
Fund Balances, End of Year	$ 5,447,930	$ 267,489	$ 5,715,419
Total Liabilities and Fund Balances	$ 6,098,529	$ 267,489	
Amounts reported for governmental activities in the statement of net assets are different because:			
Capital assets used in governmental activities are not financial resources and therefore are not reported as assets in governmental funds. The cost of the assets is $17,865,447 and the accumulated depreciation is $9,827,102.			8,038,345
Property taxes receivable will be collected this year, but are not available soon enough to pay for the current period's expenditures, and therefore are deferred in the funds			159,368
Total Net Assets - Governmental Activities			$ 13,913,132

See Accompanying Notes to Financial Statements

PIONEER LIBRARY SYSTEM
Statement of Revenues, Expenditures, and Changes in Fund Balances
Governmental Funds
For the Year Ended June 30, 2012

	General Fund	Gifts and Grants Fund	Total Governmental Funds
Revenues:			
Property Taxes	$ 13,501,964	$ --	$ 13,501,964
Collections on Book Fines and Copy Services	382,060	--	382,060
Gifts and Grants	--	183,590	183,590
State Revenue	154,385	--	154,385
Other Contracts	28,216	--	28,216
Interest	21,525	4,409	25,934
Total Revenues	$ 14,088,150	$ 187,999	$ 14,276,149
Expenditures			
Personal Services	$ 8,668,944	$ --	$ 8,668,944
Materials	2,482,045	255,292	2,737,337
General and Administrative	975,030	--	975,030
Technology and Automation	1,284,207	--	1,284,207
System Services	1,973,810	--	1,973,810
Total Expenditures	$ 15,384,036	$ 255,292	$ 15,639,328
Net Change in Fund Balance	$ (1,295,886)	$ (67,293)	$ (1,363,179)
Beginning Fund Balance	6,743,816	334,782	7,078,598
Ending Fund Balances	$ 5,447,930	$ 267,489	$ 5,715,419
Total net changes in fund balances - governmental funds			$ (1,363,179)
The change in nets assets reported in the statement of activities is different because:			
Capital outlays to purchase or build capital assets are reported in governmental funds as expenditures. However, for governmental activities those costs are shown in the statement allocated over their estimated useful lives as annual depreciation expenses in the statement of activities. This is the amount by which capital outlays exceeds depreciation during the period.	Depreciation Expense	$ (2,168,525)	
	Capital Outlay	4,227,811	2,059,286
Because some property taxes will not be collected for several months after the Library's fiscal year ends, they are not considered as "available" revenues in the governmental funds and are, instead counted as deferred revenues. They are however, recorded as revenues in the statement of activities.			(83,081)
Disposals of capital assets are not considered to be expenditures in the governmental funds. They are however, recoded as a loss in the statement of activities.			(6,631)
Change in net assets of governmental activities			$ 606,395

See Accompanying Notes to Financial Statements

PIONEER LIBRARY SYSTEM
Statement of Fiduciary Net Assets
Fiduciary Fund

	Pension Fund
ASSETS	
Current Assets	
Cash	$ 53,504
Receivables	3,349
Investments	3,006,204
Payable	-
Total Assets	$ 3,063,057
NET ASSETS	
Net Assets	
Held in Trust for Pension	
Benefits and Other Purposes	$ 3,063,057

See Accompanying Notes to Financial Statements

PIONEER LIBRARY SYSTEM
Statement of Changes in Fiduciary Net Assets
Fiduciary Fund
For the Year Ended June 30, 2012

	Pension Fund
Additions	
Contributions	
Employer	$ 161,500
Interest and Dividend Income	85,978
Net Increase in the Fair Value of Investments	-
Realized Gain	58,260
Total Additions	$ 305,738
Deductions	
Benefits Paid	$ 167,619
Trustee and Management Fees	15,959
Net Decrease in the Fair Value of Investments	125,566
Total Deductions	$ 309,144
Net Increase	$ (3,406)
Net Assets, Beginning of Year	3,066,463
Net Assets, End of Year	$ 3,063,057

See Accompanying Notes to Financial Statements

Note 1 – Summary of Significant Accounting Policies

The Reporting Entity – Pioneer Library System (The Library) is a corporate body for public purposes created under Title 65 of the Oklahoma Statutes and accordingly is a separate entity for operating and financial reporting purposes.

The Library is governed by trustees composed of 16 voting members. The Library operations are conducted by a librarian appointed by the trustees. Trustees include voting members who are appointees of the various cities in which the Library has locations.

The Library's financial statements are prepared in accordance with generally accepted accounting principles in the United States of America (U.S. GAAP). The Library's reporting entity applies all relevant Governmental Accounting Standards Board (GASB) pronouncements and applicable Financial Accounting Standards Board (FASB) pronouncements and Accounting Principles Board (APB) opinions issued on or before November 30, 1989, unless they conflict with GASB pronouncements. The Library's reporting entity does not apply FASB pronouncements or APB opinions issued after November 30, 1989.

Financial Statement Presentation – The financial statements are presented in accordance with Financial Accounting Standards Board Accounting Standards Codification 958 (FASB ASC 958), formerly Statement of Financial Accounting Standards No. 117, Financial Statements of Not-for-Profit Organizations, which requires the Organization to report net assets based on the existence or absence of donor-imposed restrictions.

In evaluating how to define the Library, for financial reporting purposes, management has considered all potential component units. The decision to include a potential component unit in the reporting entity was made by applying the criteria established by the Governmental Accounting Standards Board (GASB). The basic -- but not the only -- criterion for including a potential component unit within the reporting entity is the governing body's ability to exercise oversight responsibility. The most significant manifestation of this ability is financial interdependency. Other manifestations of the ability to exercise responsibility include, but are not limited to, the selection of governing authority, the designation of management, the ability to significantly influence operations, and accountability for fiscal matters. A second criterion used in evaluating potential component units is the scope of public service. Application of this criterion involves considering whether the activity benefits the Library and/or its citizens, or whether the activity is conducted within the geographic boundaries of the Library and is generally available to its patrons. A third criterion used to evaluate potential component units for inclusion or exclusion from the reporting entity is the existence of special financing relationships, regardless of whether the Library is able to exercise oversight responsibilities. Based upon the application of these criteria, the Pioneer Library System Foundation meets the criteria which require a component unit to be presented discretely and including in the Library System's reporting entity.

Complete financial statements for the Foundation are available from the Foundation administrative office.

Basic Financial Statements – Government-Wide Statements

The Library's basic financial statements include both government-wide (reporting the Library as a whole) and fund financial statements (reporting the Library's major funds). Both the government-wide and fund financial statements categorize primary activities as either governmental or business type. The Library

Note 1 – Summary of Significant Accounting Policies (continued)

does not have any activities classified as business-type activities. Internal service fund activity is eliminated to avoid "doubling up" revenues and expenses. Fiduciary funds are excluded.

In the government-wide Statement of Net Assets, the Library's governmental activities are reported using the accrual basis of accounting. The Library's net assets are reported in three parts – invested in capital assets, net of related debt; restricted net assets; and unrestricted net assets. Revenues are recognized when earned and expenses are recognized when incurred.

The government-wide Statement of Activities reports both the gross and net cost of each of the Library's programs and functions. The functions are also supported by general government revenues. The Statement of Activities reduces gross expenses (including depreciation) by related program revenues, operating and capital grants. Program revenues must be directly associated with the function. Operating grants include operating-specific and discretionary (either operating or capital) grants while the capital grants column reflects capital-specific grants.

The pension trust fund recognizes employer and participant contributions in the period in which contributions are due and the Library has made a formal commitment to provide the contributions. Retirement benefits and refunds are recognized when due and payable in accordance with the terms of the Plan. See Note 9.

The net costs are normally covered by general revenue (property taxes, State aid, other taxes etc.).

The government-wide focus is more on the sustainability of the Library as an entity and the change in the Library's net assets resulting from the current year's activities.

Basic Financial Statements – Fund Financial Statements

Fund financial statements report detailed information about the Library. The focus of governmental fund financial statements is on major funds rather than reporting funds by type. Nonmajor funds are aggregated and presented in a single column.

All governmental funds are accounted for using the current financial resources measurement focus and the modified accrual basis of accounting. Under this basis revenues are recorded when susceptible to accrual; i.e. both measurable and available. "Available" means collectible within the current period or within 60 days after year end. Expenditures are generally recognized under the modified accrual basis of accounting when the related liability is incurred. The exception to this general rule is that principal and interest on general obligation long-term debt, if any, is recognized when due.

The Library reports the following major governmental funds:

General Fund is the primary operating fund of the Library. It is used to account for all financial resources except those required to be accounted for in another fund.

Gifts and Grants Fund is used to account for all gifts and grants made to the Library, which are to be used for specific purposes. In accordance with FASB ASC 958, formerly SFAS No. 116, Accounting for Contributions Received and Contributions Made, contributions, including unconditional promised to give, are recorded as made.

Note 1 – Summary of Significant Accounting Policies (continued)

Basis of Accounting - Basis of accounting refers to when revenues and expenditures are recognized in the accounts and reported in the financial statements. It relates to the timing of the measurements made regardless of the measurement focus applied.

Capital Assets: Capital assets purchased or acquired with an original cost of $1,000 or more are reported at historical cost or estimated historical cost. Additions, improvements and other capital outlays that significantly extend the useful life of an asset are capitalized. Other costs incurred for repairs and maintenance are expensed as incurred. Depreciation on all assets is provided on the straight-line basis over the following estimated useful lives:

Furniture and Fixtures	7 years
Computer Equipment	4 years
Vehicles	5 years
Books and Materials	5 years

Compensated Absences: The Library accrues accumulated unpaid annual leave when earned by the employee. Generally, annual leave must be taken during the calendar year earned. Eligible employees who end their employment with the Library are reimbursed for each day of accumulated annual leave.

Budgets and Budgetary Accounting - The Library is required by state law to prepare an annual budget. The various County Excise Boards formally approve an annual budget for the general fund.

Budgets generally assume the expenditure of all available resources. Therefore, when the legal budget is prepared, it is assumed these funds will not have a carryover balance to a subsequent year. Program revenue received but not spent is restricted and deferred to the subsequent fiscal year. Amounts reported as program revenue includes (1) charges to customers, (2) operating grants and contributions, and (3) capital grants and contributions.

Encumbrances - Encumbrances represent commitments related to unperformed contracts for goods or services. Encumbrance accounting, under which purchase orders, contracts, and other commitments for the expenditures of resources are recorded as expenditures of the applicable funds, is used. This is an extension of the formal budgetary integration in the general fund. Encumbrances outstanding at year-end are reported as reservations of fund balances since they do not constitute expenditures or liabilities.

Cash and Cash Equivalents - The Library considers all cash on hand, demand deposits, money market checking and certificates of deposit, held at an individual bank which are subject to early withdrawal penalties no matter what the maturity period, to be cash. All short-term cash surpluses are maintained in a cash pool, the earnings from which are allocated to each fund based on month-end deposit balances.

Receivables – All taxes receivable are expected to be collected in one year.

Property Tax Revenues - The Library is authorized by state law to levy property taxes which consist of advalorem taxes on real and personal property within the County. The County Assessor, upon receipt of the certification of tax levies from the county excise board, extends the tax levies on the tax roll for submission to the county treasurer prior to October 1. The county treasurer must commence tax collection

Note 1 – Summary of Significant Accounting Policies (continued)

within fifteen days of receipt of the tax rolls. The first half of the taxes is due prior to January 1. The second half is due prior to April 1.

If the first payment is not made timely, the entire tax becomes due and payable on January 1. Second half taxes become delinquent on April 1 of the year following the year of assessment. If not paid by the following October 1, the property is offered for sale for the amount of taxes due. The owner has two years to redeem the property by paying the taxes and penalty owed. If at the end of two years the owner has not Done so, the purchaser is issued a deed to the property. The Offices of Cleveland, McClain and Pottawatomie Counties bill and collect the property taxes and remit its share to the Library.

Property taxes receivable by the Library include uncollected taxes assessed as of October 1, 2005 and earlier. Provision for uncollectible taxes of $4,850 has been recorded. No provision has been made in the other funds for uncollectible amounts. All property taxes earned at year-end but not yet received are included in receivables reported on the government-wide statements. In the fund financial statements, property taxes are recorded as revenue in the period levied to the extent they are collected within 60 days of year-end. Any remaining property taxes due are deferred until they become available.

State Revenues - The Library receives revenue from the state to administer certain categorical library programs. The board of trustees has designated these funds to be used in technology.

Interfund Balances - During the course of normal operations, the Library has transactions between funds including expenditures and transfers of resources to provide services, purchase assets and service debt. Transactions that are normal and recurring between funds are recorded as operating transfers.

Contributed Facilities and Services - The Library operates several branches located in government-owned buildings and receives certain services without charge. The estimated fair rental value of the premises and service is not reported in the accompanying statement of revenues, expenditures, and changes in fund balance.

Grants - The Library records income from grants in the period received or to the extent of expenses paid prior to reimbursement by a grant.

Income Taxes - The Library was established under the provisions of the Oklahoma Constitution and as such is exempt from income taxes under the Internal Revenue Code as a unit of government. The Library is exempt from income taxes under Section 501(c)(3) of the Internal Revenue Code. The Library has also been classified as an entity that is not a private foundation within the meaning of Section 509(a) and qualifies for deductible contributions. No provision for federal or state income taxes has been recorded. There was no interest or penalties to the Internal Revenue Service included in these financial statements. The 2009, 2010, and 2011 tax years remain open and are subject to examination by the Internal Revenue Service and the State of Oklahoma.

Prepaid Expenses - The Library records prepaid insurance, subscriptions and maintenance agreements for that portion of payments which have not been used at year-end for government-wide financial statement purposes. Prepaid expense is included in other current assets in the statement of net assets.

Restricted Resources - The Library records gifts and grants as restricted when the donor specifies a restriction on the timing or use of the gift or grant. Expenses are allocated first to the restricted resource.

Note 1 – Summary of Significant Accounting Policies (continued)

If additional expense is incurred, the expense is allocated to unrestricted funds when the restriction has been depleted.

Use of Estimates - The preparation of financial statements requires management to make estimates and assumptions that affect the reported amount of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Note 2 – Cash and Investments

The Library's investment policies are governed by state statute. Permissible investments include direct obligations of the United States Government and Agencies; certificates of deposit of savings and loan associations and bank and trust companies; and savings accounts or savings certificates of savings and loan associations and trust companies. A certification of deposit in the amount of $9,200 is pledged on a letter of credit for a security deposit.

Custodial Credit Risk - Deposits – Custodial credit risk is the risk that in the event of a bank failure, the Library's deposits may not be returned to it. At June 30, 2012, none of the Library's bank balance of $5,555,108 was exposed to custodial credit risk because it was all insured and collateralized. The balance is collateralized with securities held by First Fidelity Bank in the Library's name. The market value of these securities as of June 30, 2012 was $9,741,665.

Investment Interest Rate Risk - The investments of the Pension Plan (see also Note 9) are invested in various mutual funds with the Bank of Oklahoma, and may be used only for the payment of benefits to the members of the Plan. The composition of the pension trust fund at fair value is shown in the following table.

	Market Value	Credit Exposure as a Percentage of Total Investments
Pension Fund		
Pooled Equity Funds	$ 1,563,979	51.10%
Pooled Fixed Income Funds	1,305,190	42.60%
Alternative Investments	190,540	6.30%
Total Pension Fund Investments	$ 3,059,709	100.00%

Pension Fund Policy

The Pioneer Library System Pension Plan and Trust provides for investment managers who have full discretion of assets allocated to them subject to the overall investment guidelines set out in the policy. Manager performance is reviewed by a consultant who provides reports to the newly established retirement plans investment and administrative committee and to the board. Any changes in the investment management firm must be reported as they occur. Overall investment guidelines provide for diversification and allow investment in domestic and international common stocks, fixed income securities, cash equivalents, index funds, collective trust funds and mutual funds. The Plan addresses custodial credit risk with policy providing for the engagement of a custodian who accepts possession of securities for safekeeping; collects and disburses income; collects principal of sold, matured, or called

items; and provides periodic accounting to the board. The pension trust fund holds $3,006,205 in investments. This amount is held by the investment counterparty, not in the name of the pension fund or the Library.

Pension Trust investing is restricted by Oklahoma Statutes to the Prudent Investor Rule.

Note 3 – Note Receivable

The Library received a note receivable included in the settlement of an estate during the year ended June 30, 2005. The original note is $100,000 at zero interest, and is due in 2014. The note has been discounted to $92,580.80 to report it at its fair market value at June 30, 2012.

Note 4 – Collections

The Library has not capitalized existing inexhaustible collections, including research books, because the values are not readily determinable.

Note 5 – Short-Term Borrowing

On an annual basis, the Library utilizes short-term unsecured promissory notes in anticipation of the collection of ad valorem taxes. In accordance with Title 65 Section 4-105 of the Oklahoma Statutes, the term of the loan may not exceed one year. As of June 30, 2012, no balance was owed. No interest expense was paid or incurred during the year ended June 30, 2012.

Note 6 – Long-term Liabilities

The long-term liability balance and activity for the year were as follows:

	Beginning Balance	Additions	Reductions	Ending Balance	Amounts Due Within One Year
Compensated Absences	$ 279,582	419,996	395,937	$303,641	$ 303,641

The general fund will be used to settle the compensated absences liability.

Note 7 – Operating Lease Commitments

The Library leases a building for the service center, a building for the development office, telephone equipment, a postage machine and copiers for its branch facilities and for administration under operating leases. The copier leases expire in March 2013. The other leases are renewed on an annual basis. Lease expense under these leases for 2012 was $164,748.52 Future minimum annual lease expense for these lease are as follows:

2013	$ 25,630
2014	6,600
2015	6,300
2016	5,640
2017	1,665
Thereafter	0
	$ 45,945

Note 8 – Capital Assets

Capital assets of the Library at June 30, 2012 are as follows:

	Beginning Balances	Increases	Decreases	Ending Balances
Depreciable Capital Assets:				
Library Books	$ 11,297,293	$ 1,967,168	$ 672,412	$ 12,592,049
Building	-	1,683,714.00	-	1,683,714.00
Furniture and Fixtures	991,124.00	44,981.00	-	1,036,105.00
Computer Equipment	1,965,307.00	488,756.00	63,910.00	2,390,153.00
Vehicles	138,260.00	43,192.00	18,026.00	163,426.00
Total Capital Assets	14,391,984.00	4,227,811.00	754,348.00	17,865,447.00
Less Accumulated Depreciation for:				
Library Books	6,159,174.00	1,813,962.00	672,409.00	7,300,727.00
Building	-	-	-	-
Furniture and Fixtures	604,815.00	86,595.00	-	691,410.00
Computer Equipment	1,563,022.00	246,526.00	63,291.00	1,746,257.00
Vehicles	79,283	21,442	12,017	88,708
Total Accumulated Depreciation	8,406,294.00	2,168,525.00	747,717.00	9,827,102.00
Total Depreciable Capital Assets, Net	$ 5,985,690	$ 2,059,286	$ 6,631	$ 8,038,345

Note 9 – Defined Benefit Retirement Plan

Plan Description - The Pioneer Library System Pension Plan and Trust (The Plan) is a single-employer public employees retirement system (PERS) plan that covers all full-time employees of the Library. This plan was frozen as of December 31, 2008. Retirement benefits are based on length of service and salary. Normal retirement for the new plan is 65 years of age. Death and deferred vested benefits are also available under the plan. All benefits vest after 10 years of credited service. Pioneer employees who retire after age sixty-five with more than four years of credited service are entitled to an annual retirement benefit, payable monthly, in an amount equal to one percent of their averages salary based on their highest five consecutive years within 10 years of retirement. If an employee has less than 10 years of vesting service, the amount of the benefit is reduced by $1/10^{th}$ for each vesting year of service fewer than ten. Actuarial valuations are performed annually on January 1.

Funding Policy - Employees of the library are not required to contribute to the plan. The library is required to make annual contributions based on an actuarially computed percentage of covered wages in amounts sufficient to cover normal cost of benefits and amortize the prior service liabilities. The Pioneer Library System Board of Trustees has the authority to establish and or amend the funding policy of the plan. Contributions for the year ending June 30, 2012 to the defined benefit plan were $161,500.

Net Pension Obligation and Annual Pension Cost – The required contribution was determined as part of the January 1, 2012 actuarial valuation using the aggregate salary method, which does not identify and separately amortize unfunded actuarial liabilities. The amortization method used was the level percent of compensation method. The most recent actuarial valuation was for the calendar year 2012 and the period is closed. The actuarial assumptions included

(a) 6% investment rate of return,
(b) projected salary increases of 5% and
(c) post-retirement increases of 5%.

Note 10 – Retirement Plan

The annual net pension obligation and annual pension cost for the current year were as follows:

Net Pension Obligation, Beginning of Year	$	1,281,993
Earning from Investments		85,978
Unrealized Depreciation		(125,566)
Contribution		161,500
Distributions		(167,619)
Fees and Commissions		(15,959)
Change in Valuation		288,702
Net Pension Obligation, End of Year	$	1,509,029

Present Value of Future Benefits	$	4,572,086
Valuation of Assets		3,063,057
Net Pension Obligation	$	1,509,029

Components of Annual Pension Cost:		
Normal Cost	$	187,365
Interest at 6%		10,305
Annual Contribution Necessary to Avoid a Funding Deficiency	$	197,670

Three year trend information is as follows:

Three-Year Trend Information

Fiscal Year Ending	Annual Pension Cost (APC)	Percentage of APC Contributed	Net Pension Obligation	Actual Contrib
6/30/2010	$ 163,645	109.5%	$1,546,991	$179,130
6/30/2011	$ 150,252	103.7%	$1,281,993	$155,750
6/30/2012	$ 197,670	81.7%	$1,509,029	$161,500

Note 10 – Retirement Plan (continued)

Multi-year trend information for the plan is as follows:

Schedule of Funding Progress for Pioneer Library System Pension Plan and Trust

Actuarial Valuation Date	Actuarial Value of Assets (a)	Actuarial Accrued Liability (AAL) Entry Age (b)	Unfunded AAL (UAAL) (b-a)	Funded Ratio (a/b)	Covered Payroll (c)	UAAL as a Percentage of Coveered Payroll [(b-a)/c]
6/30/2010	$2,565,420	$4,112,411	$1,546,991	62.4%	$ -	N/A
6/30/2011	$3,066,463	$4,348,456	$1,281,993	70.5%	$ -	N/A
6/30/2012	$3,063,057	$4,572,086	$1,509,029	67.0%	$ -	N/A

The Plan's annual financial report is available from the Business Office of the Pioneer Library System, 225 North Webster, Norman, Oklahoma 73069.

Note 11 – Defined Contribution Retirement Plan

Plan Description - On January 1, 2009 the library implemented this plan. Normal retirement age for this plan is 65 years of age. Death and deferred vested benefits are also available under this plan. All benefits vest after 5 years of credited service. Employees who retire after age sixty-five will receive their vested benefits in one of the following manners out of the amount accumulated in their accounts: (i) by lump sum payments, or (ii) in equal monthly, quarterly, semi-annual or annual installment payments; provided an installment election must be for a period less than their life expectancy or the life expectancy of their beneficiaries.

Funding Policy - Employees of the library are not required to contribute to the plan. The library makes an annual contribution based on a percentage of an employee's salary. The Pioneer Library System Board of Trustees has the authority to establish and or amend the funding policy of the plan. Benefits paid for 2012 to the plan were $356,781.86.

Note 12 – Endowment Fund

The library is the beneficiary of investment income on three endowment funds that are under the control of the Communities Foundation of Oklahoma. The value of the funds as of June 30, 2012 was $299.652.

Note 13 -- Risk Management

The Library is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; errors and omissions and natural disasters for which the Library carries commercial insurance. There have been no significant reductions in coverage from the prior year and settlements have not exceeded coverage in the past three years.

Note 14 – Commitments

In the year ended June 30, 2005, the Library received a distribution from an estate that was to be used for the Noble Public Library. Construction commenced on an addition to the Noble library building in 2006. During 2007 construction was completed. Costs incurred during the year ended June 30, 2007 were approximately $639,000, for a total of $1,096,000. These costs have been expensed since the building will be owned by the City of Noble. As of June 30, 2012, the City of Noble has not signed the Inter-local agreement taking ownership of the building.

Note 15 – Subsequent Events

The Pioneer Library System purchased the old Borders building in Norman in December 2011 with plans to remodel the building and house all of the administrative staff of the Pioneer Library System and a west side Norman branch library in the building. In July of 2012 the Pioneer Library System Board of Trustees approved a preliminary budget and the conceptual design package for the remodeling project. The projected completion date of the remodeling project is June of 2013.

In July 2012 The Pioneer Library System, the City of Norman, and the Norman Public Schools entered into an agreement to provide a 24-hour library service machine located at 125 Vicksburg Avenue in Norman Oklahoma. The machine should be installed and operational by December of 2012.

Subsequent events have been evaluated through the issuance date of this report and no significant events were noted, except those mentioned above.

PIONEER LIBRARY SYSTEM
Budgetary Comparison Schedule – General Fund (Unaudited)
For the Year Ended June 30, 2012

	Budgeted Amounts Original	Budgeted Amounts Final	Actual Amounts GAAP Basis	Budget to GAAP Differences Over(Under)	Actual Amounts Budgetary Basis	Variance with Final Budget Positive (Negative)
Resources (inflows)						
Property Taxes	$12,739,633	$ 13,217,349	$13,501,964	$ (13,500)	$ 13,515,464	$ 298,115
State Revenue	166,291	149,662	154,385	-	154,385	4,723
Interest	-	-	21,525	(1,587)	23,112	23,112
Other	383,400	399,616	410,276	146	410,130	10,514
Use of Designated Fund Balance	955,684	2,058,868	-	-	1,296,121	(762,747)
Amounts Available for Appropriation	14,245,008	15,825,495	14,088,150	(14,941)	15,399,212	(426,283)
Charges to Appropriations (outflows)						
Personnel Services	8,344,683	9,168,115	8,668,944	(67,047)	8,601,897	566,218
Personnel Services SOKC	625,000	-	-	-	-	-
Materials	2,180,000	2,435,000	2,482,045	41,788	2,523,833	(88,833)
Materials-SOKC	600,000	-	-	-	-	-
General and Administrative	896,325	907,825	975,030	(100,916)	874,114	33,711
Technology	825,000	925,000	1,117,795	(7,028)	1,110,767	(185,767)
Technology-SOKC	150,000	-	-	-	-	-
Virtual Library	200,000	200,000	166,412	(8,674)	157,738	42,262
System Services	424,000	2,189,555	1,973,810	157,053	2,130,863	58,692
Total Charges to Appropriations	14,245,008	15,825,495	15,384,036	15,176	15,399,212	426,283
Change in Net Assets	-	-	(1,295,886)	(30,117)	-	-
Beginning Fund Balance	5,133,260	5,133,260	6,743,816	1,610,556	5,133,260	-
Ending Fund Balance	$ 5,133,260	$ 5,133,260	$ 5,447,930	$ 1,580,439	$ 5,133,260	$ -

Budget to Actual Reconcilation:

Revenues on a budgetary basis are based on cash received rather than the modified accrual basis used for financial reporting	$ (14,941)
Encumbrances for supplies and equipment ordered but not received are reported in the year the order is placed for budgetary purposes but in the year the supplies are received for financial reporting	(15,176)
The amount reported as "fund balance" on the budgetary basis of accounting derives from the basis of accounting used in preparing the District's budget. This amount differs from the fund balance reported in the statement of revenues, expenditures and changes in fund balances because of the cumulative effect of transactions such as those described above.	1,610,556
	$ 1,580,439

PIONEER LIBRARY SYSTEM
Budgetary Comparison Schedule – General Fund (Unaudited)
For the Year Ended June 30, 2012

Notes to required Supplementary Information

Note Budgeting and Budgetary Control

Oklahoma Statue requires the Library to prepare an annual budget. The various excise County Excise Boards formally approve the annual budget for the general fund. The Library adopts its budget at the fund level.

Budgetary Basis of Accounting

Under the budgetary basis of accounting revenues are recognized when they are received rather than earned. Purchases of materials, outside services and capital outlay are recognized as expenditures when the commitment to purchase is made (encumbered).

Gray, Blodgett & Company, PLLC

CERTIFIED PUBLIC ACCOUNTANTS
BUSINESS ADVISORS

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REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

September 19, 2012

To the Board of Directors
Pioneer Library System

We have audited the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of Pioneer Library System as of and for the year ended June 30, 2012, which collectively comprise the Library's basic financial statements and have issued our report thereon dated September 19, 2012. We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards,* issued by the Comptroller General of the United States.

Internal Control over Financial Reporting

In planning and performing our audits, we considered Pioneer Library System's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Pioneer Library System's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Library's internal control over financial reporting.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be deficiencies, significant deficiencies, or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether Pioneer Library System's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards.*

This report is intended for the information of the Board of Directors, management, and federal and state awarding agencies and pass-through entities, and is not intended to be and should not be used by anyone other than these specified parties.

GRAY, BLODGETT & COMPANY, PLLC

Gray, Blodgett & Company, PLLC

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PRIVATE COMPANIES PRACTICE SECTION

principa|alliance MEMBER

City of Norman, OK

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

Master

File Number: BID-1213-13

File ID:	BID-1213-13	**Type:**	Bid	**Status:**	Consent Item
Version:	2	**Reference:**	Item No. 15	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	09/06/2012
File Name:	PORTLAND CEMENT CONCRETE			**Final Action:**	

Title: CONSIDERATION AND AWARDING OF BID NO. 1213-13 FOR THE PURCHASE OF PORTLAND CEMENT CONCRETE PER CUBIC YARD FOR THE STREET/STORM WATER DIVISIONS.

SECTION 1
A - CLASS A CONCRETE LESS THAN 5 CUBIC YARDS
B - CLASS A CONCRETE 5 CUBIC YARDS OR GREATER
C - CLASS A CONCRETE WITH ONE PERCENT CALCIUM
D - CLASS A CONCRETE WITH TWO PERCENT CALCIUM

SECTION 2
A - HIGH EARLY STRENGTH CONCRETE LESS THAN 5 CUBIC YARDS
B - HIGH EARLY STRENGTH CONCRETE 5 CUBIC YARDS OR GREATER

SECTION 3
A - FAST-TRACK CONCRETE LESS THAN 5 CUBIC YARDS
B - FAST-TRACK CONCRETE 5 CUBIC YARDS OR GREATER

SECTION 4
A - 5-SACK GROUT MIX LESS THAN 5 CUBIC YARDS
B - 5-SACK GROUT MIX 5 CUBIC YARDS OR GREATER

SECTION 5
A - FLOWABLE FILL LESS THAN 5 CUBIC YARDS
B - FLOWABLE FILL 5 CUBIC YARDS OR GREATER

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 1A, 2A and 5A; and, if accepted, award the bid to Van Eaton Ready Mix as the lowest and best bidder meeting specifications, Metheny Concrete Products, Inc., as the first alternate bidder, and Dolese Bros Company as the second alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 1B, 1C, 1D and 5B; and, if accepted, award the bid to Van Eaton Ready Mix as the lowest and best bidder meeting specifications, Kudron Ready Mix as the first alternate bidder, and Metheny Concrete Products, Inc., as the second alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 2B; and, if accepted, award the bid to Kudron Ready Mix as the lowest and best bidder meeting specifications, Van Eaton Ready Mix as the first alternate bidder, and Metheny Concrete Products, Inc., as the second alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 3A and 3B; and, if accepted, award the bid to Dolese Bros. Company as the lowest and best bidder meeting specifications and Kudron Ready Mix and Van Eaton Ready Mix as the alternate bidders.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 4A and 4B; and, if accepted, award the bid to Van Eaton Ready Mix as the lowest and best bidder meeting specifications and Kudron Ready Mix as the alternate bidder.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 15

Attachments: Text File Bid 1213-13, BID 1213-13 BID TABULATION

Project Manager: Greg Hall, Street Superintendent

Entered by: patsy.sayers@normanok.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File BID-1213-13

STREET DIVISION				
PORTLAND CEMENT CONCRETE -- BID NUMBER 1213-13				
BID TABULATION - Bid Opening September 13, 2012				
DESCRIPTION	KUDRON READY MIX, Oklahoma City, OK 73172, WITH Norman Plant	METHENY CONCRETE PRODUCTS, INC., Oklahoma City, OK 73129, WITH Norman Plant	DOLESE BROS. CO., Oklahoma City, OK 73101, WITH Norman Plant	VAN EATON READY MIX, Shawnee, OK, WITH Norman Plant
	PER CUBIC YARD	PER CUBIC YARD	PER CUBIC YARD	PER CUBIC YARD
NOTE: TRANSPORTATION COST INCLUDED IN ALL SECTIONS ON CONCRETE				
SECTION I	CLASS A CONCRETE			
A. Class A Concrete less than 5 cubic yards	$150.00	$ 91.00 $ 94.50 A & C $ 97.50 A & D	$129.10 1 CYD $104.10 2 CYD $ 95.77 3 CYD $ 91.60 4 CYD	$ 80.00
B. Class A Concrete 5 cubic yards or greater	$81.00	$ 86.00	$ 89.10	$ 80.00
C. One-percent Calcium Chloride added	$83.50	$ 89.50	$ 91.60	$ 82.50
D. Two-percent Calcicum Chloride added	$86.00	$ 92.50	$ 94.10	$ 85.00
SECTION II	HIGH EARLY STRENGTH CONCRETE			
A. High Early strength Concrete less than 5 cubic yards.	$ 156.00	$ 101.00	$141.30 1 CYD $116.30 2 CYD $107.97 3 CYD $103.80 4 CYD	$ 90.00
B. High Early Strength Concrete 5 cubic yards or greater	$ 86.00	$ 96.00	$ 101.30	$ 90.00
SECTION III	FAST-TRACK CONCRETE			
A. Fast-Track Concrete less than 5 cubic yards.	$ 200.00	No Bid	$198.40 1 CYD $177.30 2 CYD $164.97 3 CYD $160.90 4 CYD	$ 200.00
B. Fast-Track Concrete 5 cubic yards or greater	$ 200.00	No Bid	$ 158.40	$ 200.00
SECTION IV	5-SACK GROUT MIX			
A. 5-Sack Grout Mix less than 5 cubic yards.	$ 190.00	No Bid	No Bid	$ 75.00
B. 5-Sack Grout Mix 5 cubic yards or greater	$ 90.00	No Bid	No Bid	$ 75.00
SECTION V	FLOWABLE FILL			
A. Flowable Fill less than 5 cubic yards.	$ 142.00	$ 80.00	$119.55 1 CYD $ 94.55 2 CYD $ 86.22 3 CYD $ 82.05 4 CYD	$ 70.00
B. Flowable Fill 5 cubic yards or greater	$ 72.00	$ 75.00	$ 79.55	$ 70.00

VENDOR	Schwarz Ready Mix	No Response		
Recommendation: Bid Number 1213-13 be awarded as follows:				
Section I-A, II-A, V-A	Van Eaton Ready Mix		Lowest bidder	
	Metheny Concrete Products, Inc.		First Alternate bidder	
	Dolese Bros. Co.		Second Alternate bidder	
Section I-B, I-C, I-D, V-B	Van Eaton Ready Mix		Lowest bidder	
	Kudron Ready Mix		First Alternate bidder	
	Metheny Concrete Products, Inc.		Second Alternate bidder	
Section II-B	Kudron Ready Mix		Lowest bidder	
	Van Eaton Ready Mix		First Alternate bidder	
	Metheny Concrete Products, Inc.		Second Alternate bidder	
Section III-A, III-B	Dolese Bros. Co.		Lowest bidder	
	Kudron Ready Mix and Van Eaton Ready Mix		First Alternate bidders	
Section IV-A, IV-B	Van Eaton Ready Mix		Lowest bidder	
	Kudron Ready Mix		First Alternate bidder	

City of Norman, OK

Municipal Building Council
Chambers
201 West Gray Street
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File Number: BID-1213-14

File ID:	BID-1213-14	**Type:**	Bid	**Status:**	Consent Item
Version:	2	**Reference:**	Item No. 16	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	09/06/2012
File Name:	TYPE II BARRICADE RENTAL			**Final Action:**	

Title: CONSIDERATION AND AWARDING OF BID NO. 1213-14 FOR TYPE II BARRICADE RENTAL FOR THE STREET/STORM WATER DIVISIONS AS FOLLOWS:

1. A - 200 BARRICADES PER MONTH

2. A - 20 BARRICADES PER SEVEN DAYS
   B - 40 BARRICADES PER SEVEN DAYS
   C - 60 BARRICADES PER SEVEN DAYS

ACTION NEEDED: Motion to accept or reject all bids meeting specifications; and, if accepted, award the bid to Advanced Workzone Services, L.L.C., as the lowest and best bidder meeting specifications.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 16

Attachments: Text File Bid 1213-14, BID TAB 1213-14, TYPE II BARRICADE

Project Manager: Greg Hall, Street Superintendent

Entered by: patsy.sayers@normanok.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File BID-1213-14

Body

BACKGROUND: TYPE II barricades are used by the Street/Storm Water Division to establish work zone safety during construction and maintenance projects. A typical Type II barricade is shown on

the attached photograph. Federal and State statutes and City ordinances require work zone traffic control.

DISCUSSION: Bid No. 1213-14 was opened on September 13, 2012, with two (2) vendor bids received. Street Division utilizes 200 barricades per month. There are only three (3) companies in the local area which rent barricades. All vendors were invited to bid with Advanced Workzone Services, LLC, bid being low bidder. During emergencies created by flooding or storm damage from high wind, additional barricades are required until the flooding subsides or the damage is removed or repaired. The bid includes repair or replacement of the barricades should they become damaged or unserviceable as well as replacement of stolen barricades. 50-60% of the barricades are damaged and un-serviceable or are stolen on an average year. Current funding is sufficient for twelve (12) monthly rental periods with a balance of $3,600 for emergency barricade rental if required. The contract for rental of TYPE II barricades will be effective through October 31, 2013. Funding for Type II barricade rental is provided in General Fund accounts for regular maintenance and operation. The price for barricade rental is the same amount as last year.

The following street Barricade Rental accounts provide funding for barricades:

Street Division
Barricade Rental (010-5021-431.45-09) - $ 15,000

Storm Water Division
Barricade Rental (010-5022-431.45-09) - $ 15,000

All bids were within the budgeted amounts.

RECOMMENDATION: Staff recommends that all sections of Bid No. 1213-14 be awarded to Advanced Workzone Services, LLC, Inc., as per attached bid tabulation.

STREET DIVISION
TYPE II BARRICADE RENTAL -- BID No. 1213-14
Bid Opening: September 13 2012
BID TABULATION

SECTION	NO. OF BARRICADES	RENTAL PERIOD	ACTION SAFETY SUPPLY COMPANY Oklahoma City, OK	ROADSAFE TRAFFIC SYSTEMS, INC. Oklahoma City, OK	ADVANCED WORKZONE SAFETY Muskogee, OK
I-A	200	One Month	$3,350.00	No Response	$ 2,200.00
II-A.	20	Seven Days	$335.00	No Response	$ 56.00
II-B.	40	Seven Days	$670.00	No Response	$ 112.00
II-C.	60	Seven Days	$1,005.00	No Response	$ 168.00

Recommendation - Bid Number 1213-14 be awarded as follows:

All Sections to be awarded to Advanced Workzone Services, LLC, Low Bidder.

City of Norman, OK

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

Master

File Number: BID-1213-15

File ID:	BID-1213-15	**Type:**	Bid	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 17	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	09/27/2012
File Name:	AGGREGATE AND STONE			**Final Action:**	

Title: CONSIDERATION AND AWARDING OF BID NO. 1213-15 FOR AGGREGATE AND STONE FOR THE STREET MAINTENANCE DIVISION.

1. 3/8-INCH SCREENINGS
2. 3/4-INCH WASHED CHIPS
3. CONCRETE SAND
4. 1 1/2-INCH AGGREGATE BASE, TYPE A
5. TRAFFIC BOUND SURFACE COURSE, TYPE A
6. KILN DUST
7. SELECT BORROW SUBGRADE MATERIAL
8. 3-INCH SURGE ROCK
9. 8-INCH RIPRAP
10. 12-INCH RIPRAP
11. 18-INCH RIPRAP
12. TOPSOIL
    A. PICKUP - (NO BID RECEIVED)
    B. DELIVERED
13. MANUFACTURED SAND

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 1, 9, 10, 11, and 12B; and, if accepted, award the bid to Dale Brown, Inc., as the lowest and best bidder meeting specifications and Joe Brown Company, as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 2; and, if accepted, award the bid to Joe Brown Company, Inc., as the lowest and best bidder meeting specifications and Bernie Mathes Trucking as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 3; and, if accepted, award the bid to Joe Brown Company, Inc., and Dale

Brown, Inc., as the lowest and best bidders meeting specifications and Bernie Mathes Trucking, as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 4 and 8; and, if accepted, award the bid to Bernie Mathis Trucking, Inc., as the lowest and best bidder meeting specifications and Joe Brown Trucking as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 5; and, if accepted, award the bid to Joe Brown Company, Inc., as the lowest and best bidder meeting specifications and Kudron Trucking as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject the bid as meeting specifications on Section 6; and, if accepted, award the bid to Silver Star Construction Company, Inc., as the lowest and best bidder meeting specifications.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 7; and, if accepted, award the bid o T.J. Campbell Construction Company, as the lowest and best bidder meeting specifications and Dale Brown, Inc., as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 13; and, if accepted, award the bid to Bernie Mathis Trucking, Inc., as the lowest and best bidder meeting specifications and Dale Brown, Inc., as the alternate bidder.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 17

Attachments: Text File Bid-1213-15, Tab 1213-15 Aggregate and Stone

Project Manager: Greg Hall, Street Superintendent

Entered by: joyce.keeler@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File BID-1213-15

Body

BACKGROUND: The City of Norman's Street and Drainage Maintenance Programs utilize the following aggregate and stone:

3/8-inch Screenings are used as bedding material and backfill for storm sewer pipe.
3/4-inch Screenings are used as the cover aggregate for bituminous surface treatments (i.e., chip sealing). This is the base course for a double bituminous application.
Concrete Sand is used in the snow and ice control program.
1 1/2-inch Aggregate Base is used as base material for pavement construction. It is also used to stabilize an unimproved section line road.
Traffic Bound Surface Course; Type A is used as the surface course of a gravel roadway. It provides a suitable gradation or blend of coarse, medium and fine aggregates for the construction of a gravel roadway surface.
Kiln Dust is used in Subgrade stabilization operations.
Select borrow Subgrade material is used as embankment and causeway fill in roadway reconstruction operations.
3-inch surge rock is used to stabilize unimproved rural section line roads comprised of sand and fine silt. It is also used as a component of a filter blanket beneath riprap for stream bank and channel erosion control.
Riprap is used for stream bank stabilization, erosion control in drainage ways and flood damage control. It is purchased in 8-inch, 12-inch,
and 18-inch diameters.
Manufactured Sand is coarse sand for winter ice control and job site concrete mixing.
Topsoil is used when the right-of-way is damaged during construction and grass replacement is required.

Quantities of aggregate materials purchased annually will vary depending on individual project scope, unscheduled repairs and maintenance activities. A total of 2,453 tons of a combination of these products were purchased with the FYE 2010 bid prices.

DISCUSSION: Bid Number 1213-15 was opened on September 13, 2012, with nine (9) vendor bids received for aggregate and stone. Of the bids received, one (1) vendor bid did not meet specifications. The average unit price of these materials increased over the 2009 bid price by 3.2% due to the increased manufacturing and fuel related costs. The purchase contract for these materials is effective through October 31, 2013. Funding for the purchase of the various aggregate and stone materials is provided in various accounts in the General Fund for maintenance and operations uses and the Capital Fund for scheduled capital projects.

Funding for the materials is available in the following account numbers:

Street Maintenance Division
(010-5021-431.33-03) Rock/Sand Materials - $28,600

Storm Water Division
(010-5022-431.33-03) Rock/Sand Materials - $15,000

Capital Improvement Projects FYE 2013
(050-9906-451.63-01) Force Account Drainage Materials - $105,000
(050-9696-431.63-01) Rural Road Improvements - $354,000

RECOMMENDATION: Staff recommends Bid Number 1213-15 be awarded to the low bidder as shown on the Bid Tabulation. We further recommend that the bid also be awarded to an alternate bidder so that the materials will be available when the primary bidder cannot deliver it.

STREETS DIVISION -- AGGREGATE AND STONE - BID NO. 1213-15
BID OPENING SEPTEMBER 13. 2012 BID TABULATION
COUNCIL APPROVED OCTOBER 23, 2012

BID TABULATION		Joe Brown Company Ardmore, OK	Bernie Mathes Trucking, Wheatland, OK	Dale Brown, Inc. Ardmore, OK	Silver Star Construction Co., Moore, OK	T. J. Campbell Construction Co., Oklahoma City, OK	Kudron Trucking, Piedmont, OK
SECTION	DESCRIPTION	$ Per Ton	$ Per Ton	$ Per Ton	$ Per Ton	$ Per Ton	$ Per Ton
SECTION I	703.08 B, Class B Bedding Material						
	Delivered	$ 16.00	No Bid	$ 15.40	No Bid	No Bid	No Bid
SECTION II	703.04, Aggregate size #1 Washed Chips						
	Delivered	$ 18.50	$ 19.05	$ 20.40	No Bid	No Bid	$ 21.25
SECTION III	701.05 Fine Aggregate for concrete						
	Delivered	$ 16.00	$ 16.95	$ 16.00	No Bid	No Bid	$ 22.50
SECTION IV	703.01, Aggregate Base, Type A						
	Delivered	$ 16.65	$ 14.45	$ 17.40	No Bid	$ 16.77	$ 16.80
SECTION V	703-05, Traffic Bound Surface Course, Type A						
	Delivered	$ 16.65	$ 17.45	$ 17.75	No Bid	No Bid	$ 16.80
SECTION VI	702.3, Cement Kiln Dust						
	Delivered	No Bid	No Bid	No Bid	$ 48.02	No Bid	No Bid
SECTION VII	705.01, Select Borrow Subgrade Material						
	Delivered	$ 12.00	No Bid	$ 9.55	No Bid	$ 9.21	No Bid
SECTION VIII	703.01, Aggregate Base, Type B						
	Delivered	$ 15.25	$ 14.45	$ 17.40	No Bid	No Bid	$ 19.00
SECTION IX	713.01, 8-inch Riprap						
	Delivered	$ 19.00	$ 30.95	$ 18.90	No Bid	No Bid	$ 30.50
SECTION X	713.01, 12-inch Riprap						
	Delivered	$ 28.00	$ 30.95	$ 26.20	No Bid	No Bid	$ 32.50
SECTION XI	713.01, 18-inch Riprap						
	Delivered	$ 26.00	$ 29.95	$ 25.50	No Bid	No Bid	$ 31.50
SECTION XII	Topsoil						
a.)	Pickup	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
b.)	Delivered	$ 14.00	No Bid	$ 12.90	No Bid	No Bid	No Bid
SECTION XIII	Manufactured Sand, cou						
	Delivered	$ 17.00	$ 16.50	$ 16.90	No Bid	No Bid	$ 18.00

VENDOR:	Dolese Bros Co & Martin Marietta Materials	Bid F.O.B. at Davis, OK Quarry	Does not meet specifications	

RECOMMENDATION - Bid Number 1213-15 be awarded as follows:				
SECTION I	Dale Brown, Inc., Lowest bidder		Joe Brown Company, Alternate bidder	
SECTION II	Joe Brown Company, Lowest bidder		Bernie Mathes Trucking, Alternate bidder	
SECTION III	Joe Brown Company & Dale Brown, Inc., Lowest bidder		Bernie Mathes Trucking, Alternate bidder	
SECTION IV	Bernie Mathes,Trucking Inc., Lowest bidder		Joe Brown Company, Alternate bidder	
SECTION V	Joe Brown Company, Lowest bidder		Kudron Trucking, Alternate bidder	
SECTION VI	Silver Star Construction Co., Only bidder			
SECTION VII	T. J. Campbell Construction Co., Lowest bidder		Dale Brown, Inc., Alternate bidder	
SECTION VIII	Bernie Mathes,Trucking Inc., Lowest bidder		Joe Brown Company, Alternate bidder	
SECTION IX	Dale Brown, Inc., Lowest bidder		Joe Brown Company, Alternate bidder	
SECTION X	Dale Brown, Inc., Lowest bidder		Joe Brown Company, Alternate bidder	
SECTION XI	Dale Brown, Inc., Lowest bidder		Joe Brown Company, Alternate bidder	
SECTION XII A	No Bid			
SECTION XII B	Dale Brown, Inc., Only bidder		Joe Brown Company, Alternate bidder	
SECTION XIII	Bernie Mathes,Trucking Inc., Lowest bidder		Dale Brown, Inc., Alternate bidder	

City of Norman, OK

Municipal Building Council
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Master

File Number: BID-1213-16

File ID:	BID-1213-16	**Type:**	Bid	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 18	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	09/27/2012
File Name:	INLET FRAMES, GRATES AND CURB HOODS			**Final Action:**	

Title: CONSIDERATION AND AWARDING OF BID NO. 1213-16 FOR INLET FRAMES, GRATES AND CURB HOODS FOR THE STREET MAINTENANCE DIVISION.

1. HEAVY-DUTY CAST IRON 3 FLANGE INLET FRAME
2. HEAVY-DUTY CAST IRON DOUBLE UNIT
   (LEFT AND RIGHT) INLET FRAMES WITH FASTENING HARDWARE
3. HEAVY-DUTY CAST IRON CENTER SECTION INLET FRAMES WITH FASTENING HARDWARE
4. HEAVY-DUTY CAST IRON TYPE L GRATE
5. HEAVY-DUTY CAST IRON TYPE V GRATE
6. A - 6-INCH MOUNTABLE CAST IRON CURB HOOD WITH FASTENING HARDWARE
   B - 8-INCH MOUNTABLE CAST IRON CURB HOOD WITH FASTENING HARDWARE
7. DETECTABLE WARNING SURFACE/ADA TRUNCATED DOME, 2 FEET X 4 FEET TILE, CAST IN PLACE, BRICK RED

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 1; and, if accepted, award the bid to HD Waterworks Supply and Oklahoma Contractors Supply as the lowest and best bidders meeting specifications and Water Products of Oklahoma, Inc., as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 2; and, if accepted, award the bid to HD Waterworks Supply as the lowest and best bidder meeting specifications and Oklahoma Contractors Supply as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 3 and 6A; and, if accepted, award the bid to Oklahoma Contractors Supply as the lowest and best bidder meeting specifications and HD Waterworks

Supply as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Sections 4, 5, and 6B; and, if accepted, award the bid to HD Waterworks Supply as the lowest and best bidder meeting specifications and Water Products of Oklahoma, Inc., as the alternate bidder.

ACTION TAKEN: _____

ACTION NEEDED: Motion to accept or reject all bids meeting specifications on Section 7; and, if accepted, award the bid to Oklahoma Contractors Supply as the lowest and best bidder meeting specifications and Water Products of Oklahoma, Inc., as the alternate bidder.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 18

Attachments: Text File Bid 1213-16, Bid 1213-16 Bid Tabulation

Project Manager: Greg Hall, Street Superintendent

Entered by: joyce.keeler@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File BID-1213-16

Body

BACKGROUND: The City of Norman's Street and Drainage Maintenance Program utilizes on a frequent basis inlet frames, grates and curb hoods in storm sewer installation and drainage improvements. Quantities of the materials purchased annually vary depending on individual project scope and unscheduled repairs and maintenance activities.

DISCUSSION: Bids were sent to eleven vendors and Bid No. 1213-16 was opened on September 13, 2012 with four (4) vendors' bids received for inlet frames, grates and curb hoods. The average unit price of the materials has increased over the 2012 bid price by 15.26%. The purchase contract for the materials is effective through October 31, 2013. Funding for inlet frames, grates, and curb hoods is provided in General Fund accounts for regular maintenance and operation and in capital Fund accounts for capital projects.

Funding for the materials is available in Account Numbers:

Street Division
(010-5021-431.33-99) Other Construction Materials $ 53,000

Storm Water Division
(010-5022-431.33-99) Other Construction Materials $ 29,000

Capital Improvement Projects FYE 2013
(050-9906-451.63-01) Force Account Drainage $ 105,000

RECOMMENDATION: Staff recommends Bid No. 1213-16 be awarded to the low bidder as shown above. Typically, materials are ordered well in advance of a project; however, short notice and/or emergency projects sometime make it difficult to obtain materials in a timely manner. Therefore, Staff further recommends the bid also be awarded to an alternate bidder so that the material will be available when the primary bidder cannot deliver in a timely manner.

STREET DIVISION
INLET, FRAMES, GRATES AND CURB HOODS -- BID NUMBER 1213-16
Bid Opening: September 13, 2012
BID TABULATION
COUNCIL APPROVED OCTOBER 23, 2012

	BID TABULATION	WATER PRODUCTS OF OKLA. INC. Owasso, OK	FERGUSON WATER WORKS Oklahoma City, OK	HD WATER WORKS Oklahoma City, OK	OKLAHOMA CONTRACTORS SUPPLY Oklahoma City, OK
SECTION I	ODOT Design 1 inlet, Heavy-duty cast iron 3 flange inlet frame.	$ 129.25	$ 134.00	$ 125.00	$ 125.00
SECTION II	ODOT Design 2 inlet, Heavy-duty cast iron double unit (left & right) inlet frames; includes all fastening hardware.	$ 259.85	$ 270.00	$ 249.00	$ 250.00
SECTION III	Heavy-duty cast iron center section inlet frames; includes all fastening hardware.	$ 137.96	$ 143.00	$ 132.00	$ 125.00
SECTION IV	Heavy-duty cast iron Ribbed Vane Grate	$ 94.19	$ 110.00	$ 91.00	$ 138.00
SECTION V	Heavy-duty cast iron Vane grate.	$ 84.17	$ 110.00	$ 79.00	$ 95.00
SECTION VI-A	6" barrier cast iron curb hood; includes all fastening hardware	$ 126.39	$ 133.00	$ 121.00	$ 115.00
SECTION VI-B	8" barrier cast iron curb hood; includes all fastening hardware	$ 139.43	$ 153.00	$ 132.00	$ 140.00
SECTION VII	Detectable Warning Surface/ADA Truncated Dome 2'x4' tile cast in place brick red	$ 169.95	$ 170.00	No Bid	$ 125.00

Recommendation - Bid Number 1213-16 be awarded as follows:

SECTION I	HD Supply Waterworks & Oklahoma Contractors Supply, LLC, Lowest bidder
SECTION I	Water Products of Oklahoma Inc., Alternate bidder
SECTION II, IV, V and VI B	HD Supply Waterworks, Lowest bidder
SECTION II	Oklahoma Contractors Supply, LLC, Alternate bidder
SECTION IV, V, VI B	Water Products of Oklahoma Inc., Alternate bidder
SECTION III	Oklahoma Contractors Supply, Lowest bidder
	HD Supply Waterworks, Alternate bidder
SECTION VI A	Oklahoma Contractors Supply, Lowest bidder
	HD Supply Waterworks, Alternate bidder
SECTION VII	Oklahoma Contractors Supply, Lowest bidder
	Water Products of Oklahoma Inc., Alternate bidder

City of Norman, OK

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

Master

File Number: BID-1213-36

File ID:	BID-1213-36	**Type:**	Bid	**Status:**	Consent Item
Version:	1	**Reference:**	item No. 19	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	10/01/2012
File Name:	Parking Management System for Downtown Parking Lot			**Final Action:**	

Title: CONSIDERATION AND AWARDING OF BID NO. 1213-36 FOR COMPLETE PARKING MANAGEMENT SYSTEM FOR THE GRAY STREET DOWNTOWN PARKING LOT AND BUDGET APPROPRIATION.

ACTION NEEDED: Motion to accept or reject all bids meeting specifications; and, if accepted, awarded the bid in the amount of $140,386.50 to Duncan Solutions, Inc., as the lowest and best bidder meeting specifications and $140,386.50 be appropriated from the Capital Fund Balance (050-0000-253.20-00) to Downtown Parking Lot Expansion - Materials (050-9365-419.63-01)

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 19

Attachments: Bid #1213-36 Complete Revenue Control System for Downtown Parking Lot Bid Record.pdf, Downtown Parking Lot Concept A.pdf, Multi-Space Meter.jpg

Project Manager: David Riesland, Assistant Traffic Engineer

Entered by: michelle.rudder@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File BID-1213-36

Body

BACKGROUND: At its May 22, 2012, meeting, City Council approved Resolution No. R-1112-112 authorizing staff to proceed with the development of plans and bid documents for a Complete Parking Management System for the Gray Street Downtown Parking Lot. This resolution was accompanied by a city-financed project to demolish a former City Maintenance Building and the paving of the area where the building stood, thereby increasing the number of parking spaces available in the lot.

City staff completed plans for the paving, the striping, and the lighting of the new portion of this parking lot in August of 2012. Demolition of the old building was completed on September 7, 2012 and City crews began work on the paving of the expanded lot the following week. Construction was completed on October 10, 2012. The expanded parking lot was opened to traffic on that same day.

DISCUSSION: Bid packets for the purchase of the Parking Management System were mailed on Wednesday, September 5, 2012, and Addendum No. 1 was issued on Tuesday, September 18, 2012. Bid No. 1213-36 was opened on Thursday, September 27, 2012. The complete Parking Management System consists of three multi-space pay-by-space parking meter stations, an automated parking enforcement system and vehicle parking space sensors for each space in the parking lot.

Bid packets were sent to a total of five vendors and the bid was advertised in the local newspaper. Bids were received from two vendors. One of the two bids received (Duncan Solutions, Inc. of Milwaukee, WI) was from the original five that were mailed out, and the other (Associated Time and Parking Controls of Dallas, TX) was a response to the newspaper advertisement.

The bid from Duncan Solutions, Inc. was complete and in accordance with the bid packet. The bid from Associated Time and Parking Controls was incomplete because it only included the multi-space pay-by-space parking meter stations. The price bid for this sub-component was higher than the Duncan Solutions, Inc. price for the equivalent sub-component by $8,793.50. For this reason, the bid from Associated Time and Parking Controls was eliminated leaving only one complete bid from Duncan Solutions, Inc.

Implementation will be staged as the lead time for the meters is much less than for the parking sensors. From a Notice to Proceed, the parking meter pay stations can be in Norman ready for installation within four (4) weeks meaning installation could be complete by the end of November, 2012. From a Notice to Proceed, the parking sensors can be in Norman ready for installation within twelve (12) weeks. This means the sensors would be received and installed by the end of January, 2013.

Financing of the Revenue Control System will be initially funded through an appropriation from the Capital Fund Balance (account 050-0000-253.20-00). The Capital Fund is proposed to be reimbursed with the proceeds of a no-interest loan from Republic Bank to the Norman Municipal Authority (NMA). The loan is proposed to be repaid with revenue collected from the system. The maximum term of the loan is proposed to be 10 years, with an expectation that parking meter revenues will be sufficient to repay the loan in a much shorter period. This financing arrangement will be finalized by a separate City Council action, and concurrent items have been prepared by the City of Norman Legal Department regarding the financing with Republic Bank and Trust.

Staff provided an estimated revenue projection in May 2012, based upon typical usage of the parking lot at a rate of $0.25/hour during weekdays. It is estimated that approximately $50,000 could be collected annually assuming an occupancy rate of 80 percent. Therefore, the payback period for this equipment is estimated to be approximately 34 months (2 years and 10 months). Once the loan is repaid, the parking revenues will become revenues of the City's General Fund or other City funds determined by the direction of the Council.

RECOMMENDATION: It is recommended that Bid No. 1213-36 for the Complete Management System for the Gray Street Parking Lot be awarded as follows:

Award to Duncan Solutions, Inc (Milwaukee, WI)
Bid Amount - $140,386.50

In order to fund the cost of the equipment, staff also recommends a $140,386.50 appropriation from the Capital Fund balance (account 050-0000-253.20-00) to Downtown Parking Lot Expansion - Materials (account 050-9365-419.63-01) to cover the purchase and installation of the equipment.

The Capital Fund balance is proposed to be reimbursed from the proceeds of a loan from Republic Bank to the Norman Municipal Authority.

BID RECORD
City of Norman

BID: 1213-36

TITLE: Complete Revenue Control System for the Gray Street Downtown Parking Lot

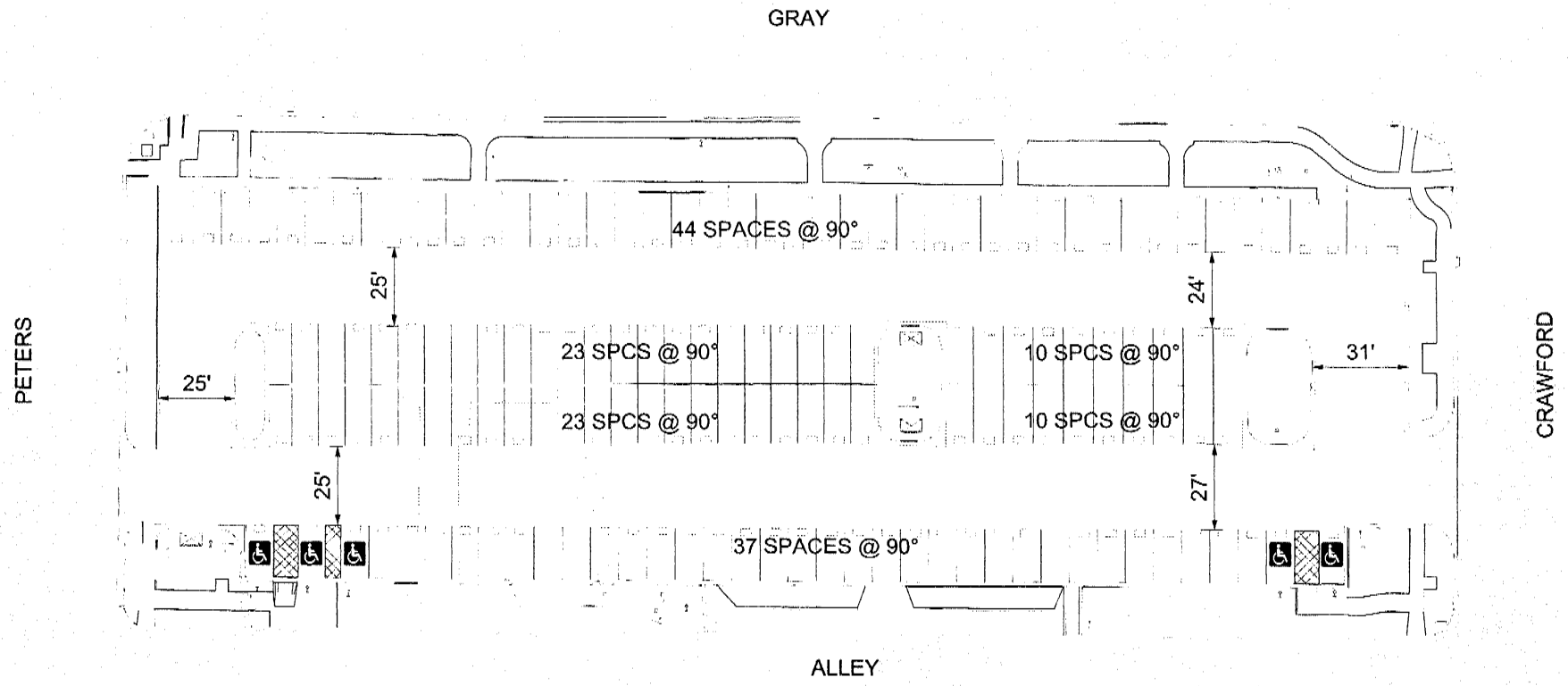
DATE:9/27/12

BIDDER NAME	Total Delivered Price:				
1. Duncan Solutions, Inc. (Milwaukee, WI)	$ 140,386.50	$	$	$	$
2. Associated Time & Parking CTRL (Dallas, TX)	$ 46,275.00	$	$	$	$
3.	$	$	$	$	$
4.	$	$	$	$	$
5.	$	$	$	$	$
6.	$	$	$	$	$
7.	$	$	$	$	$
8.	$	$	$	$	$
9.	$	$	$	$	$
10.	$	$	$	$	$
11.	$	$	$	$	$
12.	$	$	$	$	$
13.	$	$	$	$	$

Received and Opened by: Fred Duke

Date: 9-27-12

Preliminary Concept for Gray Street Surface Parking Lot

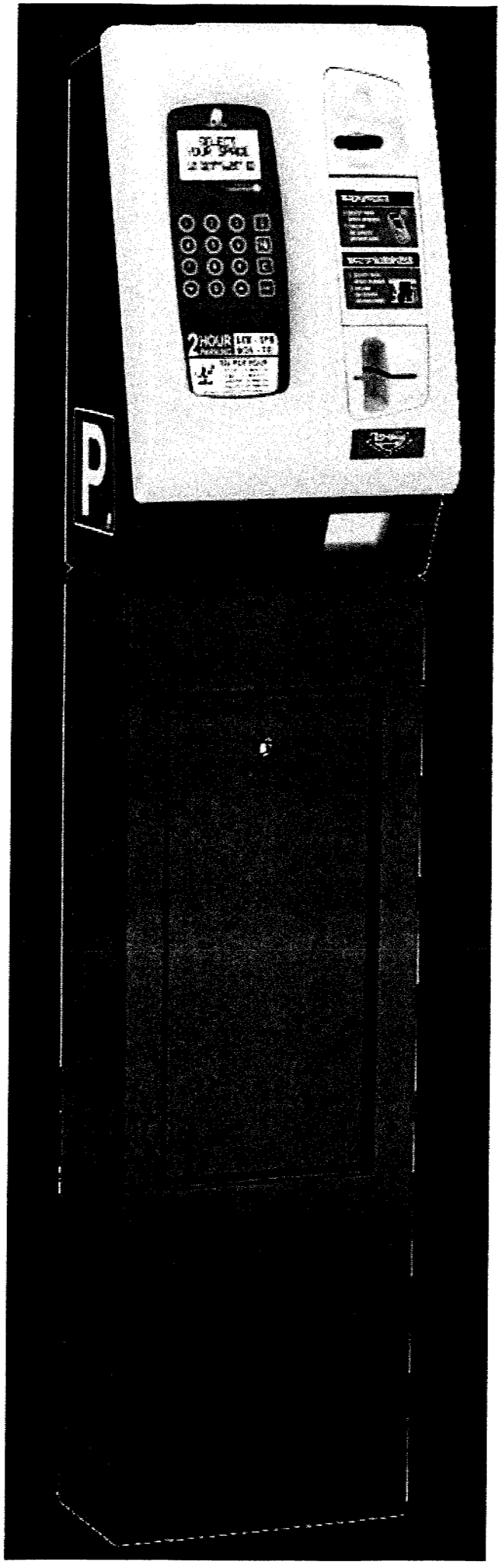


Surface Parking Scheme A
Preliminary Schematic Design

147 spaces

Scale: 0 5 15 25 50

Multi-Space Parking Meter
Vehicle Sensor


2 HOUR

City of Norman, OK

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

Master

File Number: BID-1213-37

File ID:	BID-1213-37	**Type:**	Bid	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 20	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	10/10/2012
File Name:	BID NO. 1213-37 for Fuel			**Final Action:**	

Title: CONSIDERATION AND AWARDING OF BID NO. 1213-37 FOR (1) UNLEADED GASOLINE, (2) #2 DIESEL FUEL, AND (3) BIODIESEL (B5) FUEL FOR THE FLEET MANAGEMENT DIVISION.

ACTION NEEDED: Motion to accept or reject all bids meeting specifications; and, if accepted, award the bid to Red Rock Distributing Company as the lowest and best bidder meeting specifications for all sections.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 20

Attachments: Text File Bid 1213-37, Attachment 1-BID TAB-1213-37

Project Manager: Mike White, Fleet Superintendent

Entered by: julie.shelton@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File BID-1213-37

Body

BACKGROUND: On September 20, 2012, bids were opened on Bid #1213-37 for the delivery of Unleaded, Diesel, and Biodiesel (B5) fuels for the City of Norman.

DISCUSSION: The City of Norman owns and operates a fleet of 463 on-road vehicles and an inventory of over 200 items of off-road fueled equipment. Approximately 600,000 gallons of unleaded, diesel and bio-diesel fuels are used annually by the City at an annual cost of $1.6 million (3-year average). In an effort to reduce the annual cost of fuel, the City utilizes a competitive bidding process.

The bid package was sent to ten (10) vendors, two of whom responded: Petroleum Traders Corp. of Fort Wayne, Indiana and Red Rock Distributing Company of Oklahoma City, Oklahoma.

The City shall have the option to renew this contract annually, for a period of four (4) years, provided that the services and process continue to be acceptable to both parties. Pricing shall be reviewed at the beginning of each renewal period at which time the City will determine whether to renew or rebid. Bids were last taken for fuel September 23, 2008. The contract was awarded to Red Rock Distributing Company and it has been renewed every year since that time.

The contract confirms the vendor's ability to supply the fuel within twenty-four (24) hours notice to any City owned location, the amount of profit margin the vendor will charge over the actual low rack price cost of the fuel, freight, freight surcharge, and the mandatory Underground Storage Tank (UST) fund fees.

A low rack price is determined by using a service such as Oil Price Information Service (OPIS). Suppliers post their prices on a daily basis and those prices are published in OPIS. OPIS obtains its rack prices each day from all of the major jobbers in each region where there is a terminal. To calculate a state's daily average rack price, OPIS averages all of the rack prices in all of the terminals in the state each day. Vendors are required to provide a copy of the OPIS report with the invoices.

OPIS website: www.opisnet.com

The freight surcharge is calculated as a percentage of the freight charge. This is used to help the supplier recover diesel charges incurred to deliver the fuel.

All municipalities such as the City of Norman are tax exempt, including the state fuel tax. However, a state and federal UST charge applies to all municipality deliveries. Federal charges are $0.001 per gallon and state charges are $0.010 per gallon, for a combined UST fund charge of $0.0110 per gallon. In addition, the Federal government has a federal environmental fee of $0.0019 per gallon on unleaded, diesel and biodiesel.

Bobtail deliveries (less than 2200 gallons total) are bid separately. Currently, this would apply to deliveries at Fire Station #5, Fire Station #6 and Westwood Golf Course.

RECOMMENDATION:

Staff recommends that Bid #1213-37 be awarded to Red Rock Distributing Company for all sections as follows:

Section I: Unleaded

Price per gallon cost on September 24, 2012 for full load of 10,000 gallons: $3.3471

Federal UST Fund:	$0.0010 per gallon
Federal Environmental:	$0.0019 per gallon
OK UST Fund:	$0.0100 per gallon
Freight:	$0.0190 per gallon

Surcharge on Freight: $0.0048 per gallon
Profit Margin: $0.0050 per gallon
Above rack total: $0.0417 per gallon

Bob Tail delivery
Federal UST Fund: $0.0010 per gallon
Federal Environmental: $0.0019 per gallon
OK UST Fund: $0.0100 per gallon
Freight: $0.1750 per gallon
Surcharge on Freight: $0.0000 per gallon
Profit Margin: $0.0050 per gallon
Above rack total: $0.1929 per gallon

Section II: #2 Diesel
Price per gallon cost on September 24, 2012 for full load of 10,000 gallons: $3.3059

Federal UST Fund: $0.0010 per gallon
Federal Environmental: $0.0019 per gallon
OK UST Fund: $0.0100 per gallon
Freight: $0.0219 per gallon
Surcharge on Freight: $0.0055 per gallon
Profit Margin: $0.0050 per gallon
Above rack total: $0.0453 per gallon
Winter blend additive: $0.0225 per gallon (used during winter months)

Bob Tail delivery
Federal UST Fund: $0.0010 per gallon
Federal Environmental: $0.0019 per gallon
OK UST Fund: $0.0100 per gallon
Freight: $0.1750 per gallon
Surcharge on Freight: $0.0000 per gallon
Profit Margin: $0.0050 per gallon
Above rack total: $0.1929 per gallon

Section III: BioDiesel Blend (B5)
Price per gallon cost on September 24, 2012 for full load of 10,000 gallons: $3.640

Federal UST Fund: $0.0010 per gallon
Federal Environmental: $0.0018 per gallon
OK UST Fund: $0.0100 per gallon
Freight: $0.0219 per gallon
Surcharge on Freight: $0.0055 per gallon
Profit Margin: $0.0050 per gallon
Above rack total: $0.0452 per gallon
Winter blend additive: $0.0225 per gallon (used during winter months)

Account Number:	010-5073-435.31-18
Account Name:	Outside Fuel Inventory
Account Budget:	$1,950,051

CITY OF NORMAN
BID TABULATION
BID #1213-37

SECTION I – UNLEADED

Per Gallon Delivered

Transport Delivery (approximately gallons = 265,000)

Bidder	Federal UST Fund	Federal Environmental	Oklahoma UST Fund	Freight	Freight Surcharge	Profit Margin	**Total Price/Gal Above Rack**
Red Rock Distributing OKC, OK	0.0010	0.0019	0.0100	0.0190	0.0048	0.0050	**$0.0417**
Petroleum Traders Corporation Fort Wayne, IN	0.0010	0.0019	0.0100	0.0221	Surcharge included in Freight charge	0.0344	**$0.0694**

SECTION I – UNLEADED

Per Gallon Delivered

Bob-tail Delivery (approximately gallons = 7,000)

Bidder	Federal UST Fund	Federal Environmental	Oklahoma UST Fund	Freight	Freight Surcharge	Profit Margin	**Total Price/Gal Above Rack**
Red Rock Distributing OKC, OK	0.0010	0.0019	0.0100	0.1750	0.0000	0.0050	**$0.1929**
Petroleum Traders Corporation Fort Wayne, IN	No Bid						

SECTION II – #2 DIESEL
Per Gallon Delivered

Transport Delivery (approximately gallons =350,000)

Bidder	Federal UST Fund	Federal Environmental	Oklahoma UST Fund	Freight	Freight Surcharge	Profit Margin	**Total Price/Gal Above Rack**
Red Rock Distributing OKC, OK	0.0010	0.0019	0.0100	0.0219	0.0055	0.0050	**$0.0453**
Petroleum Traders Corporation Fort Wayne, IN	0.0010	0.0019	0.0100	0.0235	Surcharge included in Freight charge	0.0244	**$0.0608**

SECTION II – #2 DIESEL
Per Gallon Delivered

Bob-tail Delivery (approximately = 7,000)

Bidder	Federal UST Fund	Federal Environmental	Oklahoma UST Fund	Freight	Freight Surcharge	Profit Margin	**Total Price/Gal Above Rack**
Red Rock Distributing OKC, OK	0.0010	0.0019	0.0100	0.1750	0.0000	0.0050	**$0.1929**
Petroleum Traders Corporation Fort Wayne, IN	No bid						

SECTION III – BIODIESEL (B5)

Per Gallon Delivered

Transport delivery – none to date

Bidder	Federal UST Fund	Federal Environmental	Oklahoma UST Fund	Freight	Freight Surcharge	Profit Margin	**Total Price/Gal Above Rack**
Red Rock Distributing OKC, OK	0.0010	0.0018	0.0100	0.0219	0.0055	0.0050	**$0.0452**
Petroleum Traders Corporation Fort Wayne, IN	0.0010	0.00181	0.0100	0.0235	Surcharge included in Freight charge	0.0344	**$0.07071**

Mike White
Fleet Management Superintendent

City of Norman, OK

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

Master

File Number: K-1213-76

File ID:	K-1213-76	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 21	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**	$966,302.00	**File Created:**	10/08/2012
File Name:	City Roof Replacement Projects			**Final Action:**	

Title: CONSIDERATION OF BID NO. 1213-38, CONTRACT NO. K-1213-76 WITH STANDARD ROOFING COMPANY, INC., IN THE AMOUNT OF $966,302; PERFORMANCE BOND NO. B-1213-29; STATUTORY BOND NO. B-1213-30; MAINTENANCE BOND NO. MB-1213-24; AND PROJECT AGENT RESOLUTION NO. R-1213-50 FOR THE FYE 2013 ROOF REPLACEMENT PROJECTS FOR FIRE STATION NO. 6, FIRE STATION NO. 7 (TRUCK BAY), IRVING RECREATIONAL CENTER (UPPER GYM), MUNICIPAL BUILDING A, SANTA FE DEPOT (FLAT PORTIONS), SOONER THEATRE, AND THE WATER RECLAMATION FACILITY MAIN CONTROL BUILDING (UPPER ROOF) AND BUDGET TRANSFERS.

ACTION NEEDED: Acting as the City Council and Norman Utilities Authority, motion to accept or reject all bids meeting specifications; and, if accepted, award the base bid in the amount of $919,826 plus Alternate A for Sooner Theatre in the amount of $22,704 and Alternate D-2 for Fire Station No. 7 in the amount of $23,772 for a total bid amount of $966,302 to Standard Roofing Company, Inc., as the lowest and best bidder meeting specifications; approve Contract No. K-1213-76 and the performance, statutory, and maintenance bonds; authorize execution of the contract; direct the filing of the bonds; adopt Resolution No. R-1213-50; and transfer $679 from Hydrological Monitoring (032-5541-432.41-23) to Project No. WW0198, WWTP MCB Upper Roof, Construction (032-9677-432.61-01) and $22,704 from Project No. EF0128, Sooner Theatre Renovations, Construction (050-9677-419.61-01) to Project No. EF1002, Building Roofs, Construction (050-9540-419.61-01).

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 21

Attachments: Text File Roof Contract, Bid tab, K-1213-76, Perf B-1213-29, Stat B-1213-30, MB-1213-24, Project Agent - Roofs, PR Standard Roofing

Project Manager: Matthew Smith, Facility Maintenance Superintendent

Entered by: Ellen.Usry@NormanOK.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1213-76

Body

BACKGROUND: The FYE 2013 Capital Budget included funds for the replacement of roofs on the following eight City facilities:

Animal Welfare (to be completed as part of the renovation project)
Fire Station No. 6
Fire Station No. 7 (truck bay)
Irving Recreation Center (upper gym)
Municipal Building A
Santa Fe Depot (flat portions)
Sooner Theatre
Water Reclamation Facility-Main Control Building (upper roof)

The FYE 2013 Capital Budget, Water Reclamation Fund includes funds for the replacement of the upper roof on the *Main Control Building at the Water Reclamation Facility.*

DISCUSSION: This contract includes the replacement of the roofs on Fire Station No. Six located at 7405 East Alameda; Fire Station No. 7 located at 2207 Goddard; Irving Recreation Center located at 125 Vicksburg; Municipal Building A located at 201 West Gray; Santa Fe Depot located at 200 South Jones; Sooner Theatre located at 101 East Main; and the upper roof of the Main Control Building at the Water Reclamation Facility located at 3500 South Jenkins.

Fire Station No. 6 - $113,614

The project scope includes removal of the existing 5,250 square foot hot asphalt membrane roof down to the light weight insulation over steel deck and replacing it with a cold process built up asphalt roof. The station was built in 1981 and received roof rehabilitation in 2005, but its overall condition is poor due to holes in the membrane, pitch pan mastic deterioration, and areas where water is ponding. Leakage is also occurring throughout the facility.

Fire Station No. 7 - $61,373 - Alternate D-2 - $23,772

The project scope includes removal of the existing 2,460 square foot Ethylene Propylene Diene Monomer (EPDM) membrane roof on the truck bay area down to the wooden deck and replacing it with a white single ply roof. The roofs over the station and training facility are metal roofs and are not included in this contract. The station was built in 2001, but the roof over the truck bay has visible defects where fasteners have penetrated through the roofing membrane. Leakage is occurring in this area. The masonry was not sealed when the building was constructed and it is beginning to leach calcium deteriorating the concrete block and mortar. The bid included an alternate to seal the masonry and staff is recommending Council include the alternate in this contract to avoid further deterioration.

Irving Recreation Center (upper gym) - $129,876

The project scope includes removal of the existing 6,984 square foot 3 ply hot felt membrane with gravel roof down to the concrete deck and replacing it with a cold process built up asphalt roof. The current roof is approximately 30 years old and the overall condition of the roof is poor due to blistering of membrane and quality of the asphalt flood coat. Leakage is also occurring throughout the gym.

Municipal Building A (Public Works and Planning) - $299,728

The project scope includes removal of the existing 15,246 square foot two-ply bitumen membrane in hot asphalt roof down to the light weight insulation over concrete (LWIC) roof and replacing it with a cold process built up asphalt roof. The current roof was severely damaged during the April 13th tornado peeling back the membrane allowing water to pool in the layer between the roof deck and the membrane. Leakage is also occurring in the facility.

Santa Fe Depot (flat roof portions) - $48,405

The project scope includes removal of the existing 936 square foot 3 ply hot felt membrane with gravel roof down to the deck and replacing it with a cold process built up asphalt roof. The flat portions include the old baggage room now utilized as the art studio and the portico portion at the north end of the depot. The current roof is over 20 years old and the overall condition of the roof is poor showing visible defects including deteriorated mastic in pitch pans, weathered and cracked caulk on counter flashing, and open lap seams.

Sooner Theatre - $216,151 - Alternate A, $22,704

The project scope includes removal of the existing 7,264 square foot Ethylene Propylene Diene Monomer (EPDM) membrane roof down to the concrete and wood deck and replacing it with a white single ply roof. The current roof is over 10 years old and the overall condition of the roof is showing visible defects including holes in the membrane, deteriorated sealant at termination bar, and areas where a wooden block was nailed directly through the membrane. The contractor will coordinate the replacement of this roof with the Director of Sooner Theatre so as not to interfere with the theatre play schedule. The bid also included an alternate to add a 90 foot walkway and guard rail to he east side of the roof and a steel ladder leading to the upper level of the building to meet current Building Code requirements. The alternate also includes reconstructing the roof hatch to accommodate access. Staff is recommending Council include the alternate in this contract to comply with current Building Code requirements and ensure the safety of employees working on the roof.

Main Control Building - Water Reclamation Facility (upper roof) - $50,679

The project scope includes removal of the existing 1,776 square foot roof 3 ply hot felt membrane with gravel roof down to the concrete deck and replacing it with cold process built up asphalt roof. The current roof is over 10 years old and its overall condition is poor due to the age of the system, asphalt deterioration, and the condition of uncoated base flashings.

The cold process built up asphalt roofs at Fire Station No. 6, Irving Recreation Center, Municipal Building A, Santa Fe Depot, and the Main Control Building at the Water Reclamation Facility will include a 20-year manufacturer's warranty on materials and two years on labor. The manufacturer will inspect and provide written executive summaries in years two, five, 10, and 15. The white single ply

roofs at Fire Station No. 7 and Sooner Theatre will include a 15-year manufacturer's warranty on materials and two years on labor. The manufacturer will inspect and provide written executive summaries in years two, five, and 10.

Bid packets were mailed to six contractors as well as solicited through a legal notice published in the Norman Transcript. The contractors attended mandatory site visits on September 25, 2012, and bids were opened on October 4, 2012. Four bids were received ranging from $966,302 to $1,284,647. The low bid in the amount of $966,302 for the base bid and alternates for Sooner Theatre and Fire Station No. 7 was received from Standard Roofing Company, Inc., from Oklahoma City. If awarded this contract, Standard Roofing will begin the series of roofs in January, 2013, and be completed no later than June 30, 2013. No interruption of City services is anticipated during the projects.

The Capital Budget, Project No. EF1002, Building Roofs, Construction (050-9540-419.61-01) includes $780,239 for the replacement of five of the roofs. The replacement of the Irving Recreation Center gym is budgeted under Maintenance of Existing Facilities, Project No. EF0160, Roof Replacement Irving Gym, Construction (050-9677-419.61-01).

Funding is not sufficient in the current roof project account to include Alternate A in the amount of $22,704 for Sooner Theatre to construct the walkway and guardrail; however, funds are available in Project No. EF0128, Sooner Theatre Renovations, Construction (050-9677-419.61-01), which could be transferred to the project account to fund the alternate.

The replacement of the upper roof on the Main Control Building at the Water Reclamation Facility was budgeted in the Water Reclamation Fund, Capital Budget, Project No. WW0198, WWTP MCB Upper Roof, Construction (032-9677-432.61-01) in the amount of $50,000. The bid for that roof is $50,679, $679 above the budgeted amount. Staff recommends funds for the overage be transferred from Hydrological Testing (032-5541-432.41-23).

STAFF RECOMMENDATION: Staff recommends all bids submitted under Bid No. 1213-38 be accepted, Contract No. K-1213-76 with Standard Roofing Company, Inc., in the amount of $966,302 and the subsequent performance, statutory, and maintenance bonds be approved, and Project Agent Resolution No. R-1213-50 granting tax-exempt status to Standard Roofing Company, Inc., be adopted. Staff further recommends funds in the amount of $679 be transferred from Hydrological Monitoring (032-5541-432.41-23) to Project No. WW0198, WWTP MCB Upper Roof, Construction (032-9677-432.61-01) and $22,704 be transferred from Project No. EF0128, Sooner Theatre Renovations, Construction (050-9677-419.61-01) to Project No. EF1002, Building Roofs, Construction (050-9540-419.61-01).

BID NO. 1213-24
ROOF REPLACEMENT PROJECTS
Fire Station No. Six
Fire Station No. 7 (truck bay)
Irving Recreation Center (upper gym roof)
Municipal Building A
Santa Fe Depot (flat portions)
Sooner Theatre
Main Control Building (upper roof) – Water Reclamation Facility
October 4, 2012

The following is a tabulation of bids received by the City of Norman for the above-described roof projects.

BIDDER	Fire Sta. 6	Fire Station 7 (truck bays)		Irving Rec Ctr (upper gym)	Municipal Building A	Santa Fe Depot (flat portions)	Sooner Theatre		Main Control Bldg. – WRF (upper roof)	TOTAL
		Base Bid	Alternate D-2				Base Bid	Alternate A		
Alva Roofing Co. Edmond, OK	$213,349	$68,074	$16,308	$181,987	$322,716	$62,359	$235,733	$18,592	$165,529	$1,284,647
Crawford Roofing, Inc. Chickasha, OK	$111,636	$86,660	$19,891	$156,096	$268,360	$50,987	$256,319	$12,425	$58,844	$1,021,218
Standard Roofing Company, Inc. Oklahoma City, OK	**$113,614**	**$61,373**	**$23,772**	**$129,876**	**$299,728**	**$48,405**	**$216,151**	**$22,704**	**$50,679**	**$966,302**
Universal Roofing and Sheet Metal, Inc. Moore, OK	$119,582	$66,982	$18,920	$129,606	$301,818	$60,730	$296,614	$38,920	$58,143	$1,091,315

RECOMMENDATION: Staff recommends Standard Roofing Company, Inc., be awarded the bid for the above-described projects as the overall lowest and best bidder meeting specifications. Funds are available in Project No. EF1002, Building Roofs, Construction (050-9540-419.61-01), Maintenance of Existing Facilities, Project No. EF0160, Roof Replacement Irving Gym, Construction (050-9677-419.61-01), and Project No. WW098, WWTP MCB Upper Roof, Construction (032-9677-432.61-01).

Forwarded by:

Matthew Smith
Facility Maintenance Superintendent

CONTRACT

THIS CONTRACT made and entered into this _____ day of _____, 2012, by and between **Standard Roofing Company, Inc.**, as party of the First Part, hereinafter designated as the Contractor, and the City of Norman, a municipal corporation, and Norman Utilities Authority, a public trust, hereinafter designated as the CITY/AUTHORITY, Party of the Second Part.

WITNESSETH

WHEREAS, the CITY and AUTHORITY has caused to be prepared in accordance with law, specifications, and other bidding documents for the work hereinafter described and has approved and adopted all of said bidding documents, and has caused Notice to Bidders to be given and advertised as required by law, and has received sealed proposals for the furnishing of all labor and materials for the following project:

SOONER THEATER (WALKWAY GUARD RAIL LADDER HATCH OPENING); FIRE STATION NO. 7; SANTA FE DEPOT; IRVING RECREATION CENTER (UPPER/GYM ROOF); FIRE STATION NO. 6; BUILDING A; AND WASTEWATER TREATMENT PLANT ROOF REPLACEMENT PROJECT.

As outlined and set out in the bidding documents and in accordance with the terms and provisions of said CONTRACT; and,

WHEREAS, the CONTRACTOR in response to said Notice to Bidders, has submitted to the CITY and AUTHORITY on the manner and at the time specified, a sealed proposal in accordance with the terms of this Contract; and,

WHEREAS, the CITY and AUTHORITY, in the manner provided by law, has publicly opened, examined, and canvassed the proposals submitted and has determined and declared the above-named CONTRACT to said CONTRACTOR, for the sum named in the proposal, to wit: **Nine Hundred Sixty Six Thousand Three Hundred Two Dollars and No/Cents** Dollars (**$ 966,302.00**);

NOW, THEREFORE, for and in consideration of the mutual agreements, and covenants herein contained, the parties to this CONTRACT have agreed, and hereby agree, as follows:

1) The CONTRACTOR shall, in a good and first-class, workman-like manner at his own cost and expense, furnish all labor, materials, tools, and equipment required to perform and complete said work in strict accordance with this CONTRACT and the following CONTRACT documents: The BID Notice published in the Norman Transcript, the Notice to Bidders, Instruction to Bidders, the Contractor's Bid or Proposal, the Construction Drawings, Specifications, Provisions, and Bonds thereto, all of which documents are on file in the Office of the Purchasing Agent of the City of Norman, and are made a part of this CONTRACT as fully as if the same were set out at length.

2) Contractor shall receive payment for 100% completed and accepted work at each location. Completion is to be determined by the project manager who has sole authority in this matter.

   Each invoice for payment must contain or have attached an affidavit in accordance with the Constitution of the State of Oklahoma, Title 74, Section 3109-3110, and Title 62, Section 310.09.

On completion of the work, but prior to the acceptance thereof by the CITY and AUTHORITY, it shall be the duty of the project engineer, or other appropriate person, to determine that said work has been completely and fully performed in accordance with said CONTRACT Documents; and upon making such determination said official shall make his final certificate to the CITY and AUTHORITY.

The CONTRACTOR shall furnish proof that all claims and obligations incurred by him in connection with the performance of said work have been fully paid and settled; said information shall be in the form of an affidavit, which shall bear the approval of the surety on the CONTRACT Bonds for payment of the final estimate to the CONTRACTOR; thereupon, the final estimate (including retainage) will be approved and paid.

3) It is further agreed that the CONTRACTOR will commence said work within 1/7/13 days following receipt of a NOTICE-TO-PROCEED, and prosecute the same vigorously and continuously, and complete the same 6/30/13 calendar days following receipt of the NOTICE-TO-PROCEED.

Start Date

Completion Date

4) That the CITY and AUTHORITY shall pay the CONTRACTOR for the work performed as follows:

   a. Payment for unit price items shall be at the unit price bid for actual construction quantities.

   b. Construction items specified but not included as bid items shall be considered incidental and shall not be paid for directly, but shall be included in the bid price for any or all of the pay quantities.

      Should any defective work or materials be discovered or should a reasonable doubt arise as to the quality of any work completed, there will be deducted from the next estimate and amount equal to the value of the defective or questionable work and shall not be paid until the defects are remedied.

And the CONTRACTOR'S bid is hereby made a part of this Agreement.

5) That the CITY and AUTHORITY reserves the right to add to or subtract from the estimated quantities or amount of work to be performed up to a maximum of 15% of the total bid price. The work to be performed or deducted shall be a the unit price bid.

6) That the CONTRACTOR will not undertake to furnish any materials or to perform any work not specifically authorized under the terms of this Agreement unless additional materials or work are authorized by written Change Order, executed by the CITY and AUTHORITY; and that in the event any additional work are provided by the CONTRACTOR without such authorizations, the CONTRACTOR shall not be entitled to any compensation therefore whatsoever.

7) That if any additional work is performed or additional materials provided by the CONTRACTOR upon authorization by the CITY and AUTHORITY, the CONTRACTOR shall be compensated therefore at the unit price and as agreed to by both parties in the execution of the Change Order.

8) That the CONTRACTOR shall perform the work and provide the materials strictly in accordance with the specifications as to quality and kind and all work and materials shall be subject to rejections by the CITY and AUTHORITY through its authorized representatives for failure to meet such requirements, and in the event of such rejection, the CONTRACTOR shall replaced the work and materials without compensation therefore by the CITY and AUTHORITY.

9) The CONTRACTOR shall complete the work in accordance with the terms of this Agreement. The CONTRACTOR further agrees to pay as liquidated damages as stipulated in the contract document General Conditions for each calendar day thereafter.

10) The CONTRACTOR shall furnish surety bonds and certificate of insurance as specified herein which bonds and insurance must be approved by the CITY and AUTHORITY prior to issuance of the Work Order and commencement of work on the project.

11) IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed, in three (3) duplicate originals, the day and year first above written.

To that end, no provision of this CONTRACT or of any such aforementioned document shall be interpreted or given legal effect to create an obligation on the part of the CITY and AUTHORITY to third persons, including, by way of illustration but not exclusion, sureties upon performance bonds, payment bonds or other bonds, assignees of the CONTRACTOR, subcontractors, and persons performing labor, furnishing material or in any other way contributing to or assisting in the performance of the obligations of the CONTRACTOR; nor shall any such provisions be interpreted or given legal effect to to afford a defense against any obligation owed or assumed by such third party to the CITY and AUTHORITY or in any way to restrict the freedom of the CITY and AUTHORITY to exercise full discretion in its dealing with the Contractor.

12) The sworn, notarized statement below must be signed and notarized before this Contract will become effective.

STATE OF OKLAHOMA)

COUNTY OF OKLAHOMA

Danny Webb, of lawful age, being first duly sworn, on oath says that (s)he is the agent authorized by CONTRACTOR to submit the above CONTRACT to the CITY and AUTHORITY. Affiant further states that CONTRACTOR has not paid, given or donated or agreed to pay, give, or donate to any officer or employee of the CITY and AUTHORITY any money or other thing of value, either directly or indirectly, in the procuring of the CONTRACT.

Submitted and sworn to before me this 9th day of October, 2012.

Larry N Gray
Notary Public

My Commission Expires:

11-13-15

NOTARY SEAL PUBLIC
LARRY N. GRAY
Notary Public
State of Oklahoma
Commission # 03013698 Expires 11/13/15

IN WITNESS WHEREOF, the said parties of the First and Second Part have hereunto set their hands and seals respectively the 9th day of October, 2012, and the _____ day of _____, 2012.

(Corporate Seal) (Where applicable)

ATTEST:

Jackie Gray
Corporate Secretary (where applicable)
JACKIE GRAY

Standard Roofing Company, Inc.
Principal

Signed: Danny Webb
Authorized Representative Danny Webb

Vice-President
Title

19 N.W. 16th St., OKC, OK 73103
Address

(405) 236-8401
Telephone

CITY OF NORMAN

Approved as to form and legality this 16th day of October, 2012.

City Attorney

Approved by the City of Norman and the Norman Utilities Authority this _____ day of _____, 2012.

ATTEST

City Clerk/Secretary

Mayor/Chairman

STATUTORY BOND

Know all men by these presents that Standard Roofing Co., Inc., as PRINCIPAL, and The Ohio Casualty Insurance Company, a corporation organized under the laws of the State of Ohio, and authorized to transact business in the State of Oklahoma, as Surety, are held and firmly bound unto the State of Oklahoma in the sum of Nine Hundred Sixty Six Thousand Three Hundred Two & 00/100 DOLLARS ($ 966,302.00), for the payment of which sum PRINCIPAL and SURETY bind themselves, their heirs executors, administrators, successors and assigns jointly and severally.

WHEREAS, the conditions of this obligation are such, that the PRINCIPAL, being the lowest and best bidder on the following PROJECT:

SOONER THEATER (WALKWAY GUARD RAIL LADDER HATCH OPENING); FIRE STATION NO. 7; SANTA FE DEPOT; IRVING RECREATION CENTER (UPPER/GYM ROOF); FIRE STATION NO. 6; BUILDING A; AND WASTEWATER TREATMENT PLANT ROOF REPLACEMENT PROJECT.

has entered into a written CONTRACT (K-1213-16) with the City of Norman (CITY) and Norman Utilities Authority (AUTHORITY), dated _____, for the erection and construction of this PROJECT, that CONTRACT being incorporated herein by reference as if fully set forth.

NOW, THEREFORE, if the PRINCIPAL, shall properly and promptly complete the work on this PROJECT in accordance with the CONTRACT, and shall well and truly pay all indebtedness incurred for labor and materials and repairs to an parts for equipment furnished in the making of the PROJECT, whether incurred by the PRINCIPAL, his subcontractors, or any material men, then this obligation shall be void. Otherwise this obligation shall remain in full force and effect. If debts are not paid within thirty (30) days after the same becomes and due and payable, the person, firm, or corporation entitled thereto may sue and recover on this Bond, subject to the provisions of 61 O.S. 1981 S2, for the amount so due and unpaid.

It is further expressly agreed and understood by the parties hereto that no changes or alterations in said CONTRACT and no deviations from the plan or mode of procedure herein fixed shall have the effect of releasing the SURETIES, or any of them, from the obligation of this Bond.

It is further expressly agreed that the PRINCIPAL'S obligations under this Bond include payment of not less than the prevailing hourly rate of wages as established by the Commissioner of Labor of the State of Oklahoma and by the Secretary of the U.S. department of Labor or as determined by a court on appeal.

IN WITNESS WHEREOF, the PRINCIPAL has caused these presents to be executed in its name and its corporate seal (where applicable) to be hereunto affixed by its duly authorized representative(s), on the 10th day of OCTOBER, 2012, and the SURETY has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its authorized representative on the 10th day of OCTOBER, 2012.

(Corporate Seal) (where applicable)

ATTEST: Jackie Gray
Jackie Gray

Standard Roofing Co., Inc.
Principal
Signed: Danny Webb
DANNY WEBB, VICE PRESIDENT

CORPORATE ACKNOWLEDGMENT

STATE OF OKLAHOMA)
COUNTY OF OKLAHOMA)

The foregoing instrument was acknowledged before me this 10TH day of OCTOBER, 2012, by DANNY WEBB, VICE PRESIDENT (Name and Title) of STANDARD ROOFING CO. INC., a STATE OF OKLAHOMA corporation, on behalf of the corporation.

WITNESS my hand and seal this 10th day of October, 2012.

Larry N Gray
Notary Public

LARRY N. GRAY
Notary Public
State of Oklahoma
Commission # 03013698 Expires 11/13/15

My Commission Expires: 11-13-15

INDIVIDUAL ACKNOWLEDGMENT

STATE OF OKLAHOMA)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____
(Name and Title) of _____,

WITNESS my hand and seal this ____day of _____, 2000.

_____
Notary Public

My Commission Expires: _____

PARTNERSHIP ACKNOWLEDGMENT

STATE OF OKLAHOMA)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 19____, by _____
(Name and Title) partner (agent) on behalf of
_____a partnership.

WITNESS my hand and seal this ____day of _____

_____
Notary Public

My Commission Expires:_____

CITY OF NORMAN

Approved as to form and legality this 16th day of October, 2012.

_____
City Attorney

Approved by the City of Norman and Norman Utilities Authority this ____ day of _____, 20__.

ATTEST:

_____ _____
City Clerk/Secretary Mayor/Chairman

Statutory Bond No. B-1213-30

Surety: The Ohio Casualty Insurance Company

ATTEST:

Signed: _____
Carey L. Payne, Attorney-in-Fact

Address: P.O. Box 22127, Oklahoma City, OK 73123
Telephone: (405) 843-9481

Bond No. 601041619

CITY OF NORMAN
MAINTENANCE BOND

Know all men by these present that Standard Roofing Co., Inc., as Principal, and The Ohio Casualty Insurance Company, a corporation organized under the laws of the State of Ohio, and authorized to transact business in the State of Oklahoma, as SURETY, are held and firmly bound unto THE CITY OF NORMAN a Municipal Corporation of the State of Oklahoma, and the NORMAN UTILITIES AUTHORITY, a public trust, herein called CITY and AUTHORITY, in the sum of Nine Hundred Sixty Six Thousand Three Hundred Two & 00/DOLLARS ($966,302.00), for the payment of which sum PRINCIPAL and SURETY bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally.

WHEREAS, the conditions of this obligation are such that the PRINCIPAL, being the lowest and best bidder on the following project:

SOONER THEATER (WALKWAY GUARD RAIL LADDER HATCH OPENING); FIRE STATION NO. 7; SANTA FE DEPOT; IRVING RECREATION CENTER (UPPER/GYM ROOF); FIRE STATION NO. 6; BUILDING A; AND WASTEWATER TREATMENT PLANT ROOF REPLACEMENT PROJECT.

has entered into a written CONTRACT (K-1213-16) with the CITY and AUTHORITY, dated _____ for the erection and construction of this PROJECT, that CONTRACT being incorporated herein by reference as if fully set forth; and,

WHEREAS, under the ordinances of the CITY, the PRINCIPAL is required to furnish to the CITY and AUTHORITY a maintenance bond covering said construction of this PROJECT, the bond to include the terms and provisions hereinafter set forth, as a condition precedent to final acceptance of the PROJECT.

NOW THEREFORE, if the PRINCIPAL shall keep and maintain, subject to normal wear and tear, the construction, except for defects not occasioned by improper workmanship, materials, or failure to protect new work until it is accepted, and if the PRINCIPAL shall promptly repair, without notice from the CITY any and all defects arising from improper workmanship, materials, or failure to protect new work until it is accepted; all for a period of one (1) year from the date of the written final acceptance by the CITY, then this obligation shall be null and void. Otherwise, this obligation shall remain in full force and effect at all times.

Provided further, however, that upon neglect, failure or refusal of the PRINCIPAL to maintain or make any needed repairs upon the construction on the PROJECT, as set out in the preceding paragraph, within ten (10) days after the mailing of notice to the PRINCIPAL by letter deposited in the United States Post Office at Norman, Oklahoma, addressed to the PRINCIPAL at the address set forth below, then the PRINCIPAL and SURETY shall jointly and severally be liable to the CITY and AUTHORITY for the cost and expense for making such repair, or otherwise maintaining the said construction.

If is further expressly agreed and understood by the parties hereto that no changes or alterations in said CONTRACT and no deviations from the plan or mode of procedure herein fixed shall have the effect of releasing the sureties, or any of them, from the obligations of this Bond.

IN WITNESS WHEREOF, the said PRINCIPAL has caused these presents to be executed in its name and its corporate seal (where applicable) to be hereunto affixed by its duly authorized representative(s), on the day 10TH of OCTOBER, 2012, and the SURETY has caused these presents to be executed in its name its corporate seal to be hereunto affixed by its authorized representative(s) on the day of 10TH OF OCTOBER, 2012.

(Corporate Seal) (where applicable)

Standard Roofing Co., Inc.
Principal

ATTEST:

Signed: Danny Webb
Authorized Representative
DANNY WEBB
Title VICE PRESIDENT

Corporate Secretary (where applicable)

Address: P.O Box 60150, OKC, OK 73146
Telephone: (405) 236-8401

(Corporate Seal) (where applicable)

The Ohio Casualty Insurance Company
Surety

ATTEST:

Signed: Carey L Payne
Authorized Representative

Corporate Secretary (where applicable)

Carey L. Payne Attorney-in-Fact
Title
Address: P.O. Box 22127, OKC, OK 73123
Telephone: (405) 843-9481

CORPORATE ACKNOWLEDGMENT

STATE OF OKLAHOMA)
COUNTY OF OKLAHOMA)

The foregoing instrument was acknowledged before me this 10TH day of OCTOBER, 2012, by DANNY WEBB, VICE PRESIDENT (Name & Title) of STANDARD ROOFING CO. INC., a STATE OF OKLAHOMA corporation, on behalf of the corporation.

WITNESS my hand and seal this 10th day of October, 2012.

Notary Public

My Commission Expires: 11-13-15

LARRY N. GRAY
Notary Public
State of Oklahoma
Commission # 03013698 Expires 11/13/15

INDIVIDUAL ACKNOWLEDGMENT

STATE OF OKLAHOMA_____)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____day of _____, 20__, by _____ of _____, (Name and Title) of _____.

WITNESS my hand and seal this ____day of _____, 20___.

_____
Notary Public

My Commission Expires: _____

PARTNERSHIP ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this ____day of _____, 20__, by _____ partner (agent) on behalf of _____, a partnership.

WITNESS my hand and seal this ____day of _____, 20___.

_____
Notary Public

My Commission Expires: _____

CITY OF NORMAN

Approved as to form and legality this 16th day of October, 2012.

_____
City Attorney

Approved by the City of Norman and Norman Utilities Authority this____ day of _____, 20___.

ATTEST:

_____
City Clerk/Secretary

_____
Mayor/Chairman

PERFORMANCE BOND

Know all men by these presents, that Standard Roofing Co., Inc. as PRINCIPAL, and The Ohio Casualty Insurance Company, a corporation organized under the laws of the State of Ohio, and authorized to transact business in the State of Oklahoma, as SURETY, are held and firmly bound unto the City of Norman (CITY), a Municipal Corporation of the State of Oklahoma, and the NORMAN UTILITIES AUTHORITY, a public trust, herein called CITY and AUTHORITY in the sum of Nine Hundred Sixty Six Thousand Three Hundred Two & 00/100 DOLLARS, ($966,302.00), for the payment of which sum PRINCIPAL and SURETY bind themselves, their heirs, executors, administrators, successors and assigns jointly and severally.

WHEREAS, the conditions of this obligation are such that the PRINCIPAL, being the lowest and best Bidder on the following project:

SOONER THEATER (WALKWAY GUARD RAIL LADDER HATCH OPENING); FIRE STATION NO. 7; SANTA FE DEPOT; IRVING RECREATION CENTER (UPPER/GYM ROOF); FIRE STATION NO. 6; BUILDING A; AND WASTEWATER TREATMENT PLANT ROOF REPLACEMENT PROJECT.

has entered into a written CONTRACT (K-1213-76) with the CITY and AUTHORITY, dated _____ for the erection and construction of this PROJECT, that CONTRACT being incorporated herein by reference as if fully set forth.

NOW, THEREFORE, if PRINCIPAL shall, in all particulars, well and truly perform and abide by said CONTRACT and all specifications and covenants thereto; and if the PRINCIPAL shall promptly pay or cause to be paid all indebtedness incurred for labor and materials and repairs to and parts for equipment furnished in the making of this PROJECT, whether incurred by the PRINCIPAL or subcontractors; and if the PRINCIPAL shall protect and hold harmless the CITY form all loss, damage, and expenses to life or property suffered or sustained by any person, firm, or corporation caused by PRINCIPAL or his or its agents, servants, or employees in the construction of the PROJECT, or by or in consequence of any negligence carelessness or misconduct in guarding and protecting the same, or from any act or omission of PRINCIPAL of his or its agents, servants, or employees; and if the PRINCIPAL shall protect and save the CITY and AUTHORITY harmless form all suits and claims of infringement or alleged infringement or patent rights or processes, then this obligation shall be null and void. Otherwise this obligation shall remain in full force and effect.

It is further expressly agreed and understood by the parties hereto that no changes or alterations in the CONTRACT and no deviations from the plan or mode of procedure herein fixed shall have the effect of releasing the sureties, or any of them, from the obligations of this Bond.

It is further expressly agreed that the PRINCIPAL's obligations under this Bond include payment of not less than the prevailing hourly rate of wages as established by the Commissioner of Labor or as determined by a court on appeal.

IN WITNESS WHEREOF, the PRINCIPAL has caused these presents to be executed in its name and its corporate seal (where applicable) to be hereunto affixed by its duly authorized representative(s), and the 10TH day of OCTOBER, 2012, and the SURETY has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its authorized representative(s) on the 10TH day of OCTOBER, 2012.

(Corporate Seal) (where applicable)

ATTEST:
Jackie Gray
Corporate Secretary (where applicable)

Standard Roofing Co., Inc.
Principal

Signed: Danny Webb
Authorized Representative
DANNY WEBB
Title VICE PRESIDENT
Address: P.O Box 60150, OKC, OK 73146
Telephone: (405) 236-8401

(Corporate Seal) (where applicable)

ATTEST:
Corporate Secretary (where applicable)

The Ohio Casualty Insurance Company
Surety

Signed: Carey L Payne
Authorized Representative

Carey L. Payne Attorney-in-Fact
Title

Address: P.O. Box 22127, OKC, OK 73123
Telephone: (405) 843-9481

CORPORATE ACKNOWLEDGMENT

STATE OF OKLAHOMA)
COUNTY OF OKLAHOMA)

The foregoing instrument was acknowledged before me this 10TH day of OCTOBER, 2012, by DANNY WEBB, VICE PRESIDENT (Name & Title) of STANDARD ROOFING CO., INC. a STATE OF OKLAHOMA corporation, on behalf of the corporation.

WITNESS my hand and seal this 10th day of October, 2012.

Larry N Gray
Notary Public

My Commission Expires: 11-13-15

LARRY N. GRAY
Notary Public
State of Oklahoma
Comm. # 03 Expires 11/13/15

INDIVIDUAL ACKNOWLEDGMENT

STATE OF OKLAHOMA_____)
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____day of _____, 20__, by _____ (Name & Title) of _____, a _____.

WITNESS my hand and seal this ____day of _____, 20___.

_____
Notary Public

My Commission Expires: _____

PARTNERSHIP ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me this ____day of _____, 20__, by _____ (Name & Title) partner (agent) on behalf of _____, a partnership.

WITNESS my hand and seal this ____day of _____, 20___.

_____
Notary Public

My Commission Expires: _____

CITY OF NORMAN

Approved as to form and legality this 16th day of October, 2012.

_____
City Attorney

Approved by the CITY OF NORMAN and NORMAN UTILITIES AUTHORITY this____ day of _____, 20__.

ATTEST:

_____ _____
City Clerk/Secretary Mayor/Chairman

Resolution

R-1213-50

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING AND APPOINTING STANDARD ROOFING COMPANY, INC., AS PROJECT AGENT FOR FIRE STATION NOS. 6 AND 7, IRVING RECREATION CENTER, MUNICIPAL BUILDING A, SANTA FE DEPOT, AND SOONER THEATRE ROOF REPLACEMENT PROJECTS FOR THE CITY OF NORMAN.

§ 1. WHEREAS, the City of Norman, Oklahoma, does hereby acknowledge that the tax-exempt status of this political subdivision is a significant factor in determining the agreed contract price bid by **Standard Roofing Company, Inc.,** for the **Fire Station Nos. 6 and 7, Irving Recreation Center, Municipal Building A, Santa Fe Depot, and Sooner Theatre Roof Replacement Projects** or the City of Norman; and

§ 2. WHEREAS, the City of Norman, Oklahoma, in compliance with State law, desires to confer on **Standard Roofing Company, Inc.,** its special State and Federal sales tax exemptions and in order to achieve such end, finds it necessary to appoint as its direct purchasing agent, **Standard Roofing Company, Inc.,** to purchase materials which are in fact used for the **Fire Station Nos. 6 and 7, Irving Recreation Center, Municipal Building A, Santa Fe Depot, and Sooner Theatre Roof Replacement Projects** for the City of Norman; and

§ 3. WHEREAS, this limited agent status is conferred with the express understanding that **Standard Roofing Company, Inc.,** shall appoint employees and subcontractors as subagents who shall be authorized to make purchases on their behalf.

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

§ 4. That the City of Norman, Oklahoma, on the 23rd day of October, 2012, did appoint **Standard Roofing Company, Inc.,** who is involved with the **Fire Station Nos. 6 and 7, Irving Recreation Center, Municipal Building A, Santa Fe Depot, and Sooner Theatre Roof Replacement Projects** for the City of Norman, an agent of the City of Norman, Oklahoma, solely for the purpose of purchasing, on a tax-exempt basis, materials and tangible personal property to be used exclusively for the above-described project for the City of Norman.

PASSED AND ADOPTED THIS 23rd day of October, 2012.

ATTEST: _____ Mayor

_____
City Clerk

PURCHASE REQUISITION NBR: 0000208321

STATUS: DIVISION APPROVAL

REQUISITION BY: BHALL
REASON: FYE 2013 ROOF REPLACEMENT PROJECTS
DATE: 10/12/12

SHIP TO LOCATION: BUILDING MAINTENANCE
SUGGESTED VENDOR: 10349 STANDARD ROOFING CO INC
DELIVER BY DATE: 10/25/12

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	FIRE 6&7-BLDG A-SOONER THEATRE-DEPOT ROOF PROJECTS COMMODITY: ROOFING SUBCOMMOD: ROOFING, COMPOSITION: ROL	1.00	EA	795623.0000	795623.00	
2	IRVING REC CENTER UPPER GYM ROOF COMMODITY: ROOFING SUBCOMMOD: ROOFING: COATED, ELASTOME	1.00	EA	120000.0000	120000.00	
3	WTF - MAIN CONTROL BUILDING UPPER ROOF COMMODITY: ROOFING SUBCOMMOD: ROOFING: COATED, ELASTOME	1.00	EA	50679.0000	50679.00	

REQUISITION TOTAL: 966302.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	05095404196101	Capital Projects Construction	EF1002 Building Roofs	100.00	795623.00
2	05096774196101	Capital Projects Construction	EF0160 Irving Gym Roof Replacemt	100.00	120000.00
3	03296774326101	Capital Projects Construction	WW0198 WWTP Roof-Main Ctrl Bldg	100.00	50679.00
					966302.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

City of Norman, OK

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

Master

File Number: FP-1213-14

File ID:	FP-1213-14	**Type:**	Final Plat	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 22	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	10/03/2012
File Name:	UNP Corporate Center Section 1 Final Plat			**Final Action:**	

Title: CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR UNIVERSITY NORTH PARK CORPORATE CENTER ADDITION, SECTION 1, A PLANNED UNIT DEVELOPMENT AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED ON THE EAST SIDE OF 24TH AVENUE N.W. AND NORTH OF ROCK CREEK ROAD).

ACTION NEEDED: Motion to approve or reject the final site development plan and final plat; and, if approved, accept the public dedications contained within the plat, authorize the Mayor to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of a warranty deed for park land dedication requirements, and direct the filing of the final site development plan and final plat.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 22

Attachments: Text File UNP 1, UNP Corp Center Final Plat Location, Final Site Development Plan UNP Corp I, UNP Corp Center Final Plat, UNP Revised Preliminary Plat, UNP Corp Center Staff Rpt, 10-11-12 PC Minutes - UNP CC 1 FP

Project Manager: Ken Danner, Subdivision Manager

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	10/11/2012	Recommended for Adoption at a subsequent City Council Meeting	City Council			Pass

Action Text: Recommended for Adoption at a subsequent City Council Meeting to the City Council

Text of Legislative File FP-1213-14

body

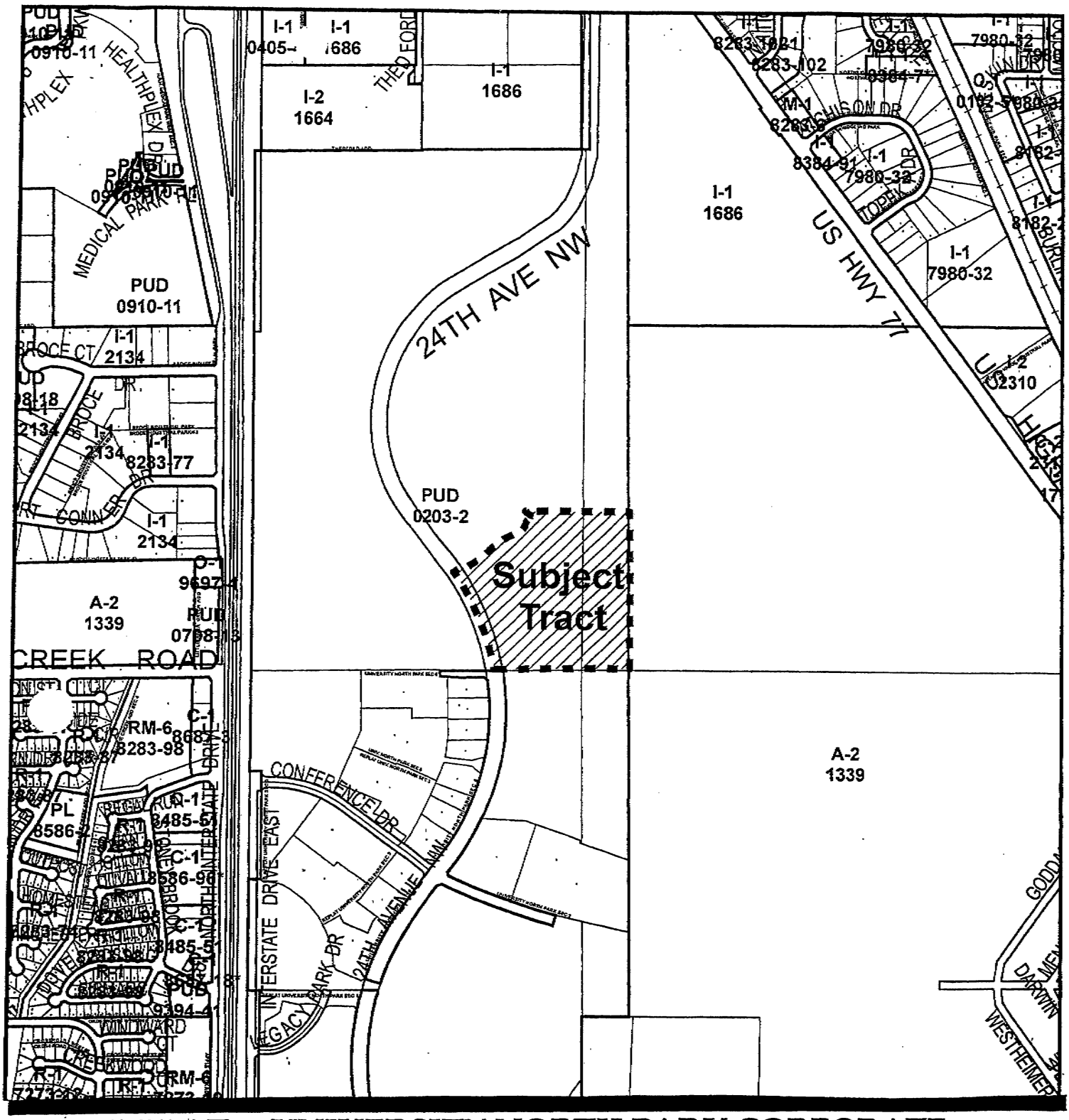
BACKGROUND: This item is a final plat for University North Park Corporate Center Addition, Section 1, a Planned Unit Development, and is located east of 24th Avenue N.W. and north of Rock Creek Road.

Planning Commission, at its meeting of October 11, 2012, approved the final plat for University North Park Corporate Center Addition, Section 1, a Planned Unit Development. The property contains 30 acres and seven (7) commercial lots.

City Council approved this identical final plat on June 8, 2010, but it expired earlier this year in accordance with the City's Subdivision Regulations because the developer failed to install the necessary public improvements within two years.

DISCUSSION: Construction plans have been approved for the required public improvements for this property. The public improvements consist of paving, drainage, sanitary sewer, water and sidewalks.

RECOMMENDATION: Based upon the above information, Staff recommends approval of the final plat and the filing of the final plat subject to the City Development Committee's acceptance of required public improvements and authorize the Mayor to sign the final plat and bonds.



FINAL PLAT - UNIVERSITY NORTH PARK CORPORATE CENTER ADDITION, SECTION 1, A Planned Unit Development (Reapproval)

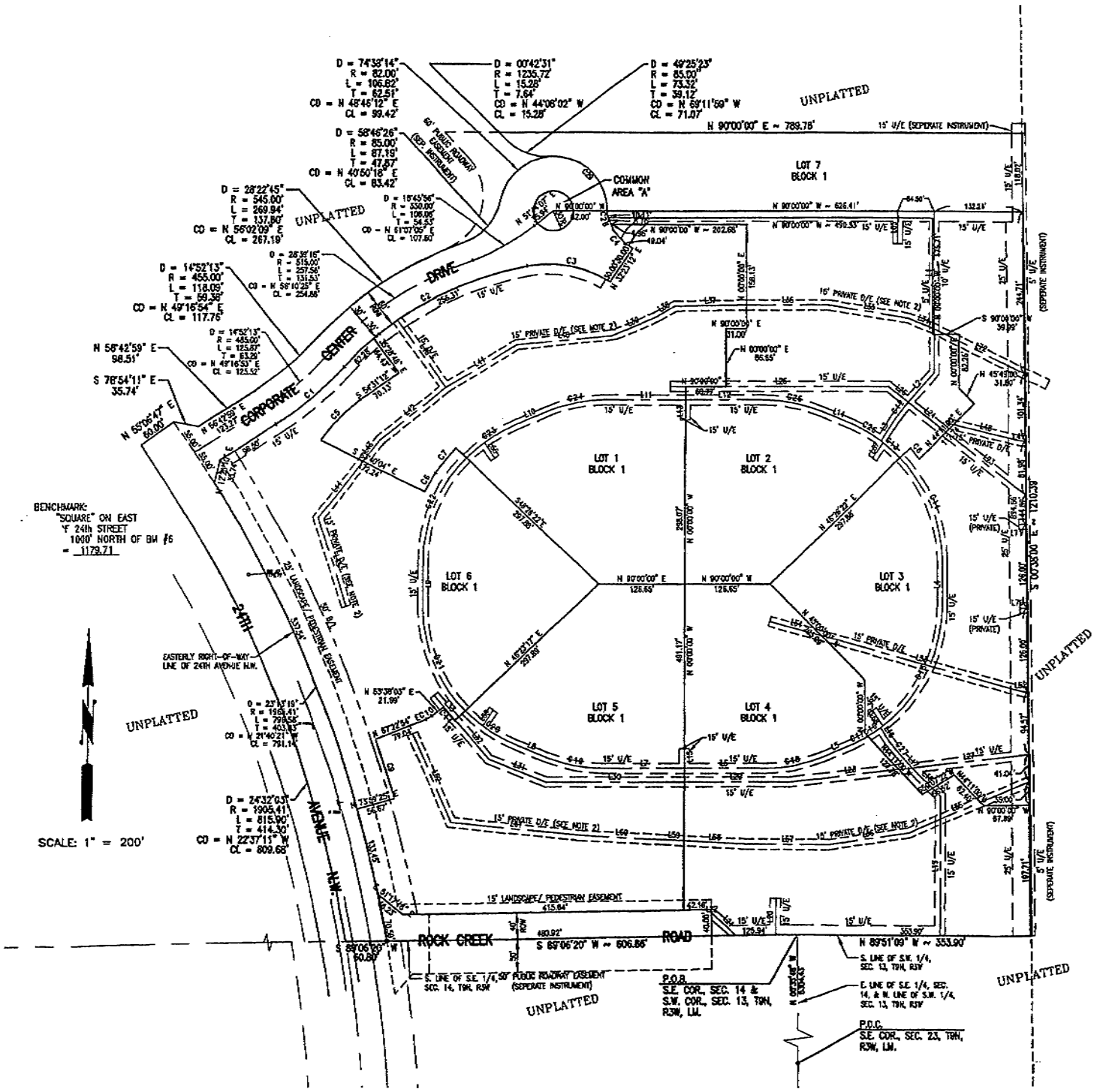
OWNER/DEVELOPER: The University of Oklahoma Foundation, Inc.
ENGINEER: SMC Consulting Engineers, P.C.

FINAL PLAT

UNIVERSITY NORTH PARK CORPORATE CENTER ADDITION SECTION 1

A PLANNED UNIT DEVELOPMENT

A PART OF THE S.E. 1/4 OF SEC. 14 AND THE S.W. 1/4 OF SECTION 13, T9N, R3W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA



NOTES:

1. OPEN SPACE AREAS AND PRIVATE DRAINAGE EASEMENT AREAS WILL BE OWNED AND MAINTAINED BY MANDATORY PROPERTY OWNERS' ASSOCIATION.

D/E = DRAINAGE EASEMENT
SW/E = SIDEWALK EASEMENT
PED/E = PEDESTRIAN EASEMENT
LNA = UNITS OF NO ACCESS
U/E = UTILITY EASEMENT
B/L = BUILDING LINE
-1000- = ADDRESS

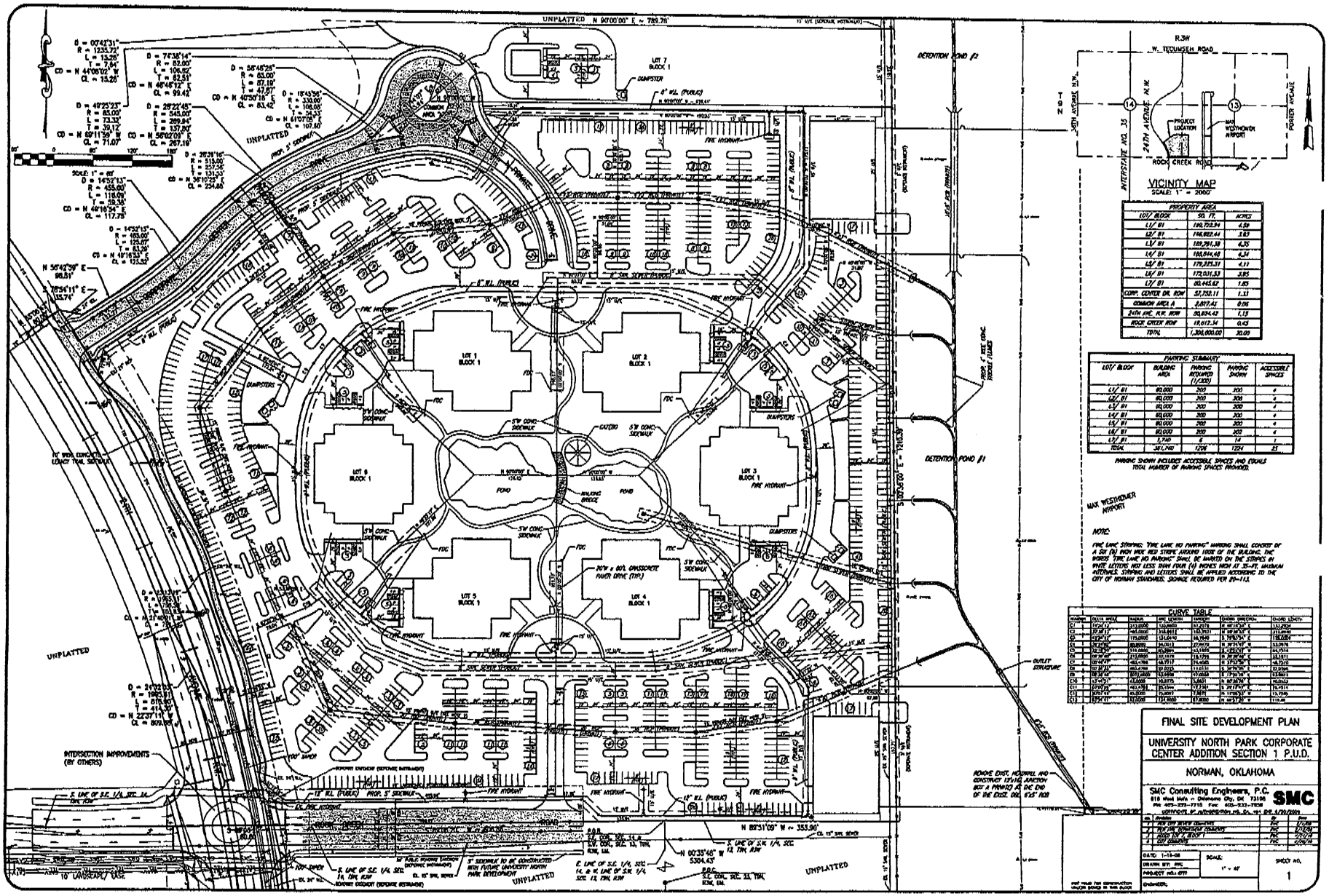

VICINITY MAP
SCALE: 1" = 2000'
PROPERTY AREA
LOT/ BLOCK | SQ. FT. | ACRES
L1/ B1 | 190,752.24 | 4.38
L2/ B1 | 196,922.44 | 4.52
L3/ B1 | 189,291.58 | 4.35
L4/ B1 | 188,044.66 | 4.32
L5/ B1 | 179,325.31 | 4.11
L6/ B1 | 172,031.53 | 3.95
L7/ B1 | 80,445.62 | 1.85
COMP. CENTER DR. ROW | 57,752.11 | 1.33
COMMON AREA A | 2,817.42 | 0.06
24TH AVE. N.W. ROW | 50,834.43 | 1.15
ROCK CREEK ROW | 18,617.34 | 0.43
TOTAL | 1,304,600.00 | 30.00
PARKING SUMMARY
LOT/ BLOCK | BUILDING AREA | PARKING REQUIRED (1/300) | PARKING SHOWN | ACCESSIBLE SPACES
L1/ B1 | 60,000 | 200 | 200 | 6
L2/ B1 | 60,000 | 200 | 200 | 6
L3/ B1 | 60,000 | 200 | 200 | 6
L4/ B1 | 60,000 | 200 | 200 | 6
L5/ B1 | 60,000 | 200 | 200 | 6
L6/ B1 | 60,000 | 200 | 202 | 6
L7/ B1 | 1,740 | 6 | 14 | 1
TOTAL | 361,740 | 1206 | 1214 | 35
PARKING SHOWN INCLUDES ACCESSIBLE SPACES AND EQUALS TOTAL NUMBER OF PARKING SPACES PROVIDED.
NOTE:
FIRE LANE STRIPING: "FIRE LANE NO PARKING" MARKING SHALL CONSIST OF A SIX (6) INCH WIDE RED STRIPE AROUND EDGE OF THE BUILDING. THE WORDS "FIRE LANE NO PARKING" SHALL BE PAINTED ON THE STRIPES IN WHITE LETTERS NOT LESS THAN FOUR (4) INCHES HIGH AT 25-FT. MAXIMUM INTERVALS. STRIPING AND LETTERS SHALL BE APPLIED ACCORDING TO THE CITY OF NORMAN STANDARDS. SIGNAGE REQUIRED PER 30-11.3.
CURVE TABLE
NUMBER | DELTA ANGLE | RADIUS | ARC LENGTH | TANGENT | CHORD DIRECTION | CHORD LENGTH
C1 | 14°52'13" | 455.00'00" | 118.08'00" | 59.31'00" | N 49°16'53" E | 117.78'00"
C2 | 14°52'13" | 455.00'00" | 118.08'00" | 59.31'00" | N 34°24'40" E | 117.78'00"
C3 | 29°22'45" | 545.00'00" | 279.39'00" | 142.91'00" | N 56°02'09" E | 276.31'00"
C4 | 49°23'23" | 85.00'00" | 73.32'00" | 39.12'00" | N 69°11'59" W | 71.07'00"
C5 | 77°36'14" | 82.00'00" | 106.62'00" | 62.51'00" | N 46°48'12" E | 99.42'00"
C6 | 58°46'26" | 53.00'00" | 57.19'00" | 31.47'00" | N 40°50'16" E | 63.42'00"
C7 | 18°43'56" | 330.00'00" | 108.08'00" | 54.58'00" | N 61°07'05" E | 107.60'00"
C8 | 28°31'16" | 315.00'00" | 157.36'00" | 80.36'00" | N 56°10'25" E | 234.66'00"
C9 | 14°52'13" | 455.00'00" | 118.09'00" | 59.31'00" | N 49°16'54" E | 117.78'00"
C10 | 14°52'13" | 455.00'00" | 118.09'00" | 59.31'00" | N 34°24'40" E | 117.78'00"
C11 | 14°52'13" | 455.00'00" | 118.09'00" | 59.31'00" | N 19°31'53" E | 117.78'00"
C12 | 14°52'13" | 455.00'00" | 118.09'00" | 59.31'00" | N 4°39'06" E | 117.78'00"
C13 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 22°37'11" W | 817.48'00"
C14 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 46°40'04" W | 817.48'00"
C15 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 70°42'57" W | 817.48'00"
C16 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 85°16'10" W | 817.48'00"
C17 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 61°13'17" W | 817.48'00"
C18 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 37°10'24" W | 817.48'00"
C19 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 13°07'31" W | 817.48'00"
C20 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 10°55'22" E | 817.48'00"
C21 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 34°58'15" E | 817.48'00"
C22 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 59°01'08" E | 817.48'00"
C23 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 83°04'01" E | 817.48'00"
C24 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 72°53'05" E | 817.48'00"
C25 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 48°50'12" E | 817.48'00"
C26 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 24°47'19" E | 817.48'00"
C27 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 0°44'26" E | 817.48'00"
C28 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 23°22'47" W | 817.48'00"
C29 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 47°25'40" W | 817.48'00"
C30 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 71°28'33" W | 817.48'00"
C31 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 84°48'46" W | 817.48'00"
C32 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 60°45'53" W | 817.48'00"
C33 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 36°43'00" W | 817.48'00"
C34 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 12°40'07" W | 817.48'00"
C35 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 11°22'46" E | 817.48'00"
C36 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 35°25'39" E | 817.48'00"
C37 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 59°28'32" E | 817.48'00"
C38 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 83°31'25" E | 817.48'00"
C39 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 72°53'05" E | 817.48'00"
C40 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 48°50'12" E | 817.48'00"
C41 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 24°47'19" E | 817.48'00"
C42 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 0°44'26" E | 817.48'00"
C43 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 23°22'47" W | 817.48'00"
C44 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 47°25'40" W | 817.48'00"
C45 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 71°28'33" W | 817.48'00"
C46 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 84°48'46" W | 817.48'00"
C47 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 60°45'53" W | 817.48'00"
C48 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 36°43'00" W | 817.48'00"
C49 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 12°40'07" W | 817.48'00"
C50 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 11°22'46" E | 817.48'00"
C51 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 35°25'39" E | 817.48'00"
C52 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 59°28'32" E | 817.48'00"
C53 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 83°31'25" E | 817.48'00"
C54 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 72°53'05" E | 817.48'00"
C55 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 48°50'12" E | 817.48'00"
C56 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 24°47'19" E | 817.48'00"
C57 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 0°44'26" E | 817.48'00"
C58 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 23°22'47" W | 817.48'00"
C59 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 47°25'40" W | 817.48'00"
C60 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 71°28'33" W | 817.48'00"
C61 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 84°48'46" W | 817.48'00"
C62 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 60°45'53" W | 817.48'00"
C63 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 36°43'00" W | 817.48'00"
C64 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 12°40'07" W | 817.48'00"
C65 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 11°22'46" E | 817.48'00"
C66 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 35°25'39" E | 817.48'00"
C67 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 59°28'32" E | 817.48'00"
C68 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 83°31'25" E | 817.48'00"
C69 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 72°53'05" E | 817.48'00"
C70 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 48°50'12" E | 817.48'00"
C71 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 24°47'19" E | 817.48'00"
C72 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 0°44'26" E | 817.48'00"
C73 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 23°22'47" W | 817.48'00"
C74 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 47°25'40" W | 817.48'00"
C75 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 71°28'33" W | 817.48'00"
C76 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 84°48'46" W | 817.48'00"
C77 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 60°45'53" W | 817.48'00"
C78 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 36°43'00" W | 817.48'00"
C79 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 12°40'07" W | 817.48'00"
C80 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 11°22'46" E | 817.48'00"
C81 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 35°25'39" E | 817.48'00"
C82 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 59°28'32" E | 817.48'00"
C83 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 83°31'25" E | 817.48'00"
C84 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 72°53'05" E | 817.48'00"
C85 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 48°50'12" E | 817.48'00"
C86 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 24°47'19" E | 817.48'00"
C87 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 0°44'26" E | 817.48'00"
C88 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 23°22'47" W | 817.48'00"
C89 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 47°25'40" W | 817.48'00"
C90 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 71°28'33" W | 817.48'00"
C91 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 84°48'46" W | 817.48'00"
C92 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 60°45'53" W | 817.48'00"
C93 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 36°43'00" W | 817.48'00"
C94 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 12°40'07" W | 817.48'00"
C95 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 11°22'46" E | 817.48'00"
C96 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 35°25'39" E | 817.48'00"
C97 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 59°28'32" E | 817.48'00"
C98 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | S 83°31'25" E | 817.48'00"
C99 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 72°53'05" E | 817.48'00"
C100 | 24°02'53" | 1962.00'00" | 823.30'00" | 418.35'00" | N 48°50'12" E | 817.48'00"
FINAL SITE DEVELOPMENT PLAN
UNIVERSITY NORTH PARK CORPORATE CENTER ADDITION SECTION 1 P.U.D.
NORMAN, OKLAHOMA
SMC Consulting Engineers, P.C.
SMC
SHEET NO. 1
22-3

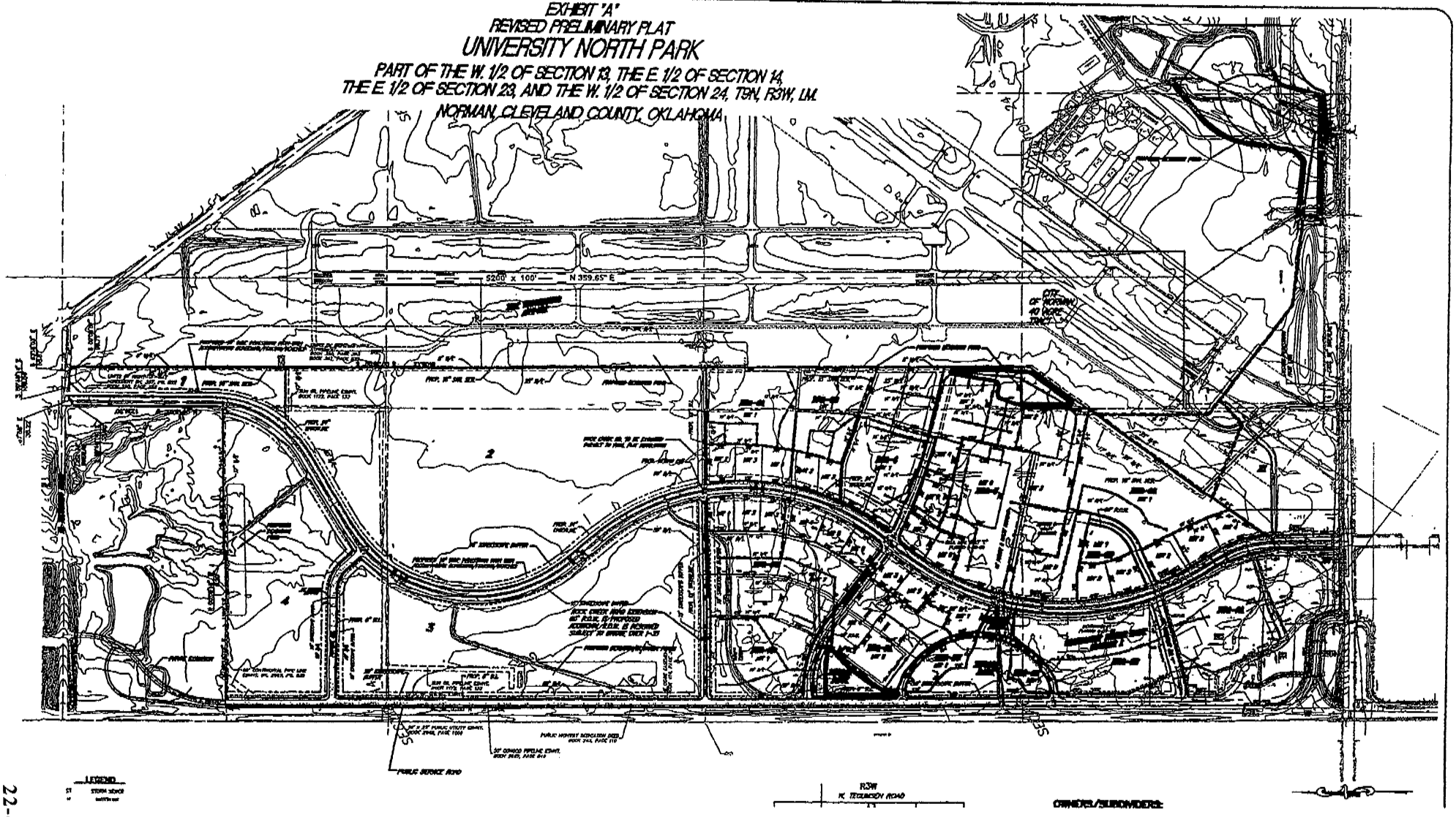
EXHIBIT "A"

REVISED PRELIMINARY PLAT

UNIVERSITY NORTH PARK

PART OF THE W. 1/2 OF SECTION 13, THE E. 1/2 OF SECTION 14, THE E. 1/2 OF SECTION 23, AND THE W. 1/2 OF SECTION 24, T9N, R3W, I.M.

NORMAN, CLEVELAND COUNTY, OKLAHOMA



22-4

FINAL PLAT ITEM NO. 10

FP-1213-14

STAFF REPORT

ITEM: Consideration of a Final Plat for UNIVERSITY NORTH PARK CORPORATE CENTER ADDITION, SECTION 1, A PLANNED UNIT DEVELOPMENT (REAPPROVAL).

LOCATION: Generally located on the east of 24th Avenue NW and north of Rock Creek Road.

INFORMATION:

1. Owner. The University of Oklahoma Foundation/NEDC.
2. Developer. The University of Oklahoma Foundation/NEDC.
3. Engineer. SMC Consulting Engineers, P.C.

HISTORY:

1. December 19, 1961. Planning Commission recommended to City Council that a portion of this property be placed in I-1 and removed from A-2 zoning classification.
2. January 23, 1962. City Council adopted Ordinance No. 1339 placing a portion of this property in I-1 and removing it from A-2 zoning classification.
3. September 15, 1964. Planning Commission, on a vote of 9-0, recommended to City Council that a portion of this property be placed in I-1 and removed from A-2 zoning classification.
4. September 22, 1964. City Council adopted Ordinance No. 1686 placing a portion of this property in I-1, and removing it from A-2 zoning classification.
5. July 11, 2002. Planning Commission, on a vote of 5-0-2, recommended to City Council that the NORMAN 2020 Land Use and Transportation Plan be amended by designating this property as a Special Planning Area Designation and changing it from Industrial Designation.
6. July 11, 2002. Planning Commission, on a vote of 5-0-2, recommended to City Council that this property be placed in the PUD, Planned Unit Development and removed from I-1 and A-2 zoning classification.

HISTORY, (con't)

7. July 11, 2002. Planning Commission, on a vote of 5-0-2, recommended to City Council that the preliminary plat for University North Park Addition, a Planned Unit Development be approved.

8. August 13, 2002. City Council amended the NORMAN 2020 Land Use and Transportation Plan designating this property as a Special Planning Area.

9. August 13, 2002. City Council adopted Ordinance No. O-0203-2 placing this property in the PUD, Planned Unit Development and removing it from I-1 and A-2 zoning classification. The approval included the preliminary plat for University North Park Addition.

10. September 14, 2006. Planning Commission, on a vote of 7-0, recommended to City Council the approval of the revised preliminary plat for University North Park Addition.

11. December 12, 2006. City Council approved the revised preliminary plat for University North Park Addition.

12. February 14, 2008. Planning Commission, on a vote of 8-0, approved the final plat for University North Park Corporate Center Addition, a Planned Unit Development.

13. April 8, 2008. City Council approved the final plat for University North Park Corporate Center Addition, a Planned Unit Development.

14. February 14, 2010. In accordance with Section 19-204 of the City Code approval of the final plat became null and void.

15. May 13, 2010. Planning Commission, on a vote of 7-0, approved the final plat for University North Park Corporate Center Addition, Section 1, a Planned Unit Development.

16. June 8, 2010. City Council approved the final site development plan and final plat for University North Park Corporate Center Addition, Section, a Planned Unit Development.

17. May 13, 2012. In accordance with Section 19-204 of the City Code approval of the final plat became null and void.

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 the filing of the final plat.

3. Sanitary Sewers. Sanitary sewer mains will be installed in accordance with approved plans and City and State Department of Environmental Quality standards.

4. Sidewalks. Sidewalks will be installed adjacent to 24th Avenue NW. and the interior streets.

5. Storm Sewers. Stormwater and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. Several privately-maintained detention ponds will be installed prior to releasing stormwater into Merkle Creek.

6. Streets. Twenty-fourth Avenue NW paving is existing. However, subject to the type of developments and traffic impact, additional improvements may be required to the existing streets. Proposed internal streets will be constructed in accordance with approved plans and City paving standards.

7. Water Mains. Water mains will be installed in accordance with approved plans and City and State Department of Environmental Quality Standards. Although a twenty-four inch (24") water main was installed with a city project, the owner/developer is responsible for their proportionate share which is based upon the City's requirement of a twelve-inch (12") water main for developments that are adjacent to major arterial or section line roads. The owner/developer's proportionate share of the total cost is based upon 815.9 feet of frontage along 24th Avenue NW. The payback fee will be submitted prior to the final plat being filed of record.

PUBLIC DEDICATIONS:

1. Easements. All required easements are dedicated to the City on the final plat. Additional separate instruments will be provided for public improvements outside the platted area.

2. Rights-of-Way. All street rights-of-way are dedicated to the City on the final plat.

SUPPLEMENTAL MATERIAL: Copies of a location map, preliminary plat, final site development plan and final plat are included in the Agenda Book.

STAFF COMMENTS AND RECOMMENDATION: This final plat has not been modified. Due to its expiration it is being resubmitted for approval. Staff recommends approval of the final plat for University North Park Corporate Center Addition, Section 1, a Planned Unit Development.

ACTION NEEDED: Approve or disapprove the final site development plan and approve or disapprove the final plat for University North Park Corporate Center Addition, Section 1, a Planned Unit Development.

ACTION TAKEN: _____

Item No. 2, being:
CONSENT DOCKET
Chairman Sherrer announced that the Consent Docket is designed to allow the Planning Commission to approve a number of items by one motion and vote. The Consent Docket consisted of the following items:

Item No. 3, being:
APPROVAL OF THE SEPTEMBER 13, 2012 REGULAR SESSION MINUTES

Item No. 4, being:
COS-1213-1 – CONSIDERATION OF A CERTIFICATE OF SURVEY SUBMITTED BY DAVID CLARK (JIVIDEN & COMPANY, P.L.L.C.) FOR CLARK RANCH, GENERALLY LOCATED ¼ MILE SOUTH OF TECUMSEH ROAD AND ½ MILE EAST OF 108TH AVENUE N.E.

Item No. 5, being:
COS-1213-2 – CONSIDERATION OF A CERTIFICATE OF SURVEY SUBMITTED BY TOM MCGREGOR AND TERESA NUGENT (M&M LAND SURVEYING, INC.) FOR MCGREGOR ESTATES, GENERALLY LOCATED ON THE SOUTH SIDE OF STATE HIGHWAY #9 AND APPROXIMATELY ¼ MILE EAST OF 84TH AVENUE S.E.

Item No. 6, being:
FP-1213-9 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY HARVEST CHURCH (CARDINAL ENGINEERING, INC.) FOR HARVEST CHURCH ADDITION, GENERALLY LOCATED ON THE WEST SIDE OF 36TH AVENUE N.W. APPROXIMATELY 1,600 FEET NORTH OF INDIAN HILLS ROAD.

Item No. 7, being:
FP-1213-10 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY CIES, L.L.C. (CLOUR PLANNING & ENGINEERING SERVICES) FOR BROOKHAVEN NO. 41 ADDITION, GENERALLY LOCATED ON THE SOUTH SIDE OF WEST ROCK CREEK ROAD APPROXIMATELY ¼ MILE WEST OF 36TH AVENUE N.W.

Item No. 8, being:
FP-1213-11 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY CARRINGTON PLACE, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR CARRINGTON PLACE ADDITION SECTION 12, GENERALLY LOCATED ¼ MILE SOUTH OF W. FRANKLIN ROAD AND ½ MILE WEST OF 36TH AVENUE N.W.

Item No. 9, being:
FP-1213-13 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY S&S FAMILY PROPERTIES, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR S&S FAMILY PROPERTIES ADDITION, SECTION 1, LOCATED AT THE NORTHEAST CORNER OF 36TH AVENUE N.W. AND ROCK CREEK ROAD.

Item No. 10, being:
FP-1213-14 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY UNIVERSITY OF OKLAHOMA FOUNDATION/NEDC (SMC CONSULTING ENGINEERS, P.C.) FOR UNIVERSITY NORTH PARK CORPORATE CENTER ADDITION SECTION 1, A PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED ON THE EAST SIDE OF 24TH AVENUE N.W. AND NORTH OF ROCK CREEK ROAD.

*

Chairman Sherrer asked if any member of the Commission wished to remove any item from the Consent Docket. There being none, he asked whether any member of the audience wished to speak regarding any item. There being none, he asked for discussion by the Commission.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Diana Hartley moved to place approval of Item Nos. 3 through 10 on the Consent Docket and approve by one unanimous vote. Curtis McCarty seconded the motion.

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

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

Ms. Tromble announced that the motion, to place approval of Item Nos. 3 through 10 on the Consent Docket and approve by one unanimous vote, passed by a vote of 7-0.

* * *

Item No. 10, being:
FP-1213-14 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY UNIVERSITY OF OKLAHOMA FOUNDATION/NEDC (SMC CONSULTING ENGINEERS, P.C.) FOR UNIVERSITY NORTH PARK CORPORATE CENTER ADDITION SECTION 1, A PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED ON THE EAST SIDE OF 24TH AVENUE N.W. AND NORTH OF ROCK CREEK ROAD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Final Plat
3. Staff Report
4. Final Site Development Plan
5. Revised Preliminary Plat

This item was approved as submitted on the Consent Docket by a vote of 7-0.

* * *

City of Norman, OK

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

Master

File Number: FP-1112-11

File ID:	FP-1112-11	**Type:**	Final Plat	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 23	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/10/2011
File Name:	Final Plat UNP Corp Center Sect 2			**Final Action:**	

Title: CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR UNIVERSITY NORTH PARK CORPORATE CENTER ADDITION, SECTION 2, A PLANNED UNIT DEVELOPMENT, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED ON THE EAST SIDE OF 24TH AVENUE N.W. APPROXIMATELY ONE-HALF MILE SOUTH OF TECUMSEH ROAD)

ACTION NEEDED: Motion to approve or reject the final site development plan and final plat for University North Park Corporate Center Addition, Section 2, a Planned Unit Development; and, if approved, accept the public dedications contained within the plat, authorize the Mayor to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and direct the filing of the final site development plan and final plat.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 23

Attachments: Text File UNP I, UNP Corp Center 2 Location Map, UNP Corporate Center Final Plat., UNP Landscaping Plan, UNP Site Development Plan, UNP Revised Preliminary Plat, UNP Corp Center Staff Report Final Plat, 12-8-11 PC Minutes - UNP Corp Center

Project Manager: Ken Danner, Subdivision Manager

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	12/08/2011	Recommended for Adoption at a subsequent City Council Meeting	City Council	Pass

Action Text: Recommended for Adoption at a subsequent City Council Meeting to the City Council

1	Planning Commission	12/08/2011

Text of Legislative File FP-1112-11

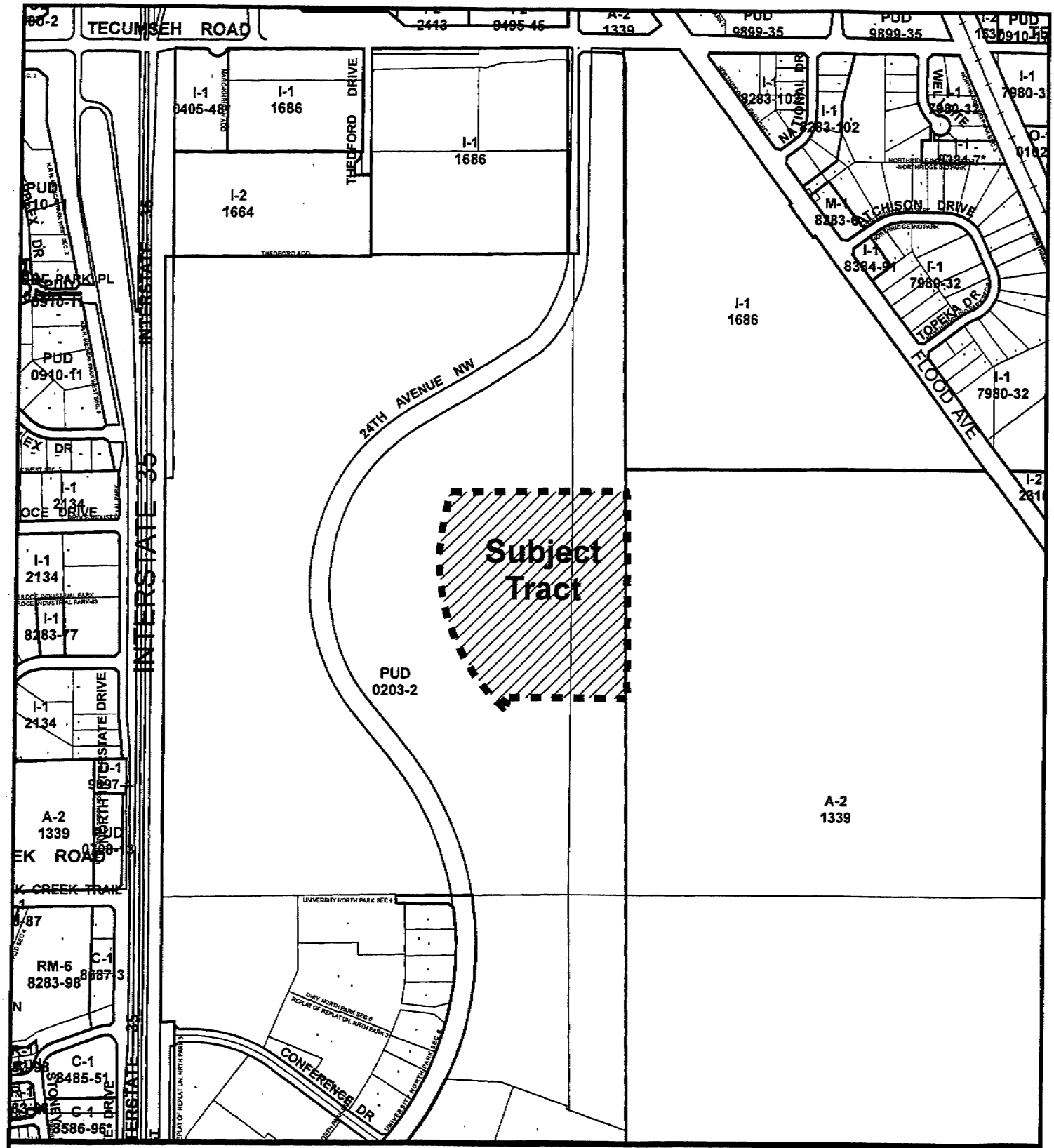
body

BACKGROUND: This item is a final plat for University North Park Corporate Center Addition, Section Two, a Planned Unit Development, and is located east of 24th Avenue N.W. and one-half mile south of Tecumseh Road.

Planning Commission, at its meeting of December 8, 2011, approved the final plat for University North Park Corporate Center Addition, Section Two, a Planned Unit Development. The property contains 31.66 acres and six (6) commercial lots.

DISCUSSION: Construction plans have been approved for the required public improvements for this property. The public improvements consist of paving, drainage, sanitary sewer, water and sidewalks including off plat improvements.

RECOMMENDATION: Based upon the above information, Staff recommends approval of the final plat and the filing of the final plat subject to the City Development Committee's acceptance of required public improvements and authorize the Mayor to sign the final plat and bonds.



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 8, 2011

0 400 800 Ft.

Subject Tract

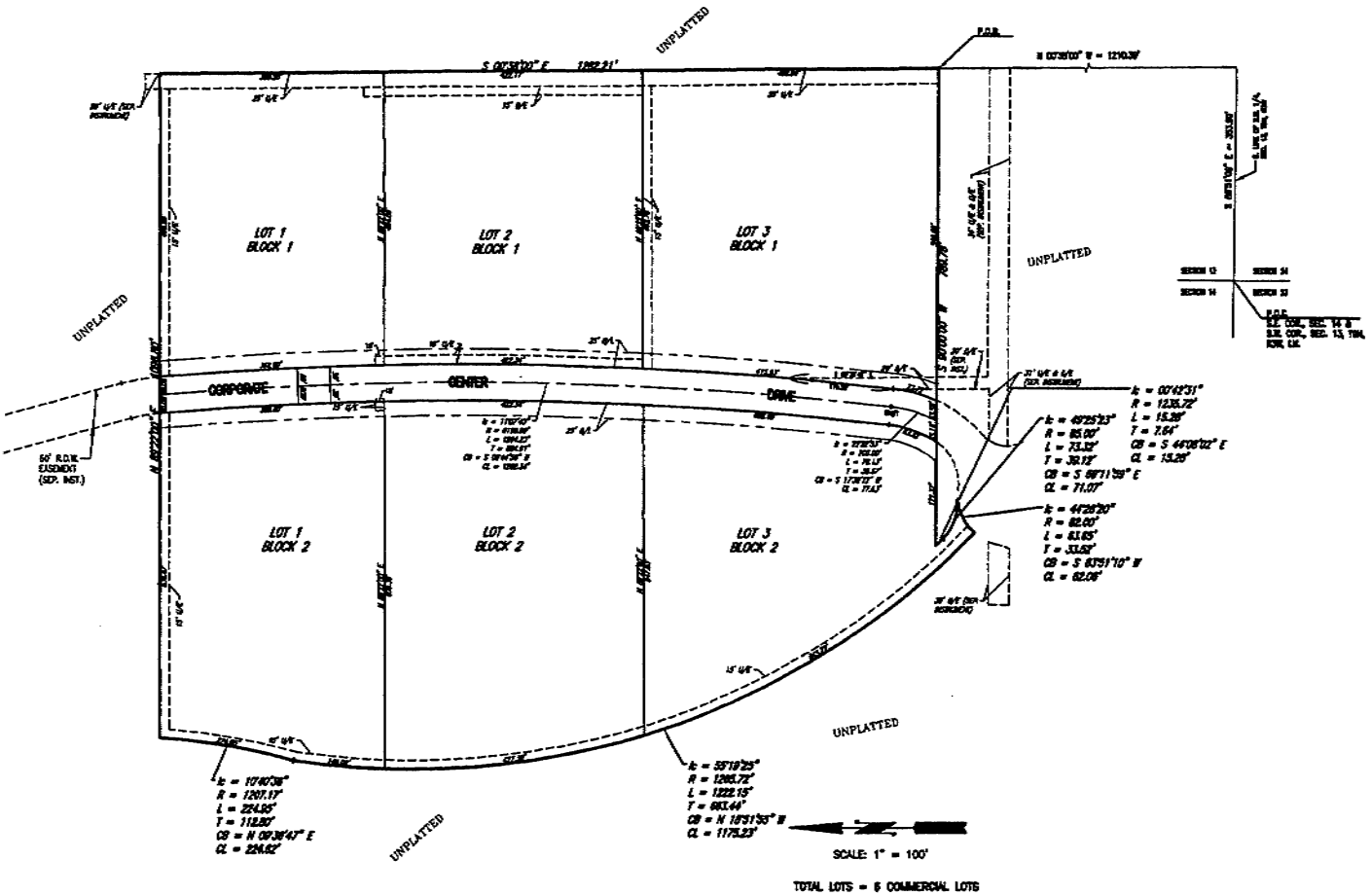
Zoning

FINAL PLAT

UNIVERSITY NORTH PARK CORPORATE CENTER ADDITION SECTION 2

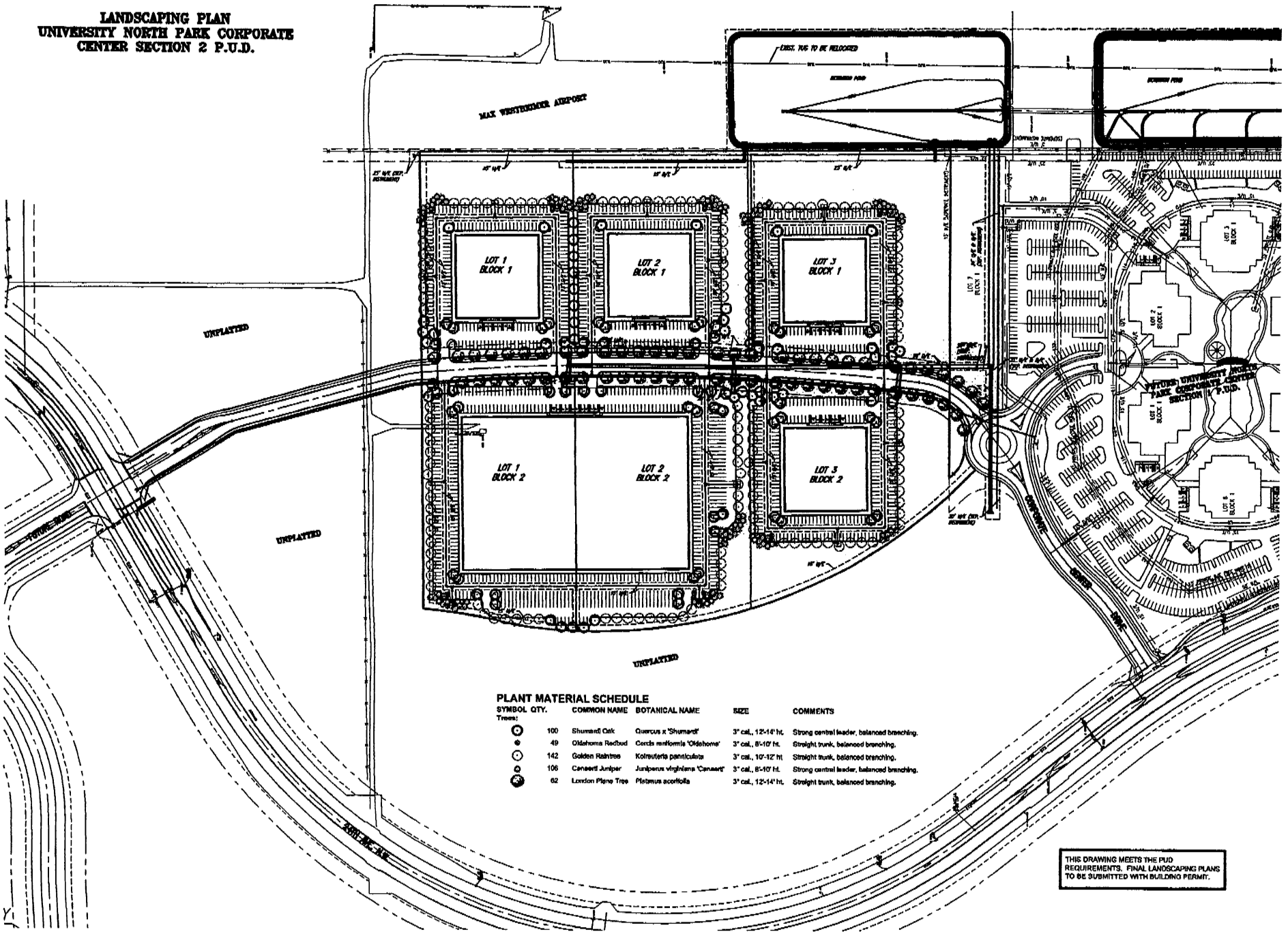
A PLANNED UNIT DEVELOPMENT

A PART OF THE S.E. 1/4 OF SEC. 14 AND THE S.W. 1/4 OF SECTION 13, T9N, R3W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA



TOTAL LOTS = 6 COMMERCIAL LOTS

LANDSCAPING PLAN
UNIVERSITY NORTH PARK CORPORATE CENTER SECTION 2 P.U.D.



PLANT MATERIAL SCHEDULE

SYMBOL	QTY.	COMMON NAME	BOTANICAL NAME	SIZE	COMMENTS
Trees:					
	100	Shumard Oak	Quercus x 'Shumardi'	3" cal., 12'-14' ht.	Strong central leader, balanced branching.
	49	Oklahoma Redbud	Cercis reniformis 'Oklahoma'	3" cal., 8'-10' ht.	Straight trunk, balanced branching.
	142	Golden Raintree	Koireuteria paniculata	3" cal., 10'-12' ht	Straight trunk, balanced branching.
	106	Canaerti Juniper	Juniperus virginiana 'Canaerti'	3" cal., 8'-10' ht.	Strong central leader, balanced branching.
	62	London Plane Tree	Platanus acerifolia	3" cal., 12'-14' ht.	Straight trunk, balanced branching.

THIS DRAWING MEETS THE PUD REQUIREMENTS. FINAL LANDSCAPING PLANS TO BE SUBMITTED WITH BUILDING PERMIT.

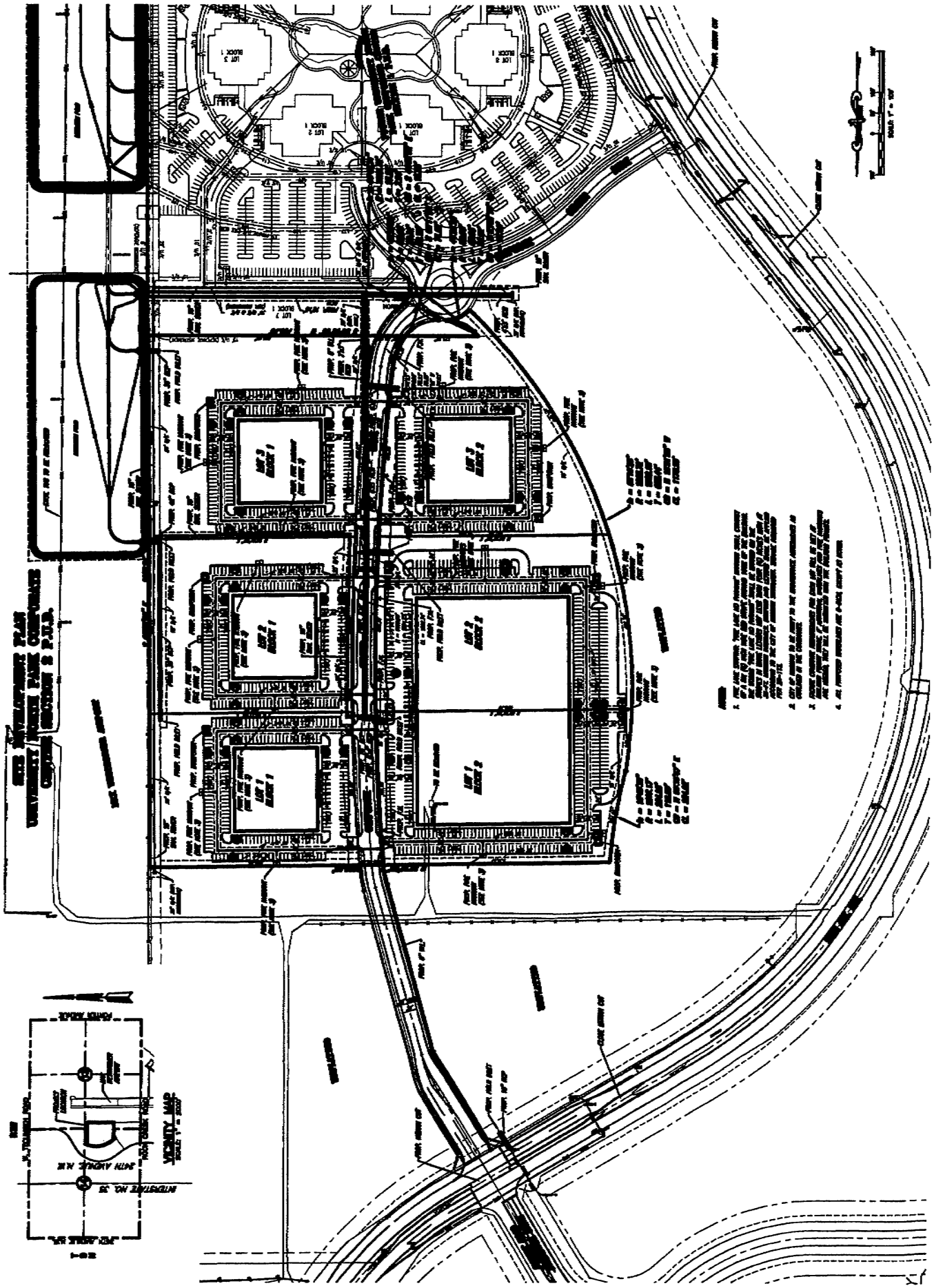

SITE DEVELOPMENT PLAN
UNIVERSITY NORTH PARK CORPORATE
CENTER SECTION 2 P.U.D.
VICINITY MAP

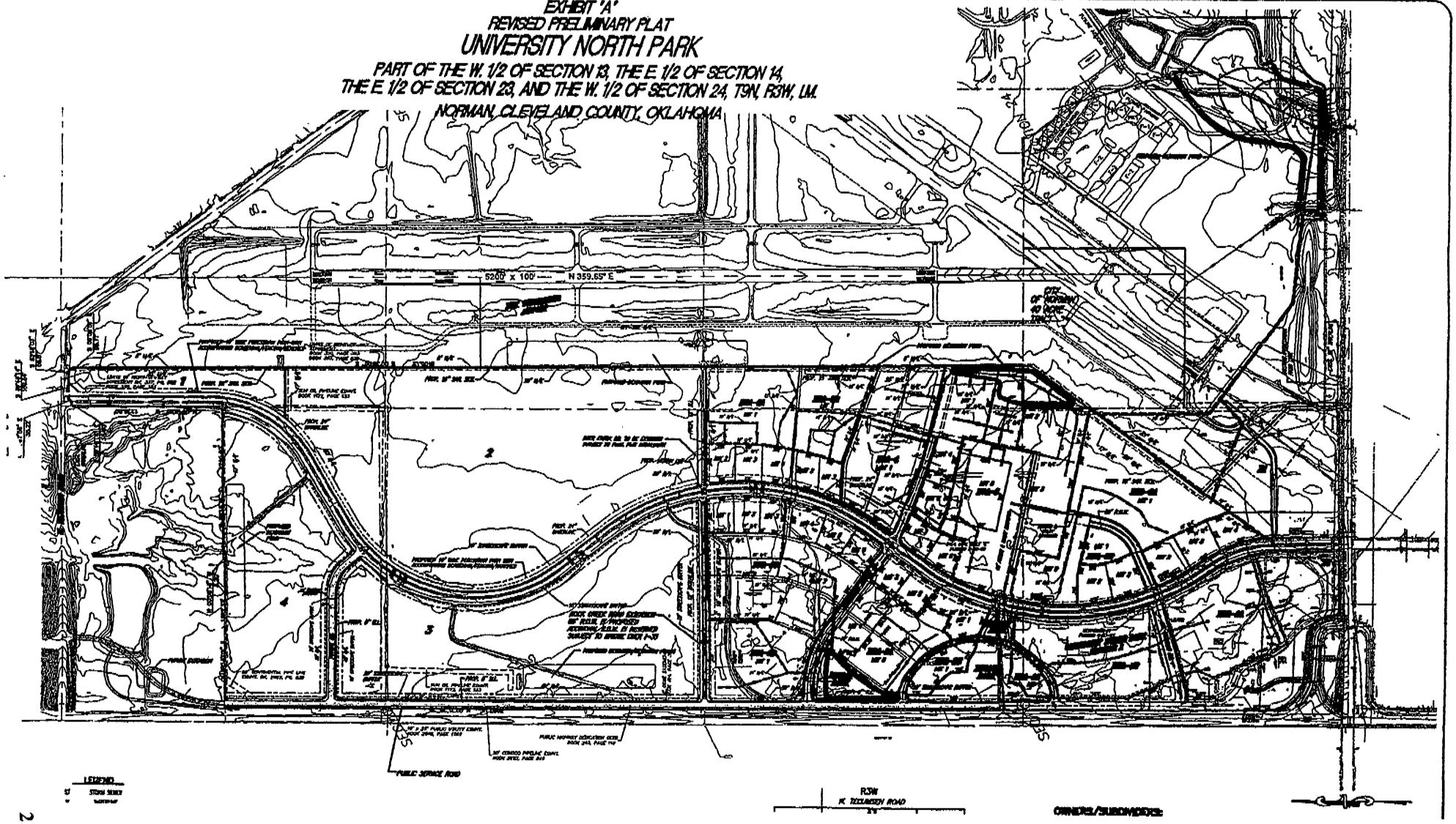
EXHIBIT 'A'

REVISED PRELIMINARY PLAT

UNIVERSITY NORTH PARK

PART OF THE W. 1/2 OF SECTION 13, THE E. 1/2 OF SECTION 14, THE E. 1/2 OF SECTION 23, AND THE W. 1/2 OF SECTION 24, T9N, R3W, I.M.

NORMAN, CLEVELAND COUNTY, OKLAHOMA



FINAL PLAT ITEM NO. 5

STAFF REPORT

ITEM: Consideration of a Final Plat for UNIVERSITY NORTH PARK CORPORATE CENTER ADDITION, SECTION TWO, A PLANNED UNIT DEVELOPMENT.

LOCATION: Generally located on the east side of 24th Avenue NW approximately half (½) mile south of Tecumseh Road.

INFORMATION:

1. Owner. The University of Oklahoma Foundation/NEDC.
2. Developer. The University of Oklahoma Foundation/NEDC.
3. Engineer. SMC Consulting Engineers, P.C.

HISTORY:

1. December 19, 1961. Planning Commission recommended to City Council that a portion of this property be placed in I-1 and removed from A-2 zoning classification.
2. January 23, 1962. City Council adopted Ordinance No. 1339 placing a portion of this property in I-1 and removing it from A-2 zoning classification.
3. September 15, 1964. Planning Commission, on a vote of 9-0, recommended to City Council that a portion of this property be placed in I-1 and removed from A-2 zoning classification.
4. September 22, 1964. City Council adopted Ordinance No. 1686 placing a portion of this property in I-1, and removing it from A-2 zoning classification.
5. July 11, 2002. Planning Commission, on a vote of 5-0-2, recommended to City Council that the NORMAN 2020 Land Use and Transportation Plan be amended by designating this property as a Special Planning Area Designation and changing it from Industrial Designation.
6. July 11, 2002. Planning Commission, on a vote of 5-0-2, recommended to City Council that this property be placed in the PUD, Planned Unit Development and removed from I-1 and A-2 zoning classification.

HISTORY, (con't)

7. July 11, 2002. Planning Commission, on a vote of 5-0-2, recommended to City Council that the preliminary plat for University North Park Addition, a Planned Unit Development be approved.

8. August 13, 2002. City Council amended the NORMAN 2020 Land Use and Transportation Plan designating this property as a Special Planning Area.

9. August 13, 2002. City Council adopted Ordinance No. O-0203-2 placing this property in the PUD, Planned Unit Development and removing it from I-1 and A-2 zoning classification. The approval included the preliminary plat for University North Park Addition.

10. September 14, 2006. Planning Commission, on a vote of 7-0, recommended to City Council the approval of the revised preliminary plat for University North Park Addition.

11. December 12, 2006. City Council approved the revised preliminary plat for University North Park Addition.

IMPROVEMENT PROGRAM:

1. Fire Hydrants. Fire hydrants will be installed in accordance with approved plans. Their locations have been approved by the Fire Department. The larger lots may require additional fire hydrants with the submittal of building permit plans.

2. Permanent Markers. Permanent markers will be installed prior to the filing of the final plat.

3. Sanitary Sewers. Sanitary sewer mains will be installed in accordance with approved plans and City and State Department of Environmental Quality standards.

4. Sidewalks. Sidewalks will be installed adjacent to 24th Avenue NW. This sidewalk will be ten-foot (10') width and meet the Legacy Trail design. Sidewalks will be required for the interior street.

5. Storm Sewers. Stormwater and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. Several privately-maintained detention ponds will be installed prior to releasing stormwater into Merkle Creek.

6. Streets. Twenty-fourth Avenue NW paving is existing. The proposed internal streets will be constructed in accordance with approved plans and City paving standards.

IMPROVEMENT PROGRAM (con't):

7. Water Mains. Water mains will be installed in accordance with approved plans and City and State Department of Environmental Quality Standards. Although a twenty-four inch (24") water main was installed, with a city project the owner/developer is responsible for their proportionate share which is based upon the City's requirement of a twelve-inch (12") water main for developments that are adjacent to major arterial or section line roads. The owner/developer's proportionate share of the total cost is based upon frontage along 24th Avenue NW. The payback fee will be submitted prior to the final plat being filed of record.

PUBLIC DEDICATIONS:

1. Easements. All required easements are dedicated to the City on the final plat. Additional separate instruments will be provided for public improvements outside the platted area.

2. Rights-of-Way. All street rights-of-way are dedicated to the City on the final plat.

SUPPLEMENTAL MATERIAL: Copies of a location map, preliminary plat, final site development plan and final plat are included in the Agenda Book.

STAFF COMMENTS AND RECOMMENDATION: Staff recommends approval of the final plat for University North Park Corporate Center Addition, Section Two, a Planned Unit Development.

ACTION NEEDED: Approve or disapprove the final plat for University North Park Corporate Center Addition, Section Two, a Planned Unit Development.

ACTION TAKEN: _____

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

DECEMBER 8, 2011

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 8th day of December 2011. Notice and agenda of the meeting were posted at the Norman Municipal Building twenty-four hours prior to the beginning of the meeting.

Chairman Jim Gasaway called the meeting to order at 6:30 p.m.

Item No. 1, being:
ROLL CALL

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

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 Kathryn Walker, Asst. City Attorney Larry Knapp, GIS Analyst

* * *

Item No. 2, being:
CONSENT DOCKET
Chairman Gasaway announced that the Consent Docket is designed to allow the Planning Commission to approve a number of items by one motion and vote. He read the items recommended for inclusion on the Consent Docket, as follows:

Item No. 3, being:
APPROVAL OF THE NOVEMBER 10, 2011 REGULAR SESSION MINUTES AND NOVEMBER 10, 2011 STUDY SESSION MINUTES

Item No. 4, being:
FP-1112-10 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY THE FALLS AT BROOKHAVEN, L.L.C. (CLOUR PLANNING & ENGINEERING SERVICES) FOR THE FALLS AT BROOKHAVEN ADDITION, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF 36TH AVENUE N.W. AND ROCK CREEK ROAD.

Item No. 5, being:
FP-1112-11 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY THE UNIVERSITY OF OKLAHOMA FOUNDATION, INC. (SMC CONSULTING ENGINEERS, P.C.) FOR UNIVERSITY NORTH PARK CORPORATE CENTER ADDITION SECTION TWO, A PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED ON THE EAST SIDE OF 24TH AVENUE N.W. APPROXIMATELY ½ MILE SOUTH OF TECUMSEH ROAD.

Item No. 6, being:
FP-1112-12 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY UTC AREA SIX, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR UNIVERSITY NORTH PARK SECTION V, A PLANNED UNIT DEVELOPMENT, A REPLAT OF LOT 2, BLOCK 2, FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 24TH AVENUE N.W. AND NORTH OF MOUNT WILLIAMS DRIVE.

Item No. 7, being:
PP-1112-5 – CONSIDERATION OF A REVISED PRELIMINARY PLAT SUBMITTED BY CARRINGTON PLACE, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR CARRINGTON PLACE ADDITION, GENERALLY LOCATED SOUTH OF FRANKLIN ROAD BETWEEN 36TH AVENUE N.W. AND 48TH AVENUE N.W.

Item No. 8, being:
COS-1112-3 – CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY LOHMAN INVESTMENTS, L.L.C. (POLLARD & WHITED SURVEYING, INC.) FOR LOHMAN LANDING, GENERALLY LOCATED IN APPROXIMATELY THE SOUTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 1, TOWNSHIP 9 NORTH, RANGE 3 WEST.

*

Chairman Gasaway asked if any member of the Planning Commission wished to remove any item from the Consent Docket. There being none, he asked if anyone in the audience wished to remove any item from the Consent Docket. There being none, he turned to the Planning Commission for discussion.

Chris Lewis moved to place approval of Item Nos. 3 through 8 on the Consent Docket and approve by one unanimous vote. Diana Hartley seconded the motion.

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

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

Item No. 5, being:
FP-1112-11 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY THE UNIVERSITY OF OKLAHOMA FOUNDATION, INC. (SMC CONSULTING ENGINEERS, P.C.) FOR UNIVERSITY NORTH PARK CORPORATE CENTER ADDITION SECTION TWO, A PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED ON THE EAST SIDE OF 24TH AVENUE N.W. APPROXIMATELY ½ MILE SOUTH OF TECUMSEH ROAD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Final Plat
3. Staff Report
4. Landscape Plan
5. Site Development Plan
6. Preliminary Plat

The Final Plat for UNIVERSITY NORTH PARK CORPORATE CENTER ADDITION SECTION TWO, A Planned Unit Development, was approved on the Consent Docket by a vote of 8-0.

* * *

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

OCTOBER 11, 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 11th day of October 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions at least 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	Jim Gasaway Cindy Gordon Diana Hartley Tom Knotts Curtis McCarty Roberta Pailes Andy Sherrer
MEMBERS ABSENT	Dave Boeck Chris Lewis

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Leah Messner, Asst. City Attorney Larry Knapp, GIS Analyst II Terry Floyd, Development Coordinator Scott Sturtz, City Engineer

* * *

City of Norman, OK

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

Master

File Number: FP-1213-8

File ID:	FP-1213-8	**Type:**	Final Plat	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 24	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	08/16/2012
File Name:	Milligan Industrial Tract Final Plat			**Final Action:**	

Title: CONSIDERATION OF A FINAL PLAT FOR MILLIGAN INDUSTRIAL TRACT ADDITION AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED ON THE NORTH SIDE OF ROCK CREEK ROAD BETWEEN 12TH AVENUE N.W. AND THE RAILROAD TRACKS)

ACTION NEEDED: Motion approve or reject the final plat for Milligan Industrial Tract Addition; and, if approved, accept the public dedications contained within the plat, authorize the Mayor to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of traffic impact fees in the amount of $1,471.12; and direct the filing of the final plat.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 24

Attachments: Text File Milligan, Location Map Milligan, Milligan Final Plat, Site Plan Milligan, Preliminary Plat Milligan, Milligan Final Plat Staff Rpt, 9-13-12 PC Minutes - Milligan Industrial FP

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	09/13/2012	Recommended for Adoption at a subsequent City Council Meeting	City Council			Pass
	Action Text:	Recommended for Adoption at a subsequent City Council Meeting to the City Council					
1	Planning Commission	09/13/2012					

Text of Legislative File FP-1213-8

Body

BACKGROUND: This item is a final plat for Milligan Industrial Tract Addition and is generally located on the north side of Rock Creek Road between 12th Avenue N.W. and Burlington Northern Santa Fe (BNSF) railroad right-of-way. This is a one lot industrial lot consisting of 2.28 acres.

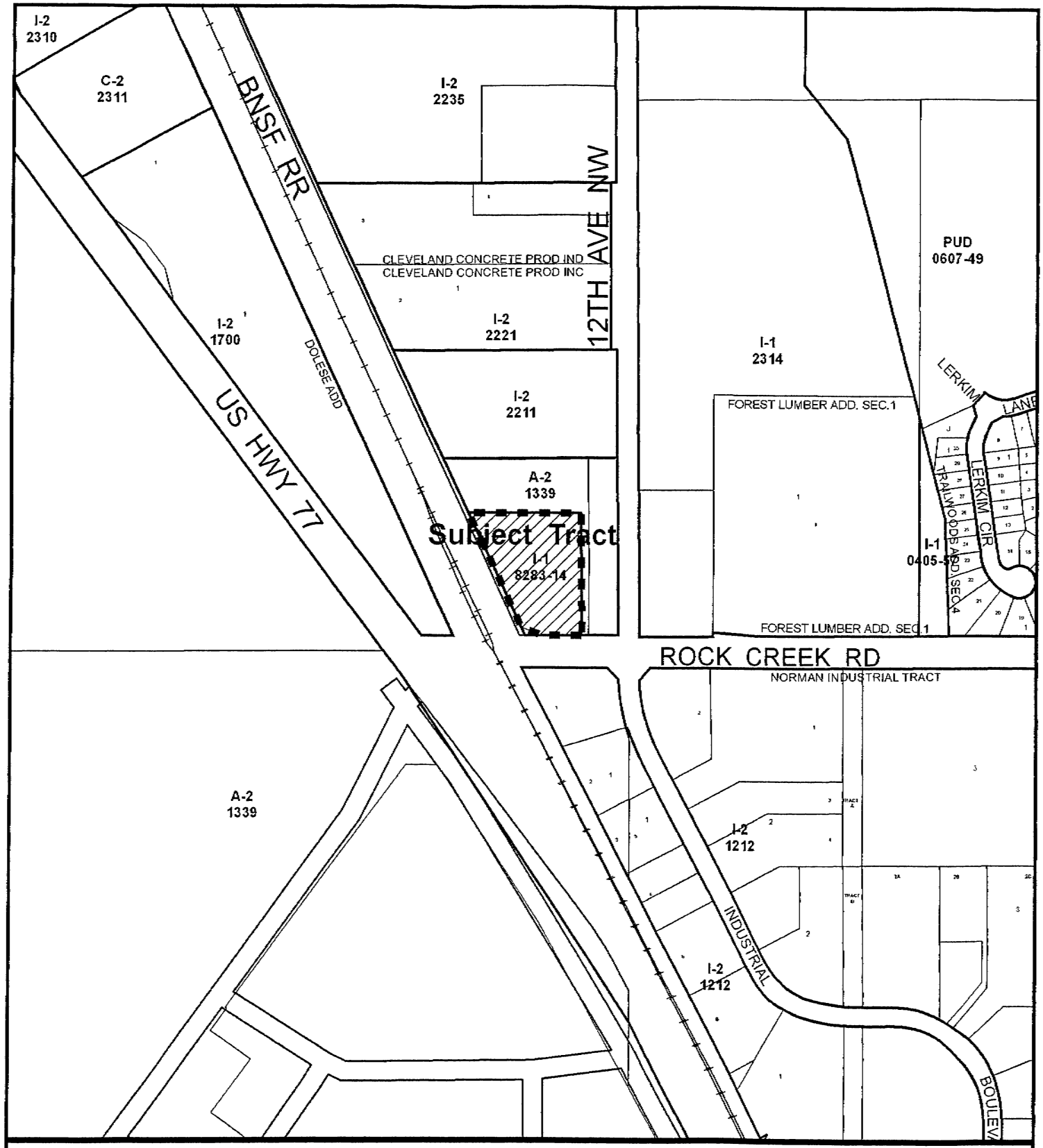
City Council, at its meeting of October 14, 1982, adopted Ordinance No. O-8283-14 placing this property in I-1, Light Industrial zoning district.

City Council, at its meeting of July 10, 2012, approved the revised preliminary plat for Milligan Industrial Tract Addition with exemptions to the Water Quality Protection Zone (WQPZ) and paving requirements for Rock Creek Road. Planning Commission, at its meeting of September 13, 2012, approved the final plat for Milligan Industrial Tract Addition.

DISCUSSION: The public improvements consist of a water line to serve a fire hydrant and a portion of public sidewalk.

The property will utilize a private sanitary sewer system with septic tank and lateral fields.

RECOMMENDATION: The final plat is consistent with the approved revised preliminary plat. Based upon the above information, Staff recommends acceptance of the public dedications contained therein and authorize the Mayor to sign the final plat and bond for Milligan Industrial Tract Addition subject to completion and City Development Committee's acceptance of the public improvements and receipt of $1,471.12 for traffic impact fees.



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

January 10, 2012

0 200 400 Ft.

Subject Tract

Zoning

SHEET NO. ____ OF ____

FINAL PLAT of

MILLIGAN INDUSTRIAL TRACT

A PART OF THE SE/4 OF SEC. 13, T9N, R3W, I.M.

CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA

OWNER'S CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

THAT, MIKE AND CINDY MILLIGAN, DOES HEREBY CERTIFY THAT THEY ARE THE OWNER OF AND THE ONLY PERSONS, FIRM, OR CORPORATION HAVING ANY RIGHT, TITLE OR INTEREST IN AND TO THE LAND SHOWN ON THE ANNEXED PLAT, AND THAT THEY HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED, AND THAT THEY HEREBY DEDICATE ALL THE STREETS AND EASEMENTS SHOWN HEREON TO THE PUBLIC FOR THE PURPOSES OF STREETS, UTILITIES AND DRAINAGE, FOR THEIR HEIRS, EXECUTORS, ADMINISTRATORS, SUCCESSORS AND ASSIGN FOREVER, AND HAVE CAUSED THE SAME TO BE RELEASED FROM ALL ENCUMBRANCES SO THAT THE TITLE IS CLEAR, EXCEPT AS SHOWN IN THE ABSTRACTOR'S CERTIFICATE. AFTER INITIAL INSTALLATION OF ELECTRIC, TELEPHONE, CABLE, AND GAS LINES, ANY DUPLICATE LINES, INCLUDING TRANSFORMERS AND PEDESTALS, MUST BE INSTALLED COMPLETELY UNDERGROUND.

IN WITNESS WHEREOF, THE UNDERSIGNED HAVE CAUSED THIS INSTRUMENT TO BE EXECUTED THIS _____ DAY OF _____, 20____. COVENANTS, RESERVATIONS AND RESTRICTIONS FOR THIS ADDITION ARE CONTAINED IN A SEPARATE INSTRUMENT.

_____
MIKE MILLIGAN

_____
CINDY MILLIGAN

STATE OF OKLAHOMA)
) SS:
COUNTY OF _____)

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, ON THIS _____ DAY OF _____, 20____ PERSONALLY APPEARED MIKE MILLIGAN AND CINDY MILLIGAN, TO ME KNOWN TO BE THE IDENTICAL PERSONS WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT ON BEHALF OF SAID COMPANY, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SAID COMPANY, FOR THE USES AND PURPOSES HEREIN SET FORTH.

MY COMMISSION EXPIRES:

_____ _____
NOTARY PUBLIC

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE SE/4, SEC. 13, T.9N., R.3W., I.M., CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING A THE SE CORNER OF THE SE/4 OF SEC. 13;
THENCE N89°48'00"W A DISTANCE OF 147.00';
THENCE N00°02'00"E, A DISTANCE OF 50.00', TO THE P.O.B.;
THENCE N89°52'25"W A DISTANCE OF 129.36';
THENCE N66°28'21"W A DISTANCE OF 65.04';
THENCE N24°10'00"W A DISTANCE OF 389.03';
THENCE S89°48'00"E A DISTANCE OF 348.25';
THENCE SOUTH A DISTANCE OF 380.00', TO THE P.O.B.;
SAID TRACT CONTAINING 2.88 ACRES, MORE OR LESS.

LAND SURVEYOR'S CERTIFICATE

I, ROSS C. MORRIS, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL REGISTERED LAND SURVEYOR, AND THAT THE ANNEXED PLAT CORRECTLY REPRESENTS A CAREFUL SURVEY MADE UNDER MY DIRECTION, AND THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THEIR POSITIONS ARE CORRECTLY SHOWN.

_____
ROSS C. MORRIS, L.S. 1457

STATE OF OKLAHOMA)
) SS:
COUNTY OF _____)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED ROSS C. MORRIS, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO EXECUTED THE ABOVE INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED. GIVEN UNDER MY HAND AND SEAL THE _____ DAY OF _____, 20____.

MY COMMISSION EXPIRES:

_____ _____
NOTARY PUBLIC

BONDED ABSTRACTOR'S CERTIFICATE

THE UNDERSIGNED, A DULY QUALIFIED AND LAWFULLY BONDED ABSTRACTOR OF TITLES, IN AND FOR THE COUNTY OF OKLAHOMA, STATE OF OKLAHOMA, HEREBY CERTIFIES THAT THE RECORDS OF SAID COUNTY SHOW THAT THE TITLE TO THE LAND ON THE ANNEXED PLAT IS VESTED IN _____ AN OKLAHOMA CORPORATION, THAT ON THE _____ DAY OF _____, 20____, THERE ARE NO ACTIONS PENDING OR JUDGMENTS OF ANY NATURE IN ANY COURT OR ON FILE WITH THE CLERK OF ANY COURT IN SAID COUNTY AND STATE AGAINST SAID LAND, OR THE OWNERS THEREOF, AND THAT THE TAXES ARE PAID FOR THE YEAR 20____ AND PRIOR YEARS, THAT THERE ARE NO OUTSTANDING TAX SALES CERTIFICATES AGAINST SAID LAND, AND NO TAX DEED ARE ISSUED TO ANY ONE PERSON, THAT THERE ARE NO LIENS, MORTGAGES, OR OTHER ENCUMBRANCES OF ANY KIND AGAINST THE LAND INCLUDED IN THE ANNEXED PLAT, EXCEPT MORTGAGES, MINERALS, WATER RIGHTS AND EASEMENTS OF RECORD PREVIOUSLY RESERVED, EXCEPTED OR GRANTED.

IN WITNESS WHEREOF, SAID BONDED ABSTRACTOR HAS CAUSED THIS INSTRUMENT TO BE EXECUTED THIS _____ DAY OF _____, 20____.

OLD REPUBLIC TITLE COMPANY

_____
VICE-PRESIDENT

COUNTY TREASURER'S CERTIFICATE

I, _____, DO HEREBY CERTIFY THAT I AM THE DULY ELECTED, QUALIFIED OR ACTING COUNTY TREASURER OF CLEVELAND COUNTY, STATE OF OKLAHOMA, THAT THE TAX RECORDS OF SAID COUNTY SHOW ALL TAXES ARE PAID FOR THE YEAR 20____ AND PRIOR YEARS ON THE LAND SHOWN ON THE ANNEXED PLAT, THAT THE REQUIRED STATUTORY SECURITY HAS BEEN DEPOSITED IN THE OFFICE OF THE COUNTY TREASURER, GUARANTEEING PAYMENT OF THE CURRENT YEARS TAXES.

IN WITNESS WHEREOF, SAID COUNTY TREASURER HAS CAUSED THIS INSTRUMENT TO BE EXECUTED AT CITY OF OKLAHOMA CITY, THIS _____ DAY OF _____, 20____.

_____
COUNTY TREASURER

CITY PLANNING COMMISSION APPROVAL

I, _____, CHAIRMAN FOR THE CITY OF NORMAN, STATE OF OKLAHOMA, HEREBY CERTIFY THAT THE CITY OF NORMAN PLANNING COMMISSION DULY APPROVED THE ANNEXED PLAT ON THE _____ DAY OF _____, 20____.

_____
CHAIRMAN

ACCEPTANCE OF DEDICATION OF CITY COUNCIL

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, THAT THE DEDICATIONS SHOWN ON THE ANNEXED PLAT ARE HEREBY ACCEPTED. ADOPTED BY THE COUNCIL OF THE CITY OF OKLAHOMA CITY, OKLAHOMA THIS _____ DAY OF _____, 20____.

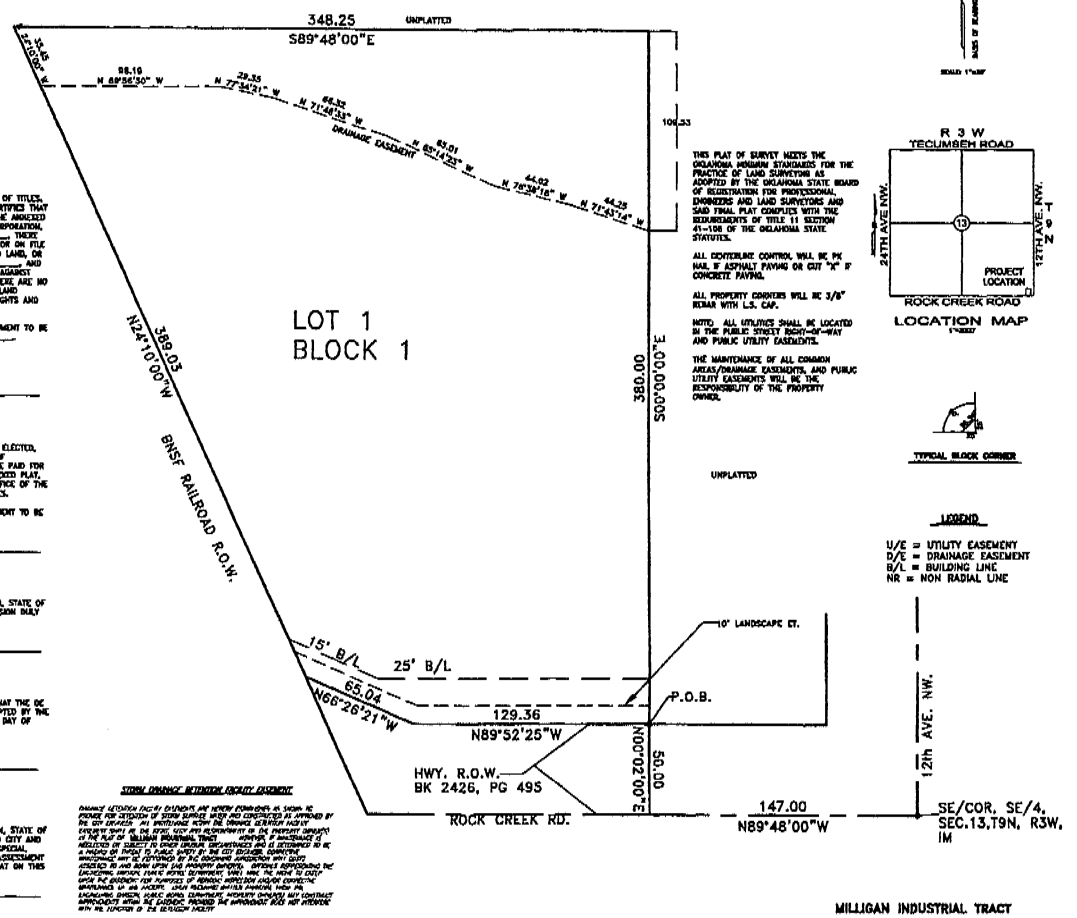
ATTEST:

_____ _____
CITY CLERK MAYOR

CERTIFICATE OF CITY CLERK

I, _____ CITY CLERK OF THE CITY OF NORMAN, STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE EXAMINED THE RECORDS OF SAID CITY AND FIND THAT ALL DEFERRED PAYMENTS OR UNMATURED INSTALLMENTS UPON SPECIAL ASSESSMENTS HAVE BEEN PAID IN FULL AND THAT THERE IS NO SPECIAL ASSESSMENT PROCEDURE NOW PENDING AGAINST THE LAND SHOWN ON THE ANNEXED PLAT ON THIS _____ DAY OF _____, 20____.

_____
CITY CLERK



STORM DRAINAGE RETENTION FACILITY EASEMENT

DRAINAGE RETENTION FACILITY EASEMENTS ARE HEREBY ESTABLISHED AS SHOWN OR PLATTED FOR DETENTION OF STORM SURFACE WATER AND CONSTRUCTED AS APPROVED BY THE CITY ENGINEER. ALL MAINTENANCE WITHIN THE DRAINAGE RETENTION FACILITY EASEMENTS SHALL BE THE DUTY, AND ARE RESPONSIBILITY OF THE PROPERTY OWNER(S) OF THE PLAT OF SUBDIVISION WHERE SUCH FACILITY IS LOCATED, UNLESS ASSUMED BY A PUBLIC AGENCY. MAINTENANCE OF MEDIANS OR SUBJECT TO OTHER UNIQUE CIRCUMSTANCES AND IS DETERMINED TO BE A MATTER OF PUBLIC INTEREST BY THE CITY ENGINEER, SUBJECTIVE AMENDMENT MAY BE CONSIDERED BY THE GOVERNING BODY WITH QUOTE ATTACHED TO AND MADE PART OF THE PROPERTY OWNER(S) AGREEMENT AUTHORIZING THE ENGINEERING DIVISION PUBLIC WORKS DEPARTMENT, WHO MAKE THE WORK TO BE DONE AT THE EXPENSE OF THE PROPERTY OWNER(S). ANYONE INTERFERING WITH AN ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT, PROPERTY OWNERS MAY CONSTRUCT IMPROVEMENTS WITHIN THE EASEMENT, PROVIDED THE IMPROVEMENTS DOES NOT INTERFERE WITH THE FUNCTION OF THE RETENTION FACILITY

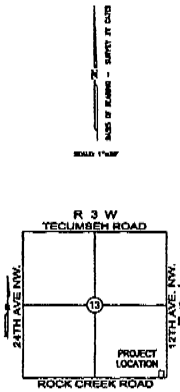
THIS PLAT OF SURVEY MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND SAID FINAL PLAT COMPLIES WITH THE REQUIREMENTS OF TITLE 11 SECTION 41-108 OF THE OKLAHOMA STATE STATUTES.

ALL CENTERLINE CONTROL WILL BE PK NAIL IF ASPHALT PAVING OR CUT "X" IF CONCRETE PAVING.

ALL PROPERTY CORNERS WILL BE 3/8" REBAR WITH L.S. CAP.

NOTE: ALL UTILITIES SHALL BE LOCATED IN THE PUBLIC STREET RIGHT-OF-WAY AND PUBLIC UTILITY EASEMENTS.

THE MAINTENANCE OF ALL COMMON AREAS/DRAINAGE EASEMENTS, AND PUBLIC UTILITY EASEMENTS WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNER.



LOCATION MAP

TYPICAL BLOCK CORNER

LEGEND

U/E = UTILITY EASEMENT
D/E = DRAINAGE EASEMENT
B/L = BUILDING LINE
NR = NON RADIAL LINE

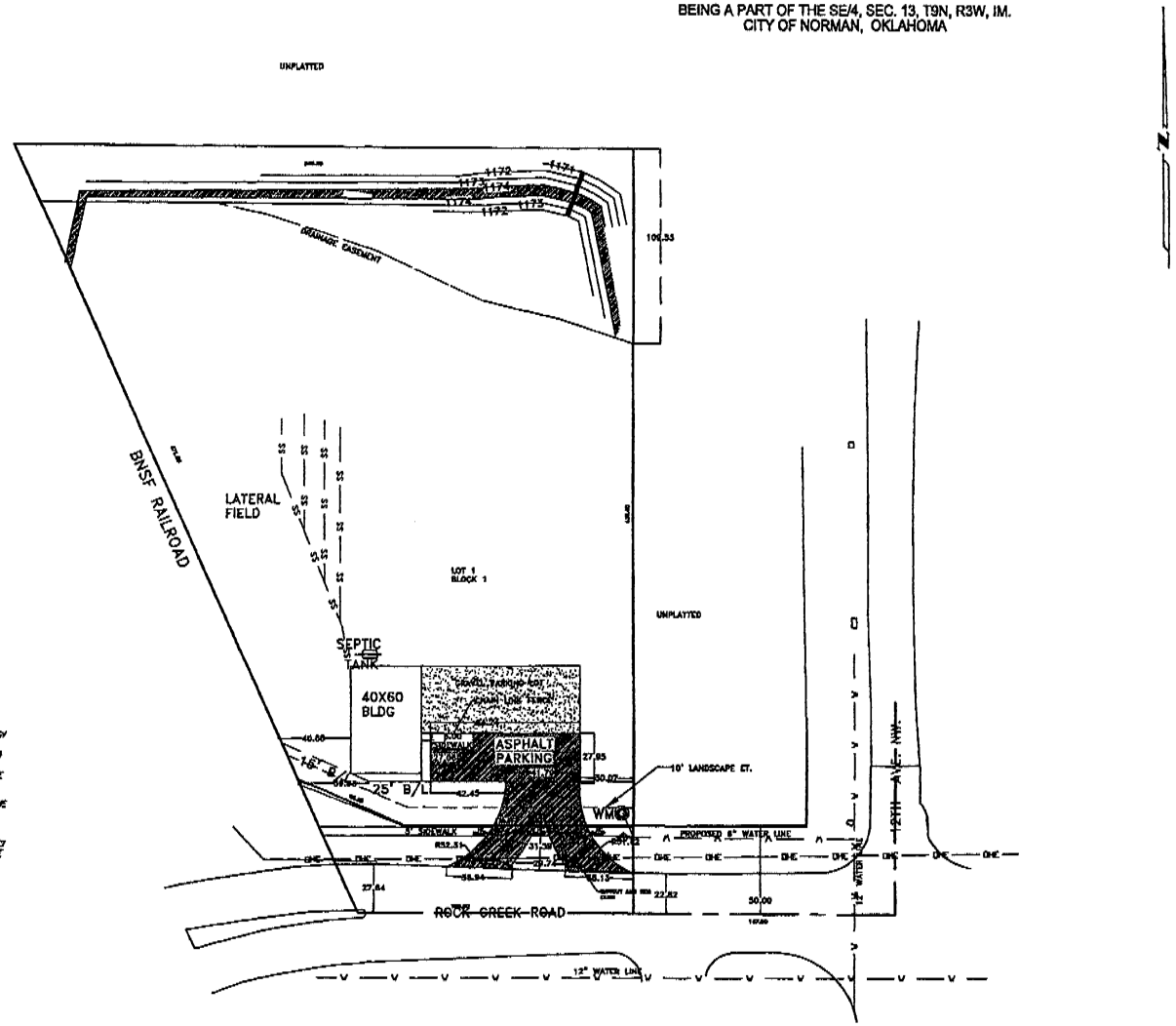
MILLIGAN INDUSTRIAL TRACT

DATE: AUGUST 13TH, 2012

MORRIS
SURVEYING AND MAPPING
617 N.W. 7TH STREET
MOORE, OK 73160
(405) 913-2773
(405) 912-2922 FAX
CA 1020, EXP. 6-30-13

24-2

SITE PLAN
TO SERVE
MILLIGAN INDUSTRIAL TRACT
BEING A PART OF THE SE/4, SEC. 13, T9N, R3W, IM.
CITY OF NORMAN, OKLAHOMA



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 MILLIGAN INDUSTRIAL TRACT. 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.

CITY OF NORMAN

LOCATION MAP

LEGEND

SITE PLAN
TO SERVE
MILLIGAN INDUSTRIAL TRACT
BEING A PART OF THE SE/4, SEC. 13, T9N, R3W, IM.
CITY OF NORMAN, OKLAHOMA

MORRIS

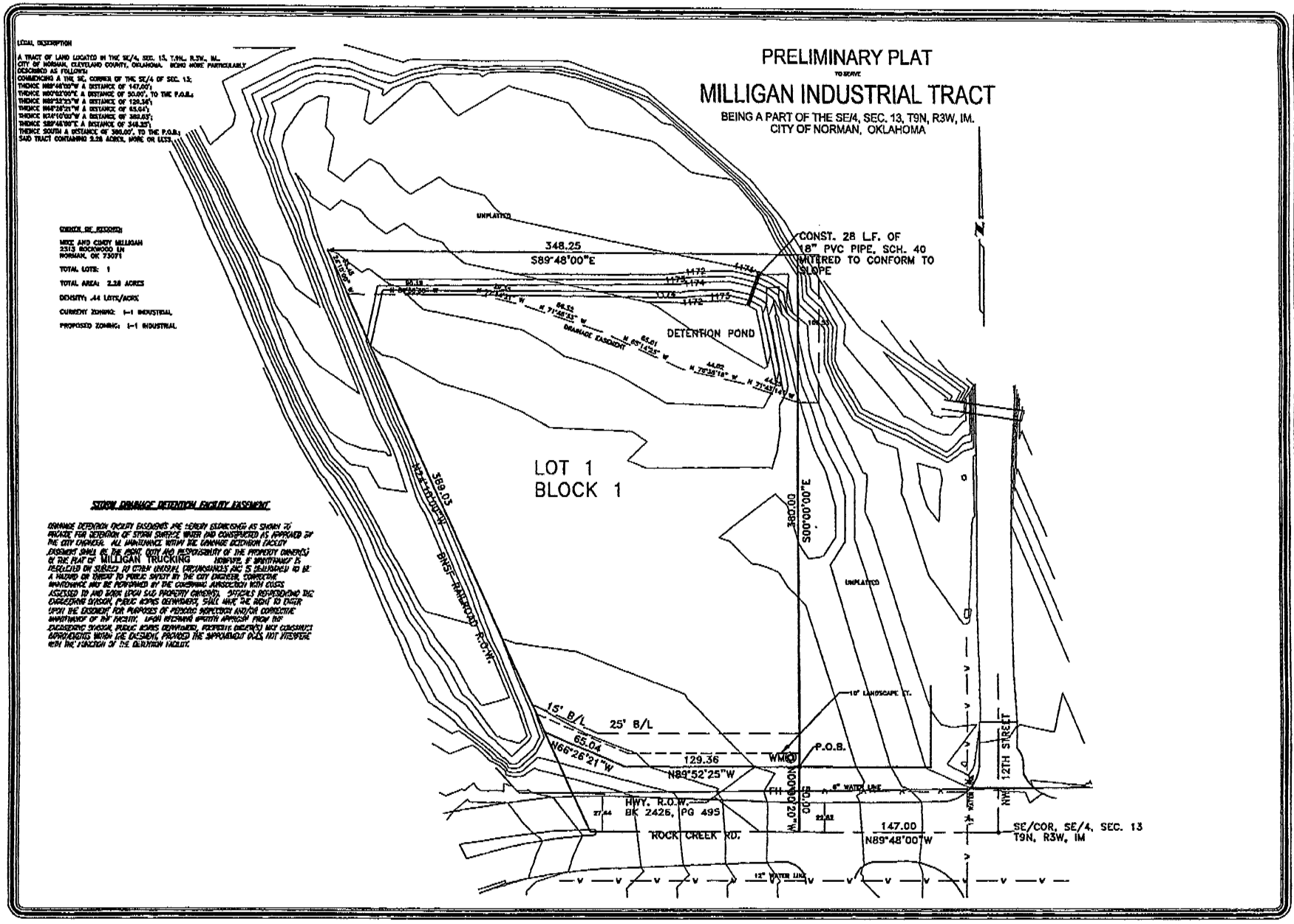
ROSS MORRIS 16837

DATE 8-22-12

SITE PLAN TO SERVE MILLIGAN INDUSTRIAL TRACT SE/4, SEC. 13, T9N, R3W

SHEET NO. 3 OF 6

24-3


PRELIMINARY PLAT
TO SERVE
MILLIGAN INDUSTRIAL TRACT
BEING A PART OF THE SE/4, SEC. 13, T9N, R3W, IM.
CITY OF NORMAN, OKLAHOMA
LEGAL DESCRIPTION
A TRACT OF LAND LOCATED IN THE SE/4, SEC. 13, T.9N., R.3W., IM., CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING A THE SE. CORNER OF THE SE/4 OF SEC. 13;
THENCE N89°48'00"W A DISTANCE OF 147.00';
THENCE N00°00'00"E A DISTANCE OF 50.00', TO THE P.O.B.;
THENCE N89°52'25"W A DISTANCE OF 129.36';
THENCE N66°26'21"W A DISTANCE OF 65.04';
THENCE N24°10'00"W A DISTANCE OF 380.03';
THENCE S89°48'00"E A DISTANCE OF 348.25';
THENCE SOUTH A DISTANCE OF 380.00', TO THE P.O.B.;
SAID TRACT CONTAINING 2.28 ACRES, MORE OR LESS.
OWNER OF RECORD:
MIKE AND CINDY MILLIGAN
2313 ROCKWOOD LN
NORMAN, OK 73071
TOTAL LOTS: 1
TOTAL AREA: 2.28 ACRES
DENSITY: .44 LOTS/ACRE
CURRENT ZONING: I-1 INDUSTRIAL
PROPOSED ZONING: I-1 INDUSTRIAL
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 MILLIGAN TRUCKING. HOWEVER, IF MAINTENANCE IS NEGLECTED ON 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 COVERING 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.
UNPLATTED
348.25
S89°48'00"E
CONST. 28 L.F. OF 18" PVC PIPE, SCH. 40 MITERED TO CONFORM TO SLOPE
DETENTION POND
DRAINAGE EASEMENT
LOT 1
BLOCK 1
389.03
N24°10'00"W
BNSF RAILROAD R.O.W.
380.00
S00°00'00"E
UNPLATTED
10' LANDSCAPE ST.
15' B/L
25' B/L
65.04
N66°26'21"W
129.36
N89°52'25"W
P.O.B.
WM
FH
6" WATER LINE
HWY. R.O.W.
BK 2426, PG 495
ROCK CREEK RD.
147.00
N89°48'00"W
SE/COR, SE/4, SEC. 13
T9N, R3W, IM
12TH STREET
12" WATER LINE
CITY OF NORMAN
LOCATION MAP
LEGEND
PRELIMINARY PLAT
TO SERVE
MILLIGAN INDUSTRIAL TRACT
BEING A PART OF THE SE/4, SEC. 13, T9N, R3W, IM.
CITY OF NORMAN, OKLAHOMA
MORRIS
ROSS C. MORRIS
16637
6-6-12
PRELIMINARY PLAT
TO SERVE
MILLIGAN INDUSTRIAL TRACT
SE/4, SEC. 13, T9N, R3W
SHEET NO. 1 OF 1

FINAL PLAT ITEM NO. 5

STAFF REPORT

ITEM: Consideration of a Final Plat for MILLIGAN INDUSTRIAL TRACT ADDITION.

LOCATION: Generally located on the north side of Rock Creek Road between 12th Avenue NW and Burlington Northern Santa Fe Railroad right-of-way.

INFORMATION:

1. Owner. Mike and Cindy Milligan.
2. Developer. Milligan Trucking
3. Engineer. Morris Engineering Surveying

HISTORY:

1. January 23, 1962. City Council adopted Ordinance No. 1339 placing this property in A-2 zoning classification.
2. August 31, 1982. City Council accepted the proposed sewer solution for Rock Creek Storage Addition.
3. September 9, 1982. Planning Commission, on a vote of 9-0, recommended to City Council rejection of the request that this property be placed in I-1, and removed from A-2 zoning.
4. September 9, 1982. Planning Commission, on a vote of 9-0, tabled the preliminary plat for Rock Creek Storage Addition.
5. October 5, 1982. City Council adopted Ordinance No. O-8283-14 placing this property in I-1 and removing it from A-2 zoning classification.
6. October 14, 1982. Planning Commission, on a vote of 5-1, approved the preliminary plat for Rock Creek Storage Addition.
7. October 14, 1987. Approval of the preliminary plat for Rock Creek Storage Addition became null and void.

9. Water Mains. There is an existing twelve-inch (12") main adjacent to Rock Creek Road. A six-inch (6") water main will be installed to serve the proposed fire hydrant.

10. Fencing. Although not a requirement of the plating process, the owner has agreed to install fencing on his east and north property lines.

PUBLIC DEDICATIONS:

1. Easements. All required easements are dedicated to the City on the final plat.

2. Rights-of-Way. Street rights-of-way are dedicated to the City on the final plat.

SUPPLEMENTAL MATERIAL: Copies of a location map, preliminary plat, site plan and final plat are included in the Agenda Book.

STAFF COMMENTS AND RECOMMENDATION: This property will be used for industrial purposes. An existing approach has been constructed and the owner proposed to construct an office and storage facility. Staff recommends approval of the final plat.

ACTION NEEDED: Approve or disapprove the final plat for Milligan Industrial Tract Addition.

ACTION TAKEN:_____

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

SEPTEMBER 13, 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 13th day of September 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions at least twenty-four hours prior to the beginning of the meeting.

Vice Chairman Chris Lewis called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

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

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Leah Messner, Asst. City Attorney Jeff Bryant, City Attorney Rick Hoffstatter, GIS Analyst Terry Floyd, Development Coordinator Scott Sturtz, City Engineer

* * *

Vice Chairman Lewis noted the request for postponement submitted by the applicant for Item 11, OSOI Tecumseh Development, L.L.C. and NE Development, L.L.C. (R-1213-36, O-1213-11, and PP-1213-4).

Curtis McCarty moved to postpone Item Nos. 11a, 11b and 11c until the October 11, 2012 Planning Commission meeting. Tom Knotts seconded the motion.

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

record requires you to change your mind either about the substance or to go along with the problematic exemption, because it's within your authority to make a judgment about that. I believe that the Milligan Plat is out of order as a matter of Robert's Rules of Order. The City Council made a mistake in completely exempting the Milligan Tract from the WQPZ regulations. It was an innocent mistake, no doubt, but one made in haste and probably motivated by the best of intentions, but it was a mistake. Now that that mistake has been caught, I don't think that any City authority can continue without neglecting its duty, or at least its moral duty to make sure that they uphold the point of the laws that we've adopted. So I think it's within your authority, and I believe that the Planning Commission should declare that plat out of order, which, of course, would require taking it off the Consent Docket.

2. Harold Heiple, 218 E. Eufaula – I do not represent Mr. Milligan, the applicant, who has presented this plat. As a matter of fact, at the Planning Commission meeting I appeared and opposed his plat subject to fences being built. I am amazed that the conversation of Mr. Ellis has gotten this far, because it is so far out of order with respect to the purview and the power and the authority of the Planning Commission. But let me give you just a little historical background. In Norman for many, many years the rule was that preliminary plats stopped at the Planning Commission. Final plats went on to the City Council. But the Planning Commission had the final authority over preliminary plats. Because there was a great deal of objection – and for good reason – that ordinance was changed several years ago to provide that now preliminary plats must be approved by the City Council. This preliminary plat has been approved by the City Council. The old law, which said that they stopped with the Planning Commission, also required that if a majority of the Planning Commission caused a plat that was in compliance with all applicable rules and regulations to be rejected by the Planning Commission, that the Chair of the Planning Commission had to list the specific violations of law that it did not meet and sign his name to it. Well, that has been removed since the preliminary plat is now within the final authority of the City Council. But what it goes back to is the existing law says once that preliminary plat has been approved, the actions of the Planning Commission to approve a final plat are ministerial – purely administrative. You don't have the authority to reject it. If there is somebody on the Planning Commission who is inclined to make a motion to the contrary with respect to the approval of this plat, and somebody who seconds that motion, then I'll respectfully and sincerely urge each and every one of you to take a break, call your own personal attorneys, and find out what your personal exposure is if a majority of the Council fails to approve a final plat that is in total compliance with a preliminary that has been previously approved by the City Council. Thank you.

3. Ross Morris, Morris Engineering, representing Mr. Milligan – I just wanted to reiterate what you already know. We've been through the process. We came through and we've actually come through twice now. We've followed the procedures. Everything that's been approved on it through this body or through the Council was by procedure and we haven't circumvented anything and it's all been above-board. It's been discussed in open meetings and been approved in open meetings so that there shouldn't be – what we're bringing to you today is exactly in line with what was previously discussed, approved, and has gone through the process. We don't feel like there's anything other to do with this other than to just keep it moving. We appreciate your vote on that. Thank you.

4. Mike Milligan, Milligan Trucking – We do have an SWP3 in place for the property for the storm water pollution prevention plan. If you want to take a look at that, we have it.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Vice Chair Lewis stated it is the opinion of the Chair, after speaking with the City Attorney, that this is neither the venue nor does the Commission have the authority to make any ruling, as the Commission is a recommending body.

Item No. 5, being:
FP-1213-8 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY MIKE & CINDY MILLIGAN (MORRIS ENGINEERING) FOR MILLIGAN INDUSTRIAL TRACT ADDITION GENERALLY LOCATED ON THE NORTH SIDE OF ROCK CREEK ROAD WEST OF 12TH AVENUE N.W.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Final Plat
3. Staff Report
4. Site Plan
5. Preliminary Plat

The Final Plat for MILLIGAN INDUSTRIAL TRACT ADDITION was approved on the Consent Docket by a vote of 7-0.

* * *

City of Norman, OK

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

Master

File Number: EN-1213-1

File ID:	EN-1213-1	**Type:**	Encroachment	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 25	**In Control:**	City Council
Department:	Legal Department	**Cost:**		**File Created:**	10/08/2012
File Name:	Encroachment 1920 Rosebrook			**Final Action:**	

Title: CONSIDERATION OF CONSENT TO ENCROACHMENT NO. EN-1213-1 FOR LOT 1, BLOCK 4, BROOKHAVEN NO. 40 ADDITION, CLEVELAND COUNTY, OKLAHOMA A/K/A 1920 ROSEBROOK.

ACTION NEEDED: Motion to approve or reject Consent to Encroachment No. EN-1213-1; and, if approved, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 25

Attachments: Text File Encroachment, Letter of Request Rosebrook, Consent 1213-1, Memo from Clerk, Utilities Memo, Public Works Memo and Utility Responses, Planning Memo

Project Manager: Leah Messner, Assistant City Attorney

Entered by: denise.johnson@normanok.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File EN-1213-1

Body

BACKGROUND: An encroachment request has been filed in the office of the City Clerk by the M. Kaiser Aziz of the Gemini Development Corp requesting a Consent to Encroach into City of Norman easements (17' drainage/utility easement and 7.5' waterline easement) at the above-described property.

DISCUSSION: The application for a consent to encroach concerns the encroachment upon City of Norman easements for a portion of driveway.

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 easement.

STAFF RECOMMENDATION: Based upon the above and foregoing, the City Attorney's office is forwarding the above Consent to Encroach for Council consideration.

9-11-'12

The City of Norman
201 West Gray Street
Norman,Oklahoma
73070

Re: "Consent to Encroach"

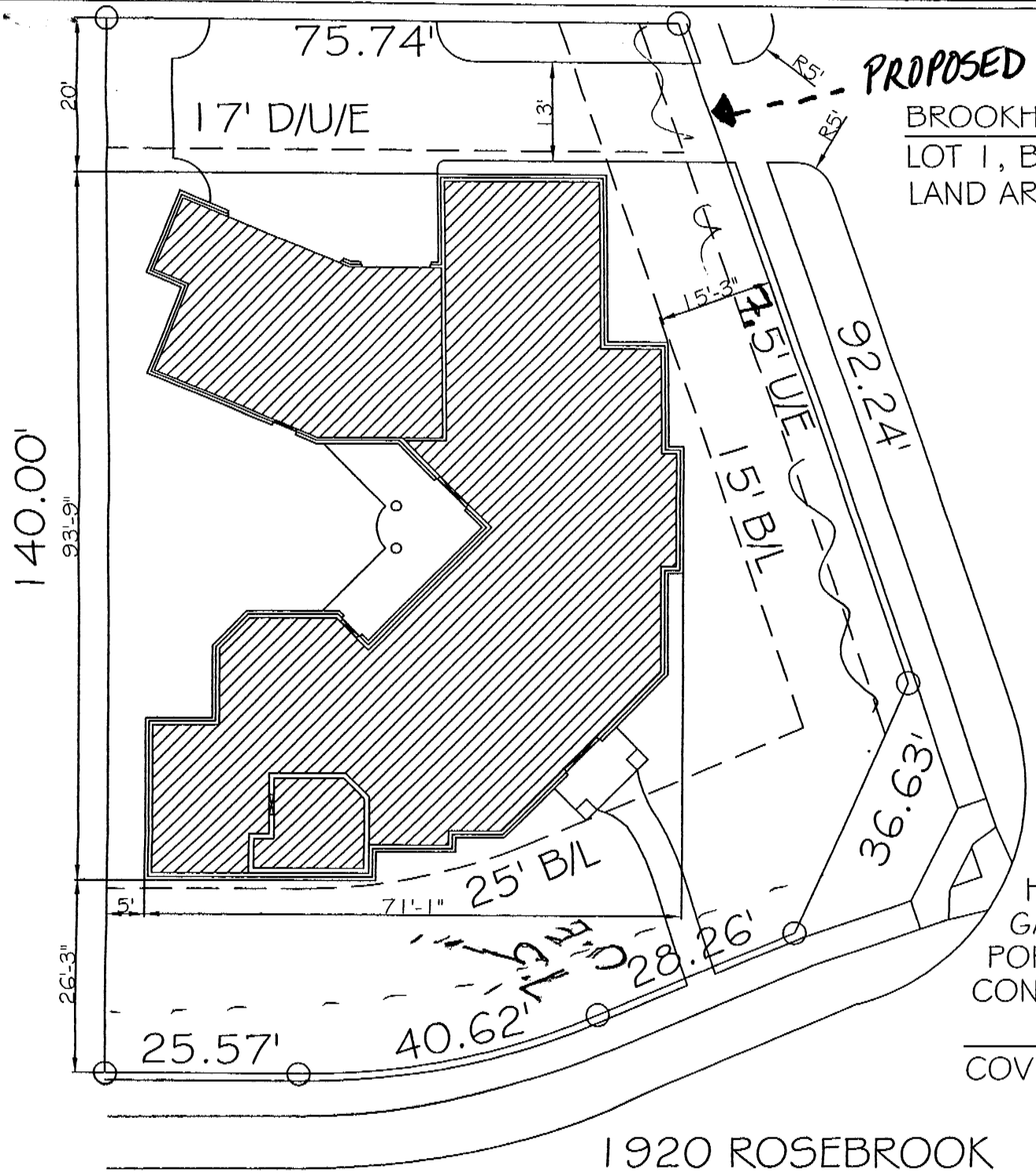
Dear Sir/Madam,

Enclosed please find a Plot Plan of 1920Rosebrook of Brookhaven #40, a platted Subdivision of Cleveland County in the City of Norman.
We would appreciate your consent to encroach the 17' D/U/E (Drainage and Utility Easement) and the 7.5' U/E (Utility Easement) to install a13'(thirteen feet wide) drive-way for the proposed residence at the above address.
Owing to the peculiar shape of the lot and also being the corner lot with 25'B/L on one side and 15' B/L on another side,it has become very restrictive to persue the proposed project without your consent to encroach the above easements for the driveway.
The property owner/applicant shall be responsible for any repair needed on the driveway, if access is required by any utility service provider.
We thank you for your consideration and cooperation in the above matter.

Sincerely

By: M.Kaiser Aziz

Gemini Development Corp
3700 Hiddenhill Road
Norman,Oklahoma
73072
Phone:405 360 2724
405 361 2724(mobile)



Preferred Plans, Inc. makes no claims and assumes no liabilities as to the accuracy and or completeness, including but not limited to all dimensions, locations, setbacks, sideyards, backyards or easements whether shown or not shown on this plot. Anyone using this plot must verify its accuracy and completeness in all regards including any and all code requirements and compliances.

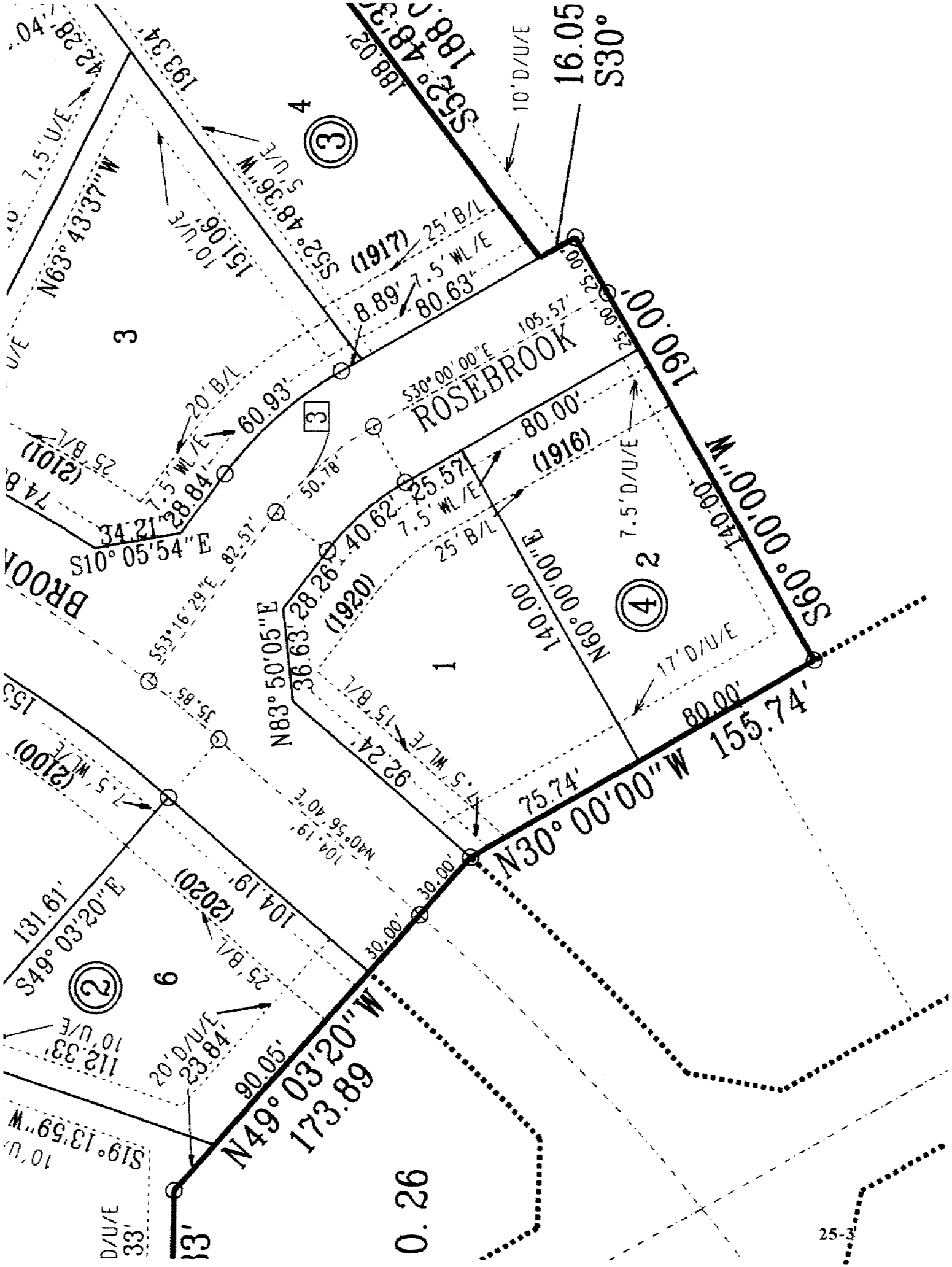
DATE: 8/31/2012
SCALE: 1"=20'

© COPYRIGHT 2000 PREFERRED PLANS, INC.

PREFERRED PLANS, INC.
2600 VAN BUREN, STE. 2602
NORMAN, OK 73072
(405) 447-8999

PLOT PLAN
1

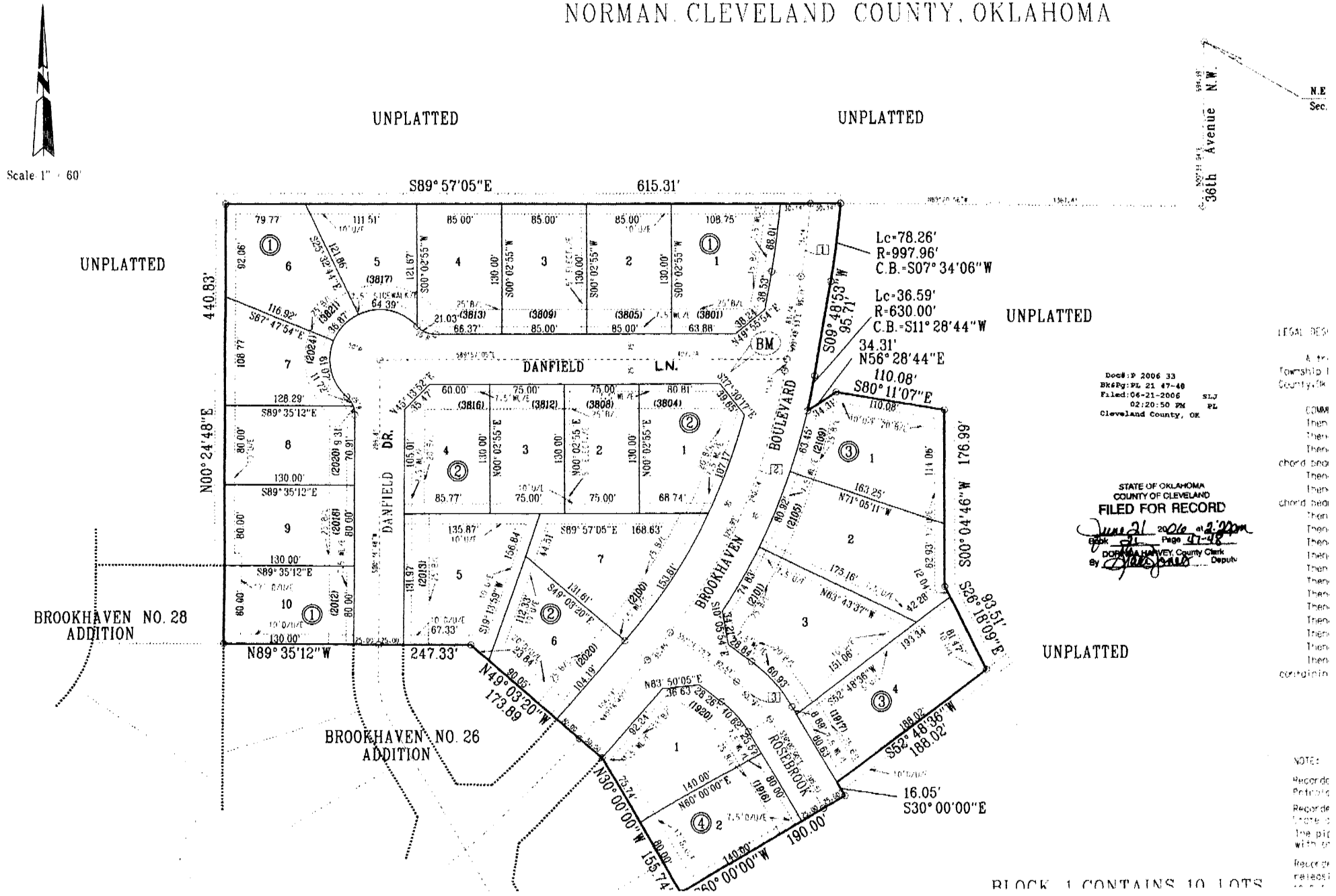
25-2


ROSEBROOK
S60° 00'00"W
190.00'
N30° 00'00"W 155.74'
N49° 03'20"W
173.89
S52° 48'36"W
188.02'
S52° 48'36"W
188.02'
16.05
S30°
N63° 43'37"W
193.34'
42.28'
7.5' U/E
10' U/E
151.06'
5' U/E
(1917)
25' B/L
7.5' WL/E
8.89'
80.63'
105.57'
25.00'
S30° 00'00"E
20' B/L
60.93'
7.5' WL/E
28.84'
34.21'
S10° 05'54"E
(2101)
25' B/L
50.78'
80.00'
(1916)
25.57'
7.5' WL/E
40.62'
25' B/L
7.5' D/U/E
140.00'
N60° 00'00"E
140.00'
(1920)
28.26'
36.63'
N83° 50'05"E
S53° 16'29"E
82.57'
35.85'
17' D/U/E
80.00'
75.74'
92.24'
15' B/L
7.5' WL/E
N40° 56'40"E
104.19'
30.00'
30.00'
(2100)
(2020)
104.19'
25' B/L
131.61'
S49° 03'20"E
10' U/E
112.33'
20' D/U/E
23.84'
90.05'
S19° 13'59"W
10' U/E
D/U/E
33'
0.26
1
2
3
4
6

FINAL PLAT

BROOKHAVEN NO. 40 ADDITION

A PART OF THE NE/4, SEC. 22, T9N-R3W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA



BLOCK 1 CONTAINS 10 LOTS

25-4

CONSENT

Consent to Encroachment No. 1213-1

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

Lot 1, Block 4, Brookhaven, Section 40, Cleveland County, Oklahoma a/k/a 1920 Rosebrook,

AND WHEREAS, the owner of the above-described property requests that portion of driveway be allowed to encroach upon the existing easements;

AND WHEREAS, the City has been requested to consent in writing for a portion of driveway on the property to be installed at the requested location;

NOW, THEREFORE, the City of Norman does hereby consent to said portion of driveway on the property being within and upon the easements with the following conditions:

1. The property owner be responsible for the cost of repairs for any damages to the City's drainage, utility and waterline easements caused by any excavation or other construction activities conducted on their behalf; and

2. The property owner will be responsible for the cost the City incurs to remove any or all of the portion of driveway if needed, to facilitate maintenance or repair of the City's easements; and

3. The property owner will be responsible for the cost to repair or replace any or all of that portion of driveway for such repairs.

4. The property owner waives and releases any claims against the City for any damages to any or all of the portion of driveway caused by any excavation by the City for purposes of maintaining or replacing the City's facilities within the easement areas.

5. By encroaching on said easements, 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 encroaching driveway.

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.

The consent is limited to the portion of driveway as indicated in the application being located within the 7.5 waterline easement and the 17' drainage/utility easement 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 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 sewer easement, for any purpose associated with the maintenance, construction, relocation, etc. of any sewer located within the said easement.

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

THE CITY OF NORMAN, OKLAHOMA

_____
Mayor

ATTEST:

_____
City Clerk

On this _____ day of October, 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:

_____

OWNERS:
GEMINI DEVELOPMENT CORP.

By: _____
M. Kaiser Aziz

On this 17th day of October, 2012, before me personally appeared OCTOBER 2012 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.

Lou Ellen Usry
Notary Public

My Commission Expires: _____

NOTARY PUBLIC SEAL STATE OF OKLAHOMA
OFFICIAL SEAL
LOU ELLEN USRY
Commission #00006975
Expires May 21, 2016

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

office memorandum

DATE: September 11, 2012

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

FROM: Brenda Hall, City Clerk

SUBJECT: Request for Consent to Encroachment No. 1213-1

I am in receipt of an encroachment request for permission to encroach on a 17 foot utility easement and a 7.5 foot utility and drainage easement located in Lot 1, Block 4, Brookhaven, Section 40, a/k/a 1920 Rosebrook, to construct a driveway. I am forwarding the letter of request and site plans. 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 October 23, 2012, and the information must be received in my office by October 9, 2012. If there is a problem in meeting that timeframe, please advise.

smr
attachments

office memorandum

Date: September 26, 2012

To: Brenda Hall, City Clerk

From: Jim Speck, Capital Projects Engineer JS

Re: Consent to Encroach 1213-1
Lot 1, Block 4, Brookhaven, Section 40
(1920 Rosebrook)

The lot located at 1920 Rosebrook (Lot 1, Block 4, Brookhaven, Section 40) has a platted 17-foot wide drainage/utility easement along the western boundary and a 7.5 waterline easement along the northern boundary. The owner requests construction of a driveway on a portion of the 7.5-foot waterline easement and a significant portion of the 17-foot drainage/utility easement. Currently, there is an 8-inch sewer line located within the platted easement. A manhole is located within this easement but is not shown on the drawing provided with the consent request.

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 for construction of a driveway only within the U/E provided the applicant agrees to the following:

1. Provide any modifications that may be required and/or necessary, with approval from the Utilities Department, to the manhole located within the 17-foot drainage/utility easement.
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, 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 residence 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: October 3, 2012

To: Leah Messner, Assistant City Attorney

From: Ken Danner, Subdivision Development Manager KD.

Subject: Consent to Encroach
Lot 1, Block 4, Brookhaven NO. 40 Addition
1920 Rosebrook

Public Works Department, Engineering Division does not object to the encroachment of a proposed driveway onto a 7.5-foot water line easement and a 17-foot drainage and utility easement as long as there is a hold harmless clause in the consent document that clearly states replacement of the driveway will be at the total expense of the property owner if street and roadside maintenance has to perform maintenance of an existing 24" reinforced concrete storm sewer pipe. The installation of the driveway will be inspected and not allowed to block any possible storm water overflow.

Utility companies responses are attached.

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

Reviewed by: Scott Sturtz, City Engineer SS
Shawn O'Leary, Director of Public Works

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

Terri Hayes
Engineering and Construction
6100 S Walker Avenue
Room 111-E
Oklahoma City, OK 73139

T: 405-636-3770
F: 405-636-3778

September, 19, 2012

Consent to Encroach 1213-1
Brookhaven, Section 40
Lot 1, Block 4
a/k/a 1920 Rosebrook
Norman, Oklahoma
Cleveland County

To Whom It May Concern:

Review of the above request to encroach an existing drainange/utility easement along the south (rear) property line of the above referenced property has been completed. Please be advised that ATT Southwest has no objections to this construction under the following advisements.

a. AT&T does have an existing buried 400-pair copper cable in the rear 17' drainage/utility easement of this property.
b. The property owner hereby releases AT&T of responsibility to repair, rebuild, or maintain any properties placed by property owner in said encroachment area.
c. Property owner must ensure accurate up-to-date facilities locates are obtained by contacting OKIE-ONE (1-800-522-6543).
d. Damage to AT&T facilities resulting from this or any future construction within this easement may carry cost charges to property owner.
e. Any requests to move and/or lower facilities will be at the property owner's cost.
f. AT&T retains all of its rights with respect to its property, right-of-way or easement. Specifically, AT&T retains the right to access its telecommunications facilities to repair, maintain or augment its telecommunications network.

If you have any questions, please feel free to contact me on (405) 291-1073.

Sincerely,

Terri Hayes
Manager – OSP Planning and Engineering Design
Norman Wirecenter
300 S. Broadway
Moore, Oklahoma 73160

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PO Box 321
Oklahoma City, Oklahoma 73101-0321
405-553-3000
www.oge.com

OG&E

OG&E Electric Services
An OGE Energy Corp. Company

SEPTEMBER 19, 2012

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

RE: **Applicant: Gemini Development Corp.**
Consent to encroach in a 17' and 7.5' U/E
Lot 1, Block 4, Brookhaven Addition No. 40
1920 Rosebrook
Encroachment No. 1213-1

Mr. Danner;

Available records show OG&E Electric Services has underground facilities in the 17' Drainage/Utility Easement and the 7.5' Utility Easement, located along the south side of above mentioned lot. The owner intends to pave over a portion of these utility easements for a driveway. It is our understanding, from a letter dated September 11, 2012, the owner will be responsible for any repairs to the driveway, if OG&E ever had to repair or replace our existing facilities in these utility easements. With this in mind, OG&E does not object to the encroachment.

If you should have any other questions, please contact me at 553-5174.

Sincerely,

Timothy J. Bailey
Right-Of-Way Agent

OKLAHOMA ELECTRIC COOPERATIVE

Your Touchstone Energy® Partner

September 21, 2012

Ken Danner
Development Coordinator
City of Norman Public Works Department
P.O. Box 370
Norman OK 73070

Re: Request for consent to encroach on a 17 foot utility easement and a 7.5 foot utility and drainage easement located on Lot 1, Block 4, Brookhaven Section 40 -- a/k/a 1920 Rosebrook (Consent to Encroach No. 1213-1)

Dear Ken:

OEC has **NO** objection to this request. Please feel free to contact me if you have any questions.

Respectfully,

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

TP/sc

OKLAHOMA NATURAL GAS
A DIVISION OF ONEOK

September 24th, 2012

Attn: Brenda Hall, City Clerk
Jeff Bryant, City Attorney
Doug Koscinski, Current Planning Manager
Ken Danner, Development Coordinator
Ken Komiske, Director of Utilities

Dear Ms Hall,

LETTER OF NO OBJECTION FOR A REVOCABLE PERMIT

THIS REQUEST IS FOR THE PROPOSED CONSTRUCTION OF A 13' WIDE DRIVEWAY TO BE INSTALLED ON THE NORTHWEST CORNER OF THE PROPERTY. THE DRIVEWAY WILL ENROACH THE 17' DRAINAGE/UTILITY EASEMENT AND THE 7.5' UTILITY EASEMENT LOCATED AT 1920 ROSEBROOK, NORMAN, OKLAHOMA.

The legal description for 1920 Rosebrook is Lot One (1), Block Four (4), of Brookhaven Addition, Section 40, Norman, Cleveland County, Oklahoma.

Oklahoma Natural Gas Company does not object to the city of Norman issuing a permit for the purpose described above provided there is no conflict with our main. We do have a (2") natural gas distribution main extending along the north side of the property in the 7.5'utility easement and a (2") natural gas distribution main extending along the west side of the property in the 17' drainage/utility easement and possible services.

Because of the distribution lines and possible natural gas service lines, we request that the Okie One-Call System (840-5032 or 1-800-522-6543) be contacted a minimum of forty-eight (48) hours before any excavation. Should our facilities be damaged as a result of your installation, you and/or your contractor will be liable for any costs for repairs. These costs could include a cost calculation for gas loss should any occur. Also, Oklahoma Natural Gas Company will not be responsible for any costs for repairs to the driveway should it be damaged in the course of operations or maintenance on our facilities.

Sincerely,

Tommy McDaniel

Tommy McDaniel
Team Leader

625 N. Berry Road • Norman, OK 73069-7541
(405) 366-2407 • Fax (405) 366-2440
www.ong.com

October 2, 2012

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

Attn: Ken Danner, Drew Norlin

Re: REQUEST FOR CONSENT TO ENCROACHMENT NO. 1213-1

To Whom It May Concern:

Cox Communications, has no objection to the City of Norman granting the Encroachment No. 1213-1 request for permission easement located in Lot 1, Block 4, Brookhaven, Section 40, a/k/a 1920 Rosebrook, to construct a driveway.

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

office memorandum

DATE: October 2, 2012

TO: Leah Messner, Assistant City Attorney

FROM: Jane Hudson, Principal Planner

SUBJECT: Consent to Encroach – No. 1213-1
Lot 1, Block 4, Brookhaven, Section 40
1920 Rosebrook

Planning and Community Development Staff does not oppose the proposed drive encroaching into the 17' utility easement and the 7.5 utility and drainage easement platted for this lot.

The request as submitted on the site plan does not violate any building setback or coverage requirements within the Zoning Ordinance.

Since there are no zoning violations associated with the consent to encroach request Planning Staff in not opposed to this request.

Reviewed by: Susan Connors, AICP SFC
Director of Planning and Community Development

cc: Brenda Hall, City Clerk

City of Norman, OK

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

Master

File Number: K-1112-132 Final

File ID:	K-1112-132 Final	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 26	**In Control:**	City Council
Department:	Parks and Recreation Department	**Cost:**		**File Created:**	10/12/2012
File Name:	Final Acceptance Monroe Park Playground Equipment			**Final Action:**	

Title: CONSIDERATION OF FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT NO. K-1112-132 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND ACS PLAYGROUND ADVENTURES, INC., FOR THE MONROE PARK PLAYGROUND EQUIPMENT PROJECT.

ACTION NEEDED: Motion to accept or reject the project; and, if accepted, direct final payment in the amount of $7,575 to ACS Playground Adventures, Inc.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 26

Attachments: Text File Monroe Park Final, ACS Purchase Order

Project Manager: James Briggs, Park Planner

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-1112-132 Final

Body

BACKGROUND: The 2009 Norman Parks and Recreation Master Plan identified the area around Monroe School, located at 1601 McGee Drive, as being deficient in neighborhood park facilities. As recommended in the Master Plan, a cooperative effort between the City of Norman and Norman Public Schools resulted in the City's lease of 4 acres of land at the Monroe School site. This lease was approved by City Council in September 2011.

DISCUSSION: Parks and Recreation staff worked with the school system and local residents to provide a park plan. The plan included a large playground equipment area, paved walking trail, picnic

shelter, fencing, baseball backstops, soccer goals, additional trees and site furnishing such as picnic tables, waste receptacles and drinking fountain. All features have been installed except the trees which will be planted in the winter.

On 12 June 2012, City Council approved RFP Number 1112-53 for the Monroe Park Playground Equipment Project. Included in this project is a large playground with age appropriate play features along with shade and safety surfacing. The project was awarded to ASC Playground Adventures, Inc. in the amount of $151,500.

Partial payments were issued in July and August 2012 for this project. The playground project was inspected by staff on 8 October 2012, found to be complete per specifications and recommends accepting the project as complete.

RECOMMENDATION: It is recommended that City Council accept this project as complete and authorize final payment as follows:

CONTRACT NUMBER K-1112-132
MONROE PARK PLAYGROUND EQUIPMENT PROJECT
Awarded to: ACS Playground Adventure Inc.
Award amount: $151,500
Account: Monroe Park Improvements (052-9543-452.6101)
Project No. PR0255, Monroe Park Playground Equpment
Final payment: $7,575

PURCHASE ORDER

The City of NORMAN

INVOICE TO:
City of Norman
PARKS AND RECREATION
201-C WEST GRAY STREET
NORMAN, OK 73070

P.O. #: 217459
DATE: 06/15/12

VENDOR #
10277

ACS PLAYGROUND ADVENTURE INC
5577 NW EXPRESSWAY
OKLAHOMA CITY, OK 73132

SHIP TO:
City of Norman
PARKS AND RECREATION
201-C WEST GRAY STREET
NORMAN, OK 73070

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
06/04/12	BEST WAY	DESTINATION	NET

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
05295434526101	TERRY-FOSTER	202146	06/04/12

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	151500.00	EA	MONROE PARK PLAYGROUND EQUIPMENT, RFP#1112-53 CITY COUNCIL AGENDA OF 6-12-12 VENDOR ITEM NO.- COUNCIL 6-12-12	1.0000	151500.00

SUB-TOTAL	151500.00
TOTAL	151500.00

7-30-12 Receipted in Inv. #1110 (7-26-12) — 89877.00
8-27-12 " Inv. #1128 (8-13-12) — 54048.00
Balance # 7575.00

City of Norman, OK

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

Master

File Number: K-1213-86

File ID:	K-1213-86	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 27	**In Control:**	City Council
Department:	Public Works Department	**Cost:**	$300,000.00	**File Created:**	09/24/2012
File Name:	K-1213-86 Comprehensive Transportation Plan			**Final Action:**	

Title: CONTRACT NO. K-1213-86: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND FREESE AND NICHOLS IN THE AMOUNT OF $300,000 FOR THE DEVELOPMENT OF A COMPREHENSIVE TRANSPORTATION PLAN FOR THE CITY OF NORMAN.

ACTION NEEDED: Motion to approve or reject Contract No. K-1213-86 with Freese and Nichols in the amount of $300,000; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 27

Attachments: Text File Comprehensive Plan, Contract K-1213-86 with Freese and Nichols

Project Manager: David Riesland, Assistant Traffic Engineer

Entered by: julie.shelton@normanok.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1213-86

Body

BACKGROUND: The City of Norman, Oklahoma has taken the first steps toward preparing a Comprehensive Transportation Plan (CTP), *Moving Forward. Moving Forward* is an appropriate description of the City's desires to plan for an efficient and comprehensive transportation system. It embodies the idea of starting where the City is now with transportation, and setting the direction for change into the future. A unique approach was conducted in the fall of 2011 to develop the scope of the CTP by inviting the public to provide input as to what transportation issues should be included in the CTP study (Phase I). Facilitated workshops for the general public were held for each Ward in the

city where the participants provided comment on the CTP goals and on specific transportation issues of concern. Outreach was also provided through a variety of social media and the City's web site. A statistically valid community survey was administered to provide validation on the transportation issues identified through the other public participation activities.

The compilation of the public input was incorporated into a draft scope of services for the Norman CTP. This scope of services reflects the values and priorities of the community as compiled during the community involvement process. It is anticipated that further refinement of the guiding principles, goals, and strategies will occur throughout the transportation planning process (Phase II). Following an extensive Request for Proposal process followed by scope and fee negotiations with the selected consultant team, the City of Norman is now ready to embark on Phase II for the development of our first full CTP.

DISCUSSION: The Public Works Department received four proposals for Comprehensive Transportation Plan Consulting Services. A Selection Committee was formed consisting of Shawn O'Leary-Public Works Director, Susan Connors-Planning Director, Angelo Lombardo-Transportation Engineer, David Riesland-Traffic Engineer, and two private citizens. Mr. Doug Myers serves as the Director for CART and Mr. Tom Sherman serves as the Chair of the Norman Chamber of Commerce Transportation Committee. Each proposal was scored independently by each member on a point scale as defined in the Request for Proposal (RFP No. 1213-03). The proposals were reviewed, and all of the submitting proposers, the Freese and Nichols (Dallas, TX) team, the Kimley-Horn (Dallas, TX) team, the Lochner (Oklahoma City, OK) team, and the LSA (Fort Collins, CO) team were interviewed on August 6, 2012. At the end of the process, the committee selected the Freese and Nichols team as the most qualified team because of their experience and approach to the project.

Freese and Nichols is a 523-member multi-disciplinary firm that has been in business for 118 years. The firm has successfully completed comprehensive transportation plans for College Station, Texas, Arlington, Texas, and Irving, Texas.

Staff negotiated a $300,000 contract fee with the Freese and Nichols team to provide the previously mentioned services (see contract in Attachment No. 1). In FYE 2013, the $300,000 contract fee was set aside in Capital project account 050-9056-431.62-01 (Transportation Master Plan / Project No. TC-0248). If approved, the process to develop the City's first CTP will begin immediately. It is estimated that the process will take up to fifteen months with completion anticipated in January, 2014.

Under contract to the City, Freese and Nichols will provide a framework for the development and implementation of an efficient and comprehensive transportation system within Norman and its extraterritorial jurisdiction. The CTP will build off the following elements from the Guiding Principles, Goals and Objectives of the Phase I Scoping Effort:

- Achieving safe and efficient flow of transportation facilities,
- Assessing and addressing deficiencies of the existing transportation system through short- and long-range objectives,
- Develop modal system plans,
- Identify transportation policies and programs to implement modal system plans, and
- Develop a prioritized capital improvements program for short- and long-range actions.

In addition, the effort to produce a CTP will contain the following elements:

- A land planning charrette aimed at framing the long-term growth of the City will serve as the basis for travel forecast modeling of long-term growth.
- The plan will be guided through work with the Community Visioning Committee (established as part of Phase I) and specific Modal Sub-committees and supported through a public input program consisting of public meetings and dissemination of plan information via a project website as well as social media.
- A public hearing process at the conclusion of the study will support final plan recommendations.

RECOMMENDATION: Staff recommends approval of Contract No. K-1213-86 with the Freese and Nichols team in the amount of $300,000, for the development of a Comprehensive Transportation Plan for the City of Norman.

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT is entered into between The City of Norman (OWNER) and Freese and Nichols, Inc. (CONSULTANT) for the following reasons:

1. OWNER intends to prepare a Comprehensive Transportation Plan (the Project); and,
2. OWNER requires certain professional planning, 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 9th day of October, 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 other 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 defend, 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) caused by an error, omission, or negligent act of the indemnifying party in the performance of services under 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 without at least thirty days' written notice to OWNER. 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. 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, guarantee or warrant 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.
City Traffic Engineer
City of Norman
1311 DaVinci
P.O. Box 370
Norman, OK 73069

CONSULTANT:

Tricia H. Hatley, P.E., LEED AP
Freese and Nichols, Inc.
Vice President/Principal
1701 N. Market Street, Ste. 500
Dallas, Texas 75202

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.
Should such negotiation or mediation fail to resolve the dispute, either party may pursue resolution of the dispute by arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association; provided, however, in the event the parties are unable to reach agreement to arbitrate under terms reasonably acceptable to both parties, either party may pursue resolution in any court having jurisdiction. 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 Freese and Nichols, Inc. have executed this Agreement.

DATED this 9th day of October, 2012.

The City of Norman (OWNER)	Freese and Nichols, Inc. (CONSULTANT)
Signature _____	Signature David Jackson
Name Cindy Rosenthal	Name David R. Jackson, P.E., BCEE
Title Mayor, City of Norman	Title Principal
Date _____	Date 9/20/12
Attest:	Attest:
_____ City Clerk	_____ Associate

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

_____
City Attorney

Attachment A, Scope of Services
Norman Comprehensive Transportation Plan

The purpose of the Comprehensive Transportation Plan (CTP) is to provide a framework for the development and implementation of an efficient and comprehensive transportation system within Norman and its extraterritorial jurisdiction. The Plan will build off CTP Phase I efforts by reviewing and providing guiding principles, goals and objectives for achieving safe and efficient flow of transportation facilities, assessing and addressing deficiencies of the existing transportation system through short and long-range objectives, develop modal system plans, identify transportation policies and programs to implement modal system plans, and develop a prioritized capital improvements program of short and long-range actions. A land planning charrette aimed at framing the long-term growth of the city will serve as the basis for travel forecast modeling of long-term growth. The plan will be guided through work with the Community Visioning Committee (CVC) and specific Modal Sub-Committees and supported through a public input program consisting of public meetings and dissemination of plan information via a project web-site and social media. A public hearing process at the conclusion of the study will support final plan recommendations.

Work Area 1: Guiding Principles, Goals and Objectives

In addition to refining the goals of the program, the subcommittees will have an opportunity to establish the objectives to reach those goals and how they will be measured, and subsequently help to formulate and prioritize the improvements to the transportation system.

Task 1.1 **Staff Work Session #1: Project Initiation Kick-off Meeting**

FNI will conduct a kick-off meeting with the City of Norman staff and invited representatives of the CVC. The objective of the kick-off meeting is to verify that the project scope, expectations, budget, schedule, and deliverables are clearly understood by all. During the kick-off meeting, we will establish an effective plan for communicating with our Project Team members, city staff and stakeholders. Typical of all meetings, City staff will prepare a meeting summary and distribute to participants within 5 working days after the meeting.

Task 1.2 **Establish CVC Subcommittee Organizational Structure**

As part of the agenda for the kick-off meeting, FNI will collaborate with City staff and representatives of the CVC to establish a set of subcommittees, their recommended member typology, their organizational structure and their charter for working with the City staff and FNI to actively participate in the assessment of needs and formulation of action items, as well as responsibilities for review and level of control of Plan products. Four subcommittees are to be created:

- Automobile Capacity and Quality of Service and Parking
- Pedestrian and Bicycle Mobility and Safety and Streetscape
- Transit Capacity and Quality of Service
- Freight Movement, Airports, Emergency Response

City staff and other agency representation on the subcommittees will also be established. City staff and CVC members will be responsible for populating the Subcommittees and for managing their membership and participation. Meetings with the Subcommittees, described hereafter, will be conducted simultaneously on one day, beginning with an opening discussion collectively and then breaking into the four groups to focus on modal issues, reassembling as needed at the end of the meeting to review work efforts. Interaction of FNI with the Subcommittees to provide input and review between meetings will be facilitated by electronic communications and file sharing.

Task 1.3 Establish Framework for Social Media Outreach and Public Meetings

Also as part of the kick-off meeting, FNI will collaborate with City staff to establish a protocol for the platform, timing and substance of CTP information that is disseminated to the general public and the process for on-line surveys regarding plan elements. We will prepare an initial timeline for key project deliverables and meetings and collaborate with City staff on when messaging and graphics need to be provided by FNI for City staff distribution using the City's established web page, Facebook, Twitter and other distribution processes.

Task 1.4 Subcommittee Meeting #1: Review Goals and Principles and Establish Objectives

The Project Manager and Task Leaders from the FNI team, as well as City and CVC leadership, will meet with each of the four subcommittees to discuss and refine as necessary the initial set of principles and goals for the project. The FNI team Task Leaders will facilitate discussion on strategies identified in the Phase 1 efforts of the Plan, and work with the subcommittees to refine and expand upon these strategies to formulate specific Objectives for each of the goals under purview of each the subcommittees. The formulation of specific objectives will facilitate subsequent assessment and prioritization of action items for implementation.

Task 1.5 Finalize Principles and Goals

Based on input from the Subcommittees, FNI will draft a final statement of Principles and Goals for the CTP, and feedback to the Subcommittees for final comment. FNI will provide the final statement of Principles and Goals electronically to City staff and the CVC for review and comment. Upon concurrence with the final principles and goals, FNI will incorporate the statement of principles and goals into a draft of Report Chapter 1: Goals and Objectives.

Task 1.6 Prepare Draft Objectives for Goals and Measures for their Achievement

FNI will draft specific objectives for each of the refined Plan goals. These Objectives, along with potential measures of attainment by which they could be assessed, will be distributed to the Subcommittees for review and subsequent discussion and concurrence at the next subcommittee meetings.

Work Area 1 Deliverables:

- Draft Chapter 1 on Principles, Goals and Objectives for the Plan
- Framework for Social Media Outreach
- Summaries of meeting discussions with City staff and Subcommittees

Work Area 2: Assessment of Existing Transportation Systems

The assessment of existing conditions will provide documentation of the need for any proposed short and long range improvements and will establish a baseline point of reference for the context of the Plan and for future Plan updates.

Task 2.1 Review and Summarize Existing Plans, Studies and Information and Phase 1 Input

FNI will review and prepare a summary of Phase 1 efforts and relevant studies of traffic, parking and other modal aspects of the current needs and future transportation plans for the Norman area for documentation of the existing conditions and plans section of the report.

Task 2.2 Compile and Summarize Available Data

FNI will prepare a list of data needs for the project. We anticipate that most of the data needed for this project will be available from the City of Norman, Association of Central Oklahoma Governments (ACOG), and Oklahoma Department of Transportation (ODOT) and submitted in electronic format. The preference for mapping is geographic information systems (GIS) format shapefiles. This includes information on the major streets such as speed limits, traffic counts, crash data, traffic signal system information, sidewalk inventory, transit inventory and ridership data, existing land uses, and ACOG travel demand model files.

Task 2.3 Gather Additional Needed Data

FNI will conduct a site visit along each major roadway to note the existing geometry and features such as parking, speed limits, queuing, pedestrian facilities, traffic signal features and general operating characteristics. We will also identify any apparent major operational deficiencies or safety issues.

Task 2.4 Analyze the Existing Transportation System Conditions

Based on the compiled data, the team will assess the needs of the existing transportation system including:

- **Automobile Traffic** – The consultant team will consider existing daily and peak hour traffic volumes, and travel time runs to assess how automobile traffic is being served within the study area. Roadway segment Level of Service and/or volume to capacity ratios will be reported on a planning-level basis.
- **Trucks** - Major truck flows within the study area will be identified including impact to local streets and interfaces with major freight generating facilities. Designated truck routes throughout the City will be evaluated.

- **Bus Transit** –Bus service for the City of Norman (including the OU campus) is provided by Cleveland Area Rapid Transit (CART). As part of the assessment, our team will analyze the use of existing bus routes/stops and identify areas that need additional service or amenities. In addition, ridership and quality of service (bus headways, duration of service, travel time reliability, service coverage) will be evaluated.
- **Passenger Rail** – FNI will review the current and planned Amtrak service and the findings of the ACOG Regional Commuter Rail Study to assess the potential interface of regional rail with the local Norman transportation system.
- **Aviation** – The Max Westheimer Airport is one of two reliever airports to the Will Rogers World Airport within the metropolitan area. The needs assessment will incorporate ideas consistent with any approved aviation master plan and ensure that adequate access is provided to use the facility.
- **Bicycles** – FNI will assess the adequacy of and potential issues with the current and planned system of designated bicycle facilities in terms of route conditions, intersection/trail crossing elements, connections to activity centers, and crossings of major barriers, such as I-35.
- **Pedestrians** –The City will provide FNI with a data base of the sidewalk inventory in GIS format. The existing sidewalks will be assessed to ensure that major pedestrian routes are continuous and provide access to activity centers, schools, libraries, parks, and bus transit. In addition, the sidewalks will be evaluated to ensure that they are in acceptable condition and are Americans with Disabilities Act (ADA) compliant.
- **Parking in Downtown and Campus Corner** – FNI will evaluate the parking supply in the Downtown and Campus Corner area for normal daily operations to assess the ease of use and typical daily peak occupancy of the supply.
- **Major Street/Highway System** – The roadway inventory by functional classification will be evaluated to determine which areas of the study area are adequately served by the network. Connectivity, access to freeways, and parameters such as access points and numbers of signals per mile will be considered to determine high-level highway system deficiencies.
- **Traffic Signal System** – FNI will collaborate with city staff to identify roadway corridors with older signal timing plans in need of updating, new corridors in need of coordination, and equipment upgrades – such as detection, communication, Automated Traffic Management Systems (ATMS) components, fully adaptive systems, and signal hardware.
- **High Crash Locations** –FNI will evaluate the most recent three years of historical crash information of the major streets and highways, to be provided by city staff. High incident locations and patterns will be identified and crash rates will be compared to Oklahoma crash rates for similar facilities.
- **Maintenance** – FNI will receive the city's pavement management information and review with city staff the conditions of the existing roadway pavements to see if overlays or more extensive repairs are needed.

FNI will review the condition of the existing pavement markings to assess the clarity of delineation of vehicular movements.

Task 2.5 Review Current Trends, Committed Improvements and Planned Projects, Programs and Initiatives

City infrastructure development is constantly undergoing review and assessment by city staff and improvement projects and plans to initiate projects are constantly in various stages of development. FNI will collaborate electronically with city staff to document funded (committed) and planned improvements for documentation of the existing and anticipated short range conditions.

Task 2.6 Prepare Assessment of Existing and Impending Deficiencies

With the documented information on the existing conditions plus committed future projects (E+C network), FNI will assess the remaining shortcomings of the E+C transportation system and identify the measured and perceived issues of safety, congestion, and mobility needed to attain the short range goals and associated objectives of the CTP. The set of planned but not yet funded projects will be considered among the set of possible Short and Long Range improvements. Measures of effectiveness for the E+C network will be prepared to document the existing conditions as a baseline for assessment of subsequently proposed improvements using feedback from Task 1.6. The assessments will consider how the existing facilities and policies are currently meeting the guiding principles, goals, and objectives identified for the project. Issues will be identified in this assessment and potential improvements formulated for discussion with the Subcommittees.

Task 2.7 Prepare Draft Report Chapter on Existing Conditions

FNI will compile the draft report chapter on Existing Conditions and send it electronically to City staff for review. After incorporating City staff comments, FNI will provide an electronic version of the draft Existing Conditions chapter to the Subcommittees for advance review and comment.

Task 2.8 Provide Draft Chapter on Existing Conditions, E+C Needs to Subcommittees for Review

FNI will collaborate electronically with the Subcommittees to get feedback on the completeness and accuracy of the Existing Conditions Chapter, and open discussions on needed improvements in the Short Range. FNI will prepare the materials for review, facilitate electronic collaboration, and compile the Subcommittee comments for subsequent work sessions.

Task 2.9 Social Media Outreach on Existing Conditions Assessment

FNI will provide City staff with the essential information of the Existing Conditions Chapter that is to be disseminated to the general public via the city's webpage, according to the social media outreach framework initially defined in Task 1.3. FNI will collaborate with City staff on the messaging and graphics

need to be provided by FNI for City staff distribution using the City's established Facebook, Twitter and other distribution processes.

Work Area 2 Deliverables:

- Draft Report Chapter on Existing Transportation Systems
- Materials for Social Media Outreach on Assessment of Existing Conditions
- Summary of meeting discussions with City staff and Subcommittees

Work Area 3: Assessment of Transportation System Needs

During the assessment of the existing and committed transportation provisions of the community, many currently needed and longer range improvement needs will be identified. Seen in the perspective of the vision of the future, an assessment of transportation needs will be developed which will generate potential concepts for improvements.

Task 3.1 Prepare Initial Transportation System Needs Assessment

Using the information on transportation system deficiencies generated in Task 2.6, along with the findings of the E+C model run described in Task 4.3, translate this information into a set of transportation improvement needs to be addressed, and their associated objectives and measures of attainment by which they will be evaluated. Prepare a technical memorandum describing the transportation needs and objectives and provide it to the Subcommittees for their review in advance of the next meeting.

Task 3.2 Review Needs Assessment and Initial Strategies with City Staff

A meeting will be held with City staff on the day of and prior to Subcommittee Meeting #2, to discuss the Assessment of Needs tech memo. FNI will discuss with City staff the initial strategies for improvements to address the identified needs and objectives. This meeting in advance of the Subcommittee meetings will help to preview some of the overall needs and improvement issues and prepare FNI and City staff to direct the discussions efficiently and effectively.

Task 3.3 Sub-Committee Meeting #2: Address Transportation System Needs and Formulate Concepts

A meeting will be held with the Subcommittees to discuss the Needs Assessment and formulate improvement strategies, incorporating the input from Phase 1 efforts, to address the transportation system needs that would meet the system objectives. FNI will help City staff to facilitate the meeting and discussions. Input from the Subcommittee will be encouraged throughout a subsequent two week period of ensuing email and phone discussions among subcommittee members, City staff and FNI.

Task 3.4 Refine Needs Assessment and Define the Collaborated Concepts on Needed Improvements

FNI will prepare a Technical Memorandum summarizing the concurred assessment of needs and definition of the collaboration on improvement concepts developed by the Subcommittees, FNI Team and City staff. Each

improvement strategy will be defined sufficiently to be assessed as to whether they meet the stated Objectives. The Technical Memorandum will be provided electronically to City staff and the Subcommittees for review and comment.

Task 3.5 Social Media Outreach on Assessment of Needs

FNI will provide City staff with the essential information of the development and evaluation of Short Range Improvements that is to be disseminated to the general public via the city's webpage, according to the social media outreach framework initially defined in Task 1.3. FNI will collaborate with City staff on the messaging and graphics need to be provided by FNI for City staff distribution using the City's established Facebook, Twitter and other distribution processes.

Task 3.6 Review Needs Assessment with Commissions, Committees, and Council

As directed by City staff, FNI will prepare presentation materials and handouts for FNI and City staff presentation of the Existing Conditions and Assessment of Needs to a joint meeting of the Community Planning and Transportation Committee and the Planning and Zoning Commission, for their information in advance of Public Meeting #1. Later that day, FNI will assist City staff to present the same materials as a briefing to City Council. As needed, FNI will incorporate feedback on the presentation into the draft chapters and the materials to be presented to the public.

Task 3.7 Public Open House Meeting #1 on Existing Conditions and Assessment of Needs

FNI will collaborate with City staff to develop the format and structure of an open house style public meeting to present and receive feedback on the assessment of existing conditions, formulation of potential improvements, evaluation and scoring and prioritization of improvements. Members of the Subcommittees will be invited to participate in the general public interaction. FNI will prepare display and presentation materials and assist the City to present the materials and facilitate discussions with members of the public during public viewing and small group exercises. FNI will prepare a summary of the presentations, significant verbal feedback, and will tabulate the written data and comments provided by the attendees. These materials will be compiled as an Appendix to the Plan Report, and will be provided to City staff for review within one week of the public open house.

Task 3.8 Prepare Plan Report Chapter on Transportation System Needs Assessment

FNI will incorporate the public open house and on-line community feedback with the previously prepared technical memoranda materials on the assessment of needs transportation improvements into a draft Plan Report Chapter on Needs Assessment. FNI will provide the draft report chapter electronically to the Subcommittees for review and comment, and will incorporate review comments into the final Report Chapter.

Work Area 3 Deliverables:

- Technical Memorandum on Assessment of Transportation System Needs
- Draft Report Chapter on Assessment of Needs
- Materials for Social Media Outreach on Assessment of Existing Conditions
- Materials for presentations to Commissions, Committees and City Council
- Summary of meeting discussions with City staff and Subcommittees

Work Area 4: Forecast Transportation Conditions

FNI will refine and apply the Oklahoma City Area Regional Transportation Study (OCARTS) travel demand model (TDM) to forecast traffic demand and to identify anticipated transportation system deficiencies as well to measure the potential improvements that can be gained from alternative solutions or land use scenarios. All travel demand modeling carried out in this task will be compatible with Encompass 2035 modeling and will be delivered with documentation to the City for upgrades.

Task 4.1 Review ACOG Regional TDM for Norman Land Use and Network

FNI will obtain the base year and 2035 OCARTS travel demand models from ACOG and will develop a refined OCARTS TDM to specifically address the subarea encompassing the City of Norman and the City's immediate surrounding area of influence.

Task 4.2 Validate the ACOG Base Year Model for Norman Traffic Volumes

FNI will validate the refined base year subarea model for the City of Norman using available count data, the revised zonal structure, and transportation network, and base year model parameters. The travel demand model will then be used to conduct a 2035 forecast year capacity deficiency analysis.

Task 4.3 Assess the "No-Build" 2035 Roadway Operations

FNI will work with the City to define an existing plus committed (E+C) roadway network within the City of Norman for use in conducting a transportation system deficiency analysis based on current plans and implementation programs. This information will be used as input into the efforts of Task 3.1. FNI will perform travel demand model runs using the defined E+C roadway network and the refined 2035 population and employment data to provide an assessment of transportation system deficiencies under a 'no action' scenario. The results of the deficiency analysis will be used to prepare maps and exhibits depicting deficiencies using performance measures such as levels of congestion, travel delay and other metrics identified for improvement evaluation. A Technical Memorandum will be prepared that describes the process for developing the model and the results of the 2035 "No-Build" scenario.

Task 4.4 **Analyze 2035 Subarea Model for New Roadway and Congestion Mitigation Needs**

As part of the collaboration on recommended improvements described in Work Area 5, FNI will develop 2035 forecast year networks for a concurred set of candidate build alternatives that will be used to test alternative scenarios to measure and compare the benefits of different transportation improvements or land use scenarios. To perform these analyses, FNI will code the candidate projects included in the alternative plan scenarios into the 2035 Norman Subarea travel demand model roadway network layer. Using the updated 2035 highway network for the candidate Build Alternatives, the project team will apply the subarea model to produce transportation system performance measures that can be used to evaluate the comparative benefits of each of the plan alternatives over the 'no action' scenario produced during the deficiency analysis. The results of this analysis will be summarized in easily interpreted maps and exhibits for use by FNI and the City staff in presenting the results to stakeholders and the public.

Task 4.5 **Collaborate with City staff to Develop Norman Area 2035 FLUP**

FNI will use the land use characteristics incorporated into the OCARTS model as reflecting the current City of Norman Future Land Use Plan (FLUP). FNI will collaborate with City staff to develop any significant alternative growth concepts for land use forecasts for the City of Norman at the parcel level and collaborate with City staff to identify growth areas of the city where these alternative development patterns are likely to occur by 2035. FNI and City staff will concur whether any revised vision for the future land use in Norman is significantly different from that contained in the OCARTS 2035 model and whether an optional alternative model run should be developed and analyzed for consideration of alternative set of transportation improvement projects.

Task 4.6 **OPTIONAL: Alternative Land Use Scenario.** FNI will collaborate with City staff to update the land uses' population and employment in ACOG's OCARTS 2035 regional travel demand model to reflect an alternative land use scenario. FNI will assess the E+C condition for this scenario and examine the set of transportation improvements derived in Work Area 5 for any needed refinement.

Task 4.7 **OPTIONAL: Modeling of the 2025 Interim Year.** It may be helpful to assess the proposed Short Range improvements to be able to input them into a model of the 2025 trip generating conditions. ACOG did not create an interim year model between validation year and 2035, so the FNI team would create the 2025 model for this analysis, which would include a straight line interpolation of zonal demographics. Transportation system assessment would begin with only the E+C network and then test the improvements needed to mitigate congestion in this interim year.

Task 4.8 Analysis of the Transit System

The information obtained from the Transit Subcommittee and other stakeholders will be combined with a comprehensive GIS analysis of the fixed route transit system within the City of Norman. This GIS analysis will use three pieces of information to evaluate system accessibility: 1) Traffic Analysis Zones (TAZ) demographic data particularly for households with low income or no car households; 2) the OCARTS TDM transit route system for the study horizon year and 3) locations of travel attractors, such as shopping areas, hospitals, employment centers, and governmental offices.

The project team will then perform a spatial analysis to provide information on the number of persons that live within a 1/2-mile buffer zone by socioeconomic segment, and the transit-user attractive destinations within the zone. FNI will collaborate with the City staff, the Transit Subcommittee and CART management to identify additional strategies and bus transit priorities to help address the identified deficiencies that could be considered for inclusion in the program of projects for long range implementation. Once a set of strategies has been identified, FNI will use the 2035 Norman subarea travel demand model to develop 2035 transit ridership forecasts and comparative performance measures showing the transportation system benefits of the proposed transit improvements for use in project selection and prioritization. Consideration of information and implications of the ACOG Commuter Rail Study will be incorporated in the assessment of transit needs and potentials for Norman in terms of the need to serve proposed station locations and the potential increase in bus transit demand by riders arriving in or departing from Norman via regional passenger rail. A Technical Memorandum on the Analysis of the Transit System will be prepared and an electronic version provided to all of the Subcommittees.

Work Area 4 Deliverables:

- Validated Norman Subarea Base Year Model adapted from ACOG Base Year Regional Model
- 2035 Norman Subarea Model reflecting the ACOG 2035 Regional Model
- Technical Memorandum on Norman Subarea Model development and "No-Build" Scenario
- Technical Memorandum on Analysis of the Transit System
- Summary of meeting discussions with City staff

Work Area 5: Develop Transportation Plan and Prioritization

FNI will work with City staff to facilitate formulation of the modal transportation elements and improvement concepts by the Subcommittees, providing the mapping and feedback loops to sustain the creative energies. FNI will provide the technical analysis for the evaluation of the improvements and will guide the efforts by the Subcommittees to prioritize the projects for implementation.

Task 5.1 Sub-Committee Meeting #3: Develop Transportation Plan and Set of Improvements

FNI will present the results and implications of the need analysis and facilitate discussions with the Subcommittees for collaborative creation of the modal system plans and formulation of transportation improvements. FNI will help City staff to facilitate the meeting and discussions. Input from the Subcommittee will be encouraged throughout a subsequent two week period of ensuing email and phone discussions among subcommittee members, City staff and FNI.

Task 5.2 Update the Major Street Classifications and Configurations

Collaboration on the wide range of transportation needs in the community may give rise to the need to reconsider how streets are planned and designed in Norman. Thus, FNI will facilitate discussions with the Subcommittees during Meeting #3 regarding the Local, Collector, Industrial/Commercial and Arterial classifications and design standards for the city's major streets. FNI will work with City staff to prepare drafts of new standards and guidelines for approval that address needed issues to support Complete Streets initiatives and parking provisions in the central core of the city and specific corridor improvement concepts that arise through Subcommittee decisions.

Task 5.3 Prepare Draft of Modal Systems Plans

Using the information developed during the assessment of needs and planning of improvements, FNI will work with City staff to prepare drafts of the modal elements of the CTP.

- **Thoroughfare Plan Element** – The Plan addresses street classifications, typical sections and designations of the collector and arterial street system for the city, indicating truck and hazardous materials routes, transit routes and potentially including special considerations such as urban/rural, CBD or university zones for parking or special traffic rules. The Thoroughfare Plan will consider the requirements for access included in the planning studies for the airports.
- **Pedestrian Transportation System Plan Element** – Depiction of the inventory of sidewalks and trials to accommodate pedestrian mobility in the city of Norman. Preferably and ultimately to include information on the width and condition of the pathway, presence and ADA compliance of curb ramps, and indications of planned/programmed improvements. The Pedestrian Element Plan provides needed information for projects and funding nominations for Safe Routes to Schools, Safe Routes to Transit, Safe Routes to Parks and the community ADA Transition Plan and other initiatives for funding and compliance. The Pedestrian Plan would be incorporated as a modal element of the city-adopted Transportation Plan.
- **Bicycle System Plan Element** – Enhancements to the CTP and Pedestrian Plan, as well as opportunities explored during Pedestrian/Bicycle Subcommittee discussions, may provide enhancements to the 2011 Norman Bicycle Plan. Potential modifications include bike routes on arterial streets,

changes to street classifications to incorporate bicycle lanes, and trail segments to provide barrier crossing opportunities. Appropriate design standards for bike routes on arterial roads will also be defined. The Bicycle Plan would be incorporated as a modal element of the city-adopted CTP.

- **CART System Plan Transit Element** –The 2008 CART Norman Long Range Transportation Plan improvements were based upon a 2003 Needs Assessment Study. Subcommittee discussions on local initiatives for densification, public input from public meetings and community surveys, and regional initiatives for intercity transit will provide input to CART for an update to the transit plan. CART will need to assess whether the input for an update to the transit service for Norman can be fiscally accomplished. The Norman CTP would reflect the contents of the concurred updates to the CART Long Range Transit Plan, including service lines, station locations, service hours but excluding fare structure.

Task 5.4 **Subcommittee Meeting #4: Short and Long Range Improvement Projects**

With the framework of the draft modal elements in place, FNI will meet with the Subcommittees to formulate specific transportation improvement projects that would be needed to accommodate the mobility needs of the community for the next 20 years. Projects will initially be grouped into Short Range (less than 10 years to implement) and Long Range (10 to 20 years to implement). FNI will help City staff to facilitate the meeting and discussions. Input from the Subcommittee will be encouraged throughout a subsequent two week period of ensuing email and phone discussions among subcommittee members, City staff and FNI.

Task 5.5 **Definition and Summation of Specific Short and Long Range Improvements for Evaluation**

FNI will prepare a Technical Memorandum summarizing the Short and Long Range improvement concepts proposed for implementation by 2035. In some cases, further definition will be added to better fit the strategy to the stated Long Range Objectives. The Technical Memorandum will be provided electronically to City staff and the Subcommittees for review and comment.

Task 5.6 **Formulation of Improvement Scoring Methodology and Ranking Procedure**

Using the measures of attainment for objectives developed in Task 1.6 and baseline measures of existing conditions developed in Task 2.6, FNI will develop a methodology for assigning a score for the various measures such that the Short Range and Long Range improvements can be assessed against each other for comparative value to the stated goals and objectives of the Plan. Prepare a Technical Memorandum describing the development of the methodology and its application and the procedure for ranking the improvements and forward to City staff and the Subcommittee for review and feedback. With feedback from City staff and the Subcommittees on the Technical Memoranda, FNI will finalize the listing and definition of the

proposed Short Range improvements and the methodology by which they will be evaluated, scored and ranked.

Task 5.7 Estimate the Evaluation Measures of the Short Range and Long Range Improvements

In accord with the evaluation methodology, FNI will prepare estimates of the values of the attainment of the objectives necessary to complete the scoring of the potential Short and Long Range improvements. FNI will prepare estimates of probable cost of developing and implementing and, as appropriate, operating and/or maintaining the potential improvement projects.

Task 5.8 Prepare and Report the Scoring and Ranking of Short Range and Long Range Improvements

FNI will prepare tables depicting the raw scoring and summary scoring and ranking of the proposed improvements. FNI will prepare a Technical Memorandum on the description of the development and refinement of the potential improvements and the development and application of the scoring and ranking methodology and final results, and will provide the Technical Memorandum to the City staff for internal distribution to city departments.

Task 5.9 Review Assessment of Potential 20-Year Improvements with City staff

FNI will meet with City staff to review the implications of the initial ranking of improvements and estimated cost of implementation and will discuss the budgets available for the various funding categories available for the improvements. FNI will make adjustments to the 20-year program as directed and provide an updated Technical Memorandum of the definition, scoring and ranking of the potential improvements to the Subcommittees.

Task 5.10 Subcommittee Meeting #5: Review Short and Long Range Project Rankings

FNI will meet with the Subcommittees to review the implications of the scoring and ranking of the Short and Long Range improvements, and estimated cost of implementation. FNI will help City staff to facilitate the meeting and discussions. Input from the Subcommittee will be encouraged throughout a subsequent two week period of ensuing email and phone discussions among subcommittee members, City staff and FNI. FNI will make adjustments as concurred with City staff and provide an updated Technical Memorandum of the definition, scoring and ranking of the potential improvements.

Task 5.11 Review Modal Plan, Short and Long Range Improvements with Commissions and Committees

As directed by City staff, FNI will prepare presentation materials and handouts in support of the City staff and Subcommittees to present the development and evaluation of Short and Long Range transportation improvements to the Community Planning and Transportation Committee and the Planning and Zoning Commission for review and comment. FNI will incorporate feedback on

the Long Range improvements from the commissions and committees as directed by City staff.

Task 5.12 Social Media Outreach on Modal Plans, Short and Long Range Projects

FNI will provide City staff with the essential information of the development and evaluation of Long Range Improvements that is to be disseminated to the general public via the city's webpage. FNI will collaborate with City staff on the messaging and graphics need to be provided by FNI for City staff distribution using the City's established Facebook, Twitter and other distribution processes.

Task 5.13 Public Open House Meeting #2: Modal Plans, Short and Long Range Projects, Programs/Policies

FNI will collaborate with City staff to develop the format and structure of an open house style public meeting to present and receive feedback on the development of the Short and Long Range Plans for the implementation of the modal plans. Members of the Subcommittees will be invited to participate in the general public interaction. FNI will prepare display and active presentation materials and assist the City to present the materials and facilitate discussions with members of the public during public viewing and small group exercises. FNI will prepare a summary of the presentations, significant verbal feedback, and will tabulate the written data and comments provided by the attendees. These materials will be compiled as an Appendix to the Plan Report, and will be provided to City staff for review within one week of the public open house.

Task 5.14 Prepare Plan Report Chapter(s) on Modal Plan and Short and Long Range Projects

FNI will review public open house and community on-line feedback with City staff and collaborate on any needed modifications to the Modal Plans and the Short and Long Range transportation improvements. FNI will incorporate the previously prepared technical memoranda materials on the development and assessment of Short and Long Range transportation improvements into a draft Plan Report Chapter, and will provide the draft chapter electronically to City staff and the Subcommittees for review and comment. FNI will incorporate review comments into the Report Chapter.

Work Area 5 Deliverables:

- Draft Thoroughfare Plan Element
- Draft Pedestrian Plan Element
- Draft Bicycle Plan Element
- Draft Transit Plan Element
- Technical Memorandum on Short and Long Range Improvement Projects
- Technical Memorandum on the Evaluation and Ranking of Proposed Long Range Improvements
- Draft Report Chapter on Long Range Improvements
- Materials for Social Media Outreach on Long Range Plan
- Summary of meeting discussions with City staff and Subcommittees

Work Area 6: Transportation Policies and Programs

To give sustenance to the development of the infrastructure, a robust and balanced set of policies and programs are needed to facilitate staff implementation and public monitoring of the CTP over time.

Task 6.1 Review Existing Transportation Policies and Programs

FNI will conduct a peer review of transportation policies and programs for up to five similar cities (e.g., suburban college towns) in the United States as a point of comparison for those of the City of Norman. The following focus areas will be assessed for Norman and its peer cities:

- **Multimodal Integration** – local policies and programs to facilitate the exchange of goods and/or passengers between rail and truck, rail and bus, bus and bike, and other modal interchanges.
- **Transportation Financing** – the level of local financing of the various modes of transportation within the city, in $ per mile or per capita, and to the extent possible the level of non-local monies able to be utilized by the community for transportation projects and programs.
- **Traffic Impacts** – the degree to which traffic impacts are addressed by the local government, including whether Traffic Impact Studies are required by developments and whether Traffic Impact Fees are assessed on development to finance transportation infrastructure.
- **Maintenance** – the level of local government investment in maintenance of the local roadway system, in $ per mile or per capita
- **Traffic Calming** – extent of program definition and design criteria, ordinances, annual funding of traffic calming programs and improvements, etc.
- **Access Management** – Types of access management programs and improvements employed, extent of program definition and design criteria, etc.
- **Parking** - annual funding of parking programs and improvements, parking revenues, number of off-street spaces per capita, on-street policies and supply for densely developed areas, extent of program definition and design criteria, level of staffing, etc.

FNI will prepare a Technical Memorandum discussing the findings of the peer review and any identified shortcomings of existing policies and programs and the needs for new policies and programs in Norman, and will provide the Technical Memorandum electronically to City staff. City staff will approve peer cities to be reviewed prior to commencement of this task.

Task 6.2 Meet with City Staff to Discuss Deficiencies in Policies, Programs and Procedures

FNI will meet with City staff to discuss known needs and deficiencies and areas of concern for city adoption of new or revised policies, programs and procedures in advance of discussions with Subcommittees. FNI will modify the

Technical Memorandum as needed and provide to the Subcommittees in advance of the next meeting.

Task 6.3 Collaborate with Subcommittees to Address Deficiencies in Policies, Programs and Procedures

FNI will communicate and collaborate electronically with the Subcommittees to discuss the identified needs and deficiencies in City of Norman transportation-related policies, programs and procedures. Input from the Subcommittees will be encouraged throughout a subsequent two week period of ensuing email and phone discussions among subcommittee members, City staff and FNI.

Task 6.4 Concurrence on Draft Modified and New Policies and Programs

FNI will prepare a draft Report Chapter summarizing the transportation policies, programs and procedures developed and refined collaboratively with the Subcommittees. In some cases, further definition will be added by FNI to better fit them to the stated Long Range Objectives. The draft chapter will be provided electronically to City staff and the Subcommittees for review and comment.

Task 6.5 Review Draft Policies, Programs and Procedures with Commissions, Committees and Council

As directed by City staff, FNI will prepare presentation materials and handouts in support of the City staff and Subcommittees to present the refinement and development of transportation policies, programs and procedures to a joint meeting of the Community Planning and Transportation Committee and the Planning and Zoning Commission for review and comment and later that evening a briefing to City Council. FNI will incorporate feedback on the policies, programs and procedures from the commissions, committees and council as directed by City staff.

Task 6.6 Social Media Outreach on New and Updated Policies, Programs and Procedures

FNI will provide City staff with the essential information of the development and refinement of policies, programs and procedures that is to be disseminated to the general public via the city's webpage, according to the social media outreach framework initially defined in Task 1.3. We will collaborate with City staff on the messaging and graphics need to be provided by FNI for City staff distribution using the City's established Facebook, Twitter and other distribution processes.

Work Area 6 Deliverables:

- Technical Memorandum on Policies, Programs and Procedures
- Draft Report Chapter on Policies, Programs and Procedures
- Materials for Social Media Outreach on Policies, Programs and Procedures
- Summary of meeting discussions with City staff and Subcommittees

Work Area 7: Implementation

In Work Area 5, Short and Long Range improvements were prioritized within their own modal environments and a 20-year improvement plan was prioritized. To implement these improvements, they must be associated with specific funding programs that balance Norman's available funding and outside funding opportunities with the costs and benefits of the improvements to the community.

Task 7.1 Meet with City, CART, ACOG and ODOT to Review Transportation Revenues and Constraints

FNI will meet with City staff to evaluate current City revenue sources and streams directed toward transportation investment, operation and maintenance in the city. FNI will work with staff of the City, CART, ACOG and ODOT to identify a slate of possible funding sources and strategies, and discuss strategic positioning of projects regionally and statewide. The variety of possible funding sources for future mobility projects in the City of Norman, may include, (but not be limited to) innovative local funding options for some projects such as:

- Transportation management associations
- Transportation corporations
- Tax increment reinvestment zone (TIRZ)
- Transportation reinvestment zone (TRIZ)
- Rural rail districts

FNI will also investigate more traditional funding sources for transportation projects to determine which ones are appropriate, how they could be used to finance projects, as well as potential limitations to their use. Potential funding sources will be identified that extend to one or more modes and will include:

- Grant Anticipation Revenue Vehicles (GARVEE) bonds
- Transportation Infrastructure Finance and Innovation Act (TIFIA) Program
- Transportation Investment Generating Economic Recovery (TIGER) Grants
- State Infrastructure Bank
- Comprehensive development agreements
- Public/Private partnerships

Task 7.2 Collaborate with City Staff and CVC to Correlate Projected Revenues and Prioritized Improvements

Concurrent with the identification of funding resources, FNI will work with City staff and the CVC to assess the prioritized short and long rang projects for allocation of and competitiveness for such funding. FNI will prepare a Technical Memorandum discussing the description of established funding sources and an indication of the reliability of their allocation, a matrix of the improvements and potential funding scenarios by year for a 20-year planning horizon, and provide the document electronically to City staff and the CVC for review.

Task 7.3 **Develop a Financial Plan for Implementation of Short and Long Range Improvements**

FNI will review the Technical Memorandum from Task 7.2 with City staff and the CVC and gain concurrence on any needed modifications. FNI will facilitate discussions on potential needs for additional revenue sources to facilitate earlier implementation of essential improvements. FNI will prepare a draft Report Chapter on Implementation and submit electronically to City staff and CVC for review.

Task 7.4 **Concurrence on the Financially Constrained List of Projects for the 2035 Model**

FNI will review the draft Financial Plan with City staff to gain concurrence on the proposed elements that should be targeted for implementation by 2035. FNI will derive from the concurred Financial Plan the list of improvements that should be represented in the final version of the 2035 travel demand model for the Norman subarea, and will make the associated modifications to the model for final delivery to the City.

Task 7.5 **Collaborate with City staff to Assess Potential New Funding Strategies**

FNI will confer with City staff to discuss strategies to address the identified needs for additional funding sources, including internal (e.g. bonds, partnerships) or external (e.g., grants, TIFIA loans) opportunities. FNI will prepare a summary of these discussions and provide the summary electronically to City staff.

Task 7.6 **Social Media Outreach on Implementation Plan**

FNI will provide City staff with the essential information on the Implementation Plan that is to be disseminated to the general public via the city's webpage, according to the social media outreach framework initially defined in Task 1.3. We will collaborate with City staff on the messaging and graphics need to be provided by FNI for City staff distribution using the City's established Facebook, Twitter and other distribution processes.

Task 7.7 **Draft the 5-Year Transportation Improvement Program (TIP)**

From the concurred Implementation Plan, FNI will draft the 5-Year TIP. We will prepare updated cost estimates for the projects and work with City staff to update and clarify information on the availability of funding resources. An electronic draft of the TIP will be provided to City staff for review.

Task 7.8 **Review the Draft TIP with Commissions and Committees and City Council**

As directed by City staff, prepare presentation materials and handouts and assist the City staff to present the TIP to the CVC, the Community Planning and Transportation Committee and other City groups and to the City Council for review and comment. Incorporate feedback on the Implementation Plan from the commissions and committees as directed by City staff.

Task 7.9 Present the Draft TIP to City Council Public Hearing

Prepare presentation materials and handouts and assist the City staff and CVC to present the new and TIP to the City Council for the first of two presentations for Council and citizen comment. Incorporate feedback on the policies, programs and procedures from City Council, as directed by City staff, and present the TIP to City Council for Second Reading as directed.

Work Area 7 Deliverables:

- Technical Memorandum on Implementation Strategies
- Draft Report Chapter on Implementation Plan
- Materials for Social Media Outreach on Implementation Plan
- Materials for presentations on Implementation Plan to City Committees and Council
- Summary of meeting discussions with City staff and Subcommittees

Work Area 8: Documentation

FNI will be incrementally preparing and providing for interim review draft chapters of the Plan Report, making it easier for the Team and City staff to prepare and review the final Plan Report.

Task 8.1 Prepare Preliminary Draft Comprehensive Transportation Plan Report for Initial Review

FNI will compile all previously prepared Technical Memoranda and Draft Report Chapters into a Draft CTP Report. Provide electronically for City staff and CVC review. An electronic PDF format file of the Draft Final Report will be provided to City staff for their review and dissemination as deemed appropriate. A consolidated set of comments will be submitted to the Study Team for incorporation to the report.

Task 8.2 Prepare Draft Plan Comprehensive Transportation Plan Report for Public Review

FNI will incorporate City staff review comments on the technical content and appearance of the Draft Plan document into a Final Draft CTP Report. FNI will provide City staff with the essential information on the draft plan report that is to be disseminated to the general public via the city's webpage, according to the social media outreach framework initially defined in Task 1.6. We will collaborate with City staff on the messaging and graphics need to be provided by FNI for City staff distribution using the City's established Facebook, Twitter and other distribution processes. Twenty hard copies of the Draft Final Report will also be provided to City staff for their review and dissemination as deemed appropriate. City staff will identify the appropriate length of public review.

Task 8.3 Prepare Draft Final Comprehensive Transportation Plan Report

FNI will review with City staff the public comments received from the general public through the public review process, and incorporate necessary modifications into the

Task 8.4 **Review the Draft Final Comprehensive Transportation Plan Report with City Committees**

As directed by City staff, prepare presentation materials and handouts and assist the City staff to present the Plan Report to the CVC, the Community Planning and Transportation Committee and other City groups for review and comment. Incorporate feedback on the Plan Report from the commissions and committees as directed by City staff.

Task 8.5 **Present the Draft Final Comprehensive Transportation Plan Report to City Council Public Hearing**

Prepare presentation materials and handouts and assist the City staff and CVC to present the Draft Final Comprehensive CTP Report to the City Council for the first of two presentations for Council and citizen comment.

Task 8.6 **Present Final Plan Report to City Council Public Hearing for Approval**

Incorporate feedback on the Draft Final Report from City Council, as directed by City staff. Prepare presentation materials and handouts and assist the City staff and CVC to present the Final Comprehensive CTP Report to the City Council for the final presentation for Council and citizen comment and City Council approval.

Task 8.7 **Provide Electronic Files of Report and Working Files**

FNI will prepare electronic files of the final report, including appendices and separate files for all embedded illustrations, with file naming and subdirectories organized for ease of selection. FNI will provide the electronic files to the City remotely by means of FNI's FTP site and on DVD(s) delivered to the City. We will include supporting information as appropriate for the sake of completion of the City's records of the plan development, including electronic files of photos, graphics and presentations from public meetings.

Work Area 8 Deliverables:

- Preliminary Draft CTP Report
- Draft CTP Report
- Draft Final CTP Report
- Final CTP Report
- Electronic files of supporting documentation

ADDITIONAL SERVICES: Additional Services to be performed by FNI, if authorized by OWNER, which are not included in the above described basic services, are described as follows:

A. Field surveying required for the preparation of designs and drawings.

B. Field layouts or the furnishing of construction line and grade surveys.

C. GIS mapping services or assistance with these services.

D. Making property, boundary and right-of-way surveys, preparation of easement and deed descriptions, including title search and examination of deed records.

E. Providing services to investigate existing conditions or facilities, or to make measured drawings thereof, or to verify the accuracy of drawings or other information furnished by OWNER.

F. Providing renderings, model, and mock-ups requested by the OWNER.

G. Making revisions to drawings, specifications or other documents when such revisions are 1) not consistent with approvals or instructions previously given by OWNER or 2) due to other causes not solely within the control of FNI.

H. Providing consultation concerning the replacement of any Work damaged by fire or other cause during the construction, and providing services as may be required in connection with the replacement of such Work.

I. Investigations involving consideration of operation, maintenance and overhead expenses, and the preparation of rate schedules, earnings and expense statements, feasibility studies, appraisals, evaluations, assessment schedules, and material audits or inventories required for certification of force account construction performed by OWNER.

J. Preparing applications and supporting documents for government grants, loans, or planning advances and providing data for detailed applications.

K. Providing shop, mill, field or laboratory inspection of materials and equipment. Observe factory tests of equipment at any site remote to the project or observing tests required as a result of equipment failing the initial test.

L. Conducting pilot plant studies or tests.

M. Preparing Operation and Maintenance Manuals or conducting operator training.

N. Preparing data and reports for assistance to OWNER in preparation for hearings before regulatory agencies, courts, arbitration panels or any mediator, giving

testimony, personally or by deposition, and preparations therefore before any regulatory agency, court, arbitration panel or mediator.

O. Furnishing the services of a Resident Project Representative to act as OWNER's on-site representative during the Construction Phase. The Resident Project Representative will act as directed by FNI in order to provide more extensive representation at the Project site during the Construction Phase. Through more extensive on-site observations of the work in progress and field checks of materials and equipment by the Resident Project Representative and assistants, FNI shall endeavor to provide further protection for OWNER against defects and deficiencies in the work. Furnishing the services of a Resident Project Representative is subject to the provisions of Article I, D and Attachment RPR.

If OWNER provides personnel to support the activities of the Resident Project Representative who is FNI or FNI's agent or employee, the duties, responsibilities and limitations of authority of such personnel will be set forth in an Attachment attached to and made a part of this AGREEMENT before the services of such personnel are begun. It is understood and agreed that such personnel will work under the direction of and be responsible to the Resident Project Representative. OWNER agrees that whenever FNI informs him in writing that any such personnel provided by the OWNER are, in his opinion, incompetent, unfaithful or disorderly, such personnel shall be replaced.

P. Furnishing Special Inspections required under chapter 17 of the International Building Code. These Special Inspections are often continuous, requiring an inspector dedicated to inspection of the individual work item, and they are in additional to General Representation and Resident Representation services noted elsewhere in the contract. These continuous inspection services can be provided by FNI as an Additional Service.

Q. Preparation of Conformed or "As Bid" plans and specifications for use during the construction phase. These documents shall involve the incorporation of addenda items into the Contract Documents through modification of the electronic files and reprinting of the plans and specifications inclusive of the incorporated changes.

R. Assisting OWNER in preparing for, or appearing at litigation, mediation, arbitration, dispute review boards, or other legal and/or administrative proceedings in the defense or prosecution of claims disputes with Contractor(s).

S. Performing investigations, studies and analyses of substitutions of equipment and/or materials or deviations from the drawings and specifications.

T. Assisting OWNER in the defense or prosecution of litigation in connection with or in addition to those services contemplated by this AGREEMENT. Such services, if any, shall be furnished by FNI on a fee basis negotiated by the respective parties outside of and in addition to this AGREEMENT.

U. Providing environmental support services including the design and implementation of ecological baseline studies, environmental monitoring, impact assessment and analyses, permitting assistance, and other assistance required to address environmental issues.

V. Performing investigations, studies, and analysis of work proposed by construction contractors to correct defective work.

W. Design, contract modifications, studies or analysis required to comply with local, State, Federal or other regulatory agencies that become effective after the date of this agreement.

X. Services required to resolve bid protests or to rebid the projects for any reason.

Y. Visits to the site in excess of the number of trips included in Article I for periodic site visits, coordination meetings, or contract completion activities.

Z. Any services required as a result of default of the contractor(s) or the failure, for any reason, of the contractor(s) to complete the work within the contract time.

AA. Providing services after the completion of the construction phase not specifically listed in Article I.

BB. Providing basic or additional services on an accelerated time schedule. The scope of this service include cost for overtime wages of employees and consultants, inefficiencies in work sequence and plotting or reproduction costs directly attributable to an accelerated time schedule directed by the OWNER.

CC. Providing services made necessary because of unforeseen, concealed, or differing site conditions or due to the presence of hazardous substances in any form.

DD. Providing services to review or evaluate construction contractor(s) claim(s), provided said claims are supported by causes not within the control of FNI.

EE. Providing value engineering studies or reviews of cost savings proposed by construction contractors after bids have been submitted.

FF. Preparing statements for invoicing or other documentation for billing other than for the standard invoice for services attached to this professional services agreement.

GG. Provide follow-up professional services during Contractor's warranty period.

HH. Provide Geotechnical investigations, studies and reports.

Attachment B, Schedule
Norman Comprehensive Transportation Plan

SCHEDULE

START DATE: OCTOBER 10TH, 2012,
DURATION: APPROX. 15 MONTHS
COMPLETION DATE: JANUARY 10th, 2014 (excluding time for City Adoption)

Attachment C, Compensation
Norman Comprehensive Transportation Plan

A. **Basic Services:** Compensation to FNI for the Basic Services in Attachment SC shall be the lump sum of Three Hundred Thousand Dollars ($300,000). If FNI sees the Scope of Services changing so that additional services are needed, including but not limited to those services described as Additional Services in Attachment SC, FNI will notify OWNER for OWNER's approval before proceeding. Additional Services shall be computed based on the Schedule of Charges.

Should the Client request additional services, as defined in Appendix D, the City will provide in writing notice for the initiation of such service.

B. **Schedule of Charges for Additional Work:**

POSITION	BILL RATE
PRINCIPAL	225
GROUP MANAGER	225
SENIOR ENGINEER	175
ENGINEER (PE)	140
ENGINEER (EIT)	110
ARCHITECT INTERN	90
LANDSCAPE ARCHITECT	140
SENIOR URBAN PLANNER	190
URBAN PLANNER	110
GIS ANALYST	115
DESIGNER	110
TECHNICIAN	90
OPERATIONS ANALYST / ACCOUNTING SPECIALIST	95
WORD PROCESSING/SECRETARIAL	85
CO-OP / INTERN	65

The bill rates will be adjusted annually.

EXPENSES

Plotting		Printing	
Bond	$2.50 per plot	Offset and Xerox Copies/Prints	$0.10 per side copy
Color	$5.75 per plot	Color Copies/Prints	$0.50 per side copy
Other	$5.00 per plot	Binding	$5.75 per book

Travel	Computer	
Standard IRS rates	Computer Usage	$10.00/hour

OTHER DIRECT EXPENSES:
Other direct expenses are reimbursed at actual cost times a multiplier of 1.15. They include outside printing and reproduction expense, communication expense, travel, transportation and subsistence away from the FNI office and other miscellaneous expenses directly related to the work, including costs of laboratory analysis, test, and other work required to be done by independent persons other than staff members. For Resident Representative services performed by non-FNI employees and CAD services performed In-house by non-FNI employees where FNI provides workspace and equipment to perform such services, these services will be billed at cost times a multiplier of 2.0. This markup approximates the cost to FNI if an FNI employee was performing the same or similar services.

Attachment D, Owners Responsibilities
Norman Comprehensive Transportation Plan

As the City of Norman will serve as a conduit for information, the City shall provide information pertaining to applicable studies, data, city policies and ordinances, other relevant planning studies by Norman area agencies. If data is required from other public agencies, the City will assist in making requests for such data.

The City shall perform the following tasks:

A. Coordinate and securing of meeting locations, times and necessary materials, including support for each study team member. The City will provide Minutes for all committee and public meetings.

B. Review and comment on Consultant materials and recommendations.

C. Publish all public hearing notices, including all notices required in the newspaper.

D. Make all requests to other public agencies such as ACOG (if necessary) for data and/or assistance, as may be appropriate and relevant to travel forecasts, modeling files, or other data.

E. Current base mapping of City and extra-territorial jurisdictions in GIS (ESRI shapefile) or electronic format (DWG, DGN, DXF).

F. Historical and projected cost data of recently constructed/funded transportation projects by the City or other agency.

G. Designate in writing a person to act as OWNER's representative with respect to the services to be rendered under this AGREEMENT. Such person shall have contract authority to transmit instructions, receive information, interpret and define OWNER's policies and decisions with respect to FNI's services for the Project.

H. Assist FNI by placing at FNI's disposal all available information pertinent to the Project including previous reports and any other data relative to design or construction of the Project.

I. Arrange for access to and make all provisions for FNI to enter upon public and private property as required for FNI to perform services under this AGREEMENT.

J. Examine all studies, reports, sketches, drawings, specifications, proposals and other documents presented by FNI, obtain advice of an attorney, insurance counselor and other consultants as OWNER deems appropriate for such examination and render in writing decisions pertaining thereto within a reasonable time so as not to delay the services of FNI.

K. Furnish approvals and permits from all governmental authorities having jurisdiction over the Project and such approvals and consents from others as may be necessary for completion of the Project.

L. Bear all costs incident to compliance with the requirements of this Attachment D.

M. Notify Consultant in writing of the request to perform additional "optional" services at the added cost to the overall contract as defined below:

- Alternative Land Use Scenario Development and Travel Forecast: Add $20,300 (Task 4.6)
- Interim Year Travel Forecast: Add $11,200 (Task 4.7)
- Statistically Complete Transportation Survey: Up to $20,000

City of Norman, OK

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

Master

File Number: K-1213-93

File ID:	K-1213-93	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 28	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$15,000.00	**File Created:**	10/03/2012
File Name:	SVSC Contract with Health for Friends			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $15,000 AND ENTER INTO CONTRACT NO. K-1213-93 WITH HEALTH FOR FRIENDS.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $15,000 from Health for Friends and Contract No. K-1213-93; and, if approved, authorize execution of Contract No. K-1213-93 and direct payment in the amount of $15,000 to Health for Friends.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 28

Attachments: Text File Health for Friends, K-1213-93 HFF, SVSC Rqsts 2012, SVSC Minutes, PO HFF

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1213-93

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2012-2013 City of Norman budget adopted on June 12, 2012.

DISCUSSION: On September 24, 2012, the Social and Voluntary Services Commission (SVSC) heard presentations from 25 social service agencies who had submitted applications for funding. The

application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 24 of the agencies would be recommended for funding to the Norman City Council at the October 23, 2012 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 23rd day of October, 2012, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Health for Friends**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$15,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Start up Expenses for Children's Clinic.**

Board ~~Secretary~~ Treasurer

Board President

Approved as to form and legality this 9th day of October, 2012.

City Attorney

Approved by the City Council of the City of Norman this 23rd day of October, 2012.

ATTEST:

City Clerk

Mayor

SVSC Funding Request 2012

Organization	Purpose of Request	Contract No.	Amount
Health for Friends	Start up Expenses for Children's Clinic	K-1213-93	$15,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1213-94	$8,500.00
Food and Shelter for Friends	Temporary Housing and Winter Shelter	K-1213-95	$25,000.00
Transition House	Fund Drop In Center Expenses and Van Replacement	K-1213-96	$13,000.00
Full Circle Senior Adult Day Care	Partially Fund Music Therapy Program	K-1213-97	$2,000.00
Aging Services	Special Assistance Program and Food Pantry	K-1213-98	$4,000.00
Mary Abbott Children's House	Forensic Computer Lab	K-1213-99	$5,000.00
Among Friends Activity Center, Inc.	Funding for Exercise Program	K-1213-100	$2,500.00
Center for Children and Families	Games, Sports Equipment and Food for Support Groups	K-1213-101	$10,000.00
The Salvation Army	Utilities, Food and Supplies Assistance	K-1213-102	$6,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1213-103	$2,000.00
Bethesda, Inc.	Direct Client Care	K-1213-104	$4,000.00
Community After School Program	Tutoring Program	K-1213-105	$6,000.00
Bridges	Student's Electric Bills	K-1213-106	$7,200.00
Community Services Building	Repair Fascia and Soffit and Replace Guttering	K-1213-107	$15,000.00
American Red Cross	Disaster Canteen Supplies and Education Materials	K-1213-108	$2,000.00
East Main Place	Playground Renovation, Electric Ranges and Maintenance	K-1213-109	$5,000.00
ABLE	Spare Tires, Windshield and Repairing Windows	K-1213-110	$2,000.00
Cleveland County Habitat for Humanity	New Server, Router and Computer Backups	K-1213-111	$5,000.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1213-112	$2,000.00
American Legion Post 88	Replace Air Conditioning Unit	K-1213-113	$2,700.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1213-114	$4,500.00
NAIC	Transportation Fund and Bicycles	K-1213-115	$1,000.00
Norman Day School for Handicapped Children	Fundraising and Session Support	K-1213-116	$600.00
Total Amount			**$150,000.00**

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

October 1, 2012

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 1st day of October, 2012, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Brian Burk, Teresa Capps, Basha Hartley, Denise Millar, Pam Normile, Cody Ponder, Chris Porter and Amy Venable
ABSENT:	Andy Paden
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE OCTOBER 1, 2012, MEETING.

Commissioner Normile moved that the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Ponder; and the question being upon approving the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 24, 2012.

Commissioner Venable moved that the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 24, 2012

and the question being upon approving the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

RECOMMENDATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

Food and Shelter for Friends	$25,000.00
Cleveland County Habitat for Humanity	$ 5,000.00
Bridges of Norman, Inc.	$ 7,200.00
Transition House, Inc.	$13,000.00
Meals on Wheels of Norman, Inc.	$ 2,000.00
Aging Services, Inc.	$ 4,000.00
Center for Children and Families, Inc.	$10,000.00
American Legion Post 88	$ 2,700.00
Among Friends Activity Center, Inc.	$ 2,500.00
East Main Place, Inc.	$ 5,000.00
HeartLine, Inc.	$ 2,000.00
Food for Thought Learning Institute	$ 4,500.00
Bethesda, Inc.	$ 4,000.00
Community Services Building, Inc.	$15,000.00
Women's Resource Center, Inc.	$ 8,500.00
Mary Abbott Children's House	$ 5,000.00
NAIC	$ 1,000.00

Salvation Army	$ 6,000.00
Health for Friends, Inc.	$15,000.00
Norman Day School for Handicapped Children	$ 600.00
ABLE	$ 2,000.00

which motion was duly seconded by Commissioner Millar; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

Commissioner Burk moved that the following agencies be recommended for funding:

Community After School Program	$ 6,000.00
American Red Cross	$ 2,000.00
Full Circle Life Enrichment Center	$ 2,000.00

which motion was duly seconded by Commissioner Venable; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Porter and Venable
NAYES:	None
ABSTAIN:	Commissioner Ponder

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

Commissioner Porter suggested that the Commission discuss the policy of the City of Norman that charges a compounding 10% fee to overdue water customers at a future meeting.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the October 1, 2012, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar; and the question being upon adjourning the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burks, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the October 1, 2012, meeting of the Social and Voluntary Services Commission was adjourned at 8:00 p.m.

* * * * *

PURCHASE ORDER

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 222427
DATE: 10/03/12

VENDOR #
896

HEALTH FOR FRIENDS INC
P O BOX 1224
NORMAN, OK 73070

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/01/12	BEST WAY	DESTINATION	NET/30

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	207807	10/02/12

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	15000.0000	15000.00
				SUB-TOTAL	15000.00
				TOTAL	15000.00

City of Norman, OK

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

Master

File Number: K-1213-94

File ID:	K-1213-94	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 29	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$8,500.00	**File Created:**	10/03/2012
File Name:	SVSC Contract with Women's Resource Center			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $8,500 AND ENTER INTO CONTRACT NO. K-1213-94 WITH WOMEN'S RESOURCE CENTER, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $8,500 from Women's Resource Center, Inc., and Contract No. K-1213-94; and, if approved, authorize execution of Contract No. K-1213-94 and direct payment in the amount of $8,500 to Women's Resource Center, Inc.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 29

Attachments: Text File WRC, K-1213-94 WRC, SVSC Rqsts 2012, SVSC Minutes, PO WRC

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1213-94

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2012-2013 City of Norman budget adopted on June 12, 2012.

DISCUSSION: On September 24, 2012, the Social and Voluntary Services Commission (SVSC) heard presentations from 25 social service agencies who had submitted applications for funding. The

application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 24 of the agencies would be recommended for funding to the Norman City Council at the October 23, 2012 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

K-1213-94

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 23rd day of October, 2012, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Women's Resource Center, Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$8,500.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Assistance with telephone, utilities and groceries.**

Board Secretary

Board President

Approved as to form and legality this 9th day of October, 2012.

City Attorney

Approved by the City Council of the City of Norman this 23rd day of October, 2012.

ATTEST:

City Clerk

Mayor

SVSC Funding Request 2012

Organization	Purpose of Request	Contract No.	Amount
Health for Friends	Start up Expenses for Children's Clinic	K-1213-93	$15,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1213-94	$8,500.00
Food and Shelter for Friends	Temporary Housing and Winter Shelter	K-1213-95	$25,000.00
Transition House	Fund Drop In Center Expenses and Van Replacement	K-1213-96	$13,000.00
Full Circle Senior Adult Day Care	Partially Fund Music Therapy Program	K-1213-97	$2,000.00
Aging Services	Special Assistance Program and Food Pantry	K-1213-98	$4,000.00
Mary Abbott Children's House	Forensic Computer Lab	K-1213-99	$5,000.00
Among Friends Activity Center, Inc.	Funding for Exercise Program	K-1213-100	$2,500.00
Center for Children and Families	Games, Sports Equipment and Food for Support Groups	K-1213-101	$10,000.00
The Salvation Army	Utilities, Food and Supplies Assistance	K-1213-102	$6,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1213-103	$2,000.00
Bethesda, Inc.	Direct Client Care	K-1213-104	$4,000.00
Community After School Program	Tutoring Program	K-1213-105	$6,000.00
Bridges	Student's Electric Bills	K-1213-106	$7,200.00
Community Services Building	Repair Fascia and Soffit and Replace Guttering	K-1213-107	$15,000.00
American Red Cross	Disaster Canteen Supplies and Education Materials	K-1213-108	$2,000.00
East Main Place	Playground Renovation, Electric Ranges and Maintenance	K-1213-109	$5,000.00
ABLE	Spare Tires, Windshield and Repairing Windows	K-1213-110	$2,000.00
Cleveland County Habitat for Humanity	New Server, Router and Computer Backups	K-1213-111	$5,000.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1213-112	$2,000.00
American Legion Post 88	Replace Air Conditioning Unit	K-1213-113	$2,700.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1213-114	$4,500.00
NAIC	Transportation Fund and Bicycles	K-1213-115	$1,000.00
Norman Day School for Handicapped Children	Fundraising and Session Support	K-1213-116	$600.00
Total Amount			**$150,000.00**

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

October 1, 2012

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 1st day of October, 2012, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Brian Burk, Teresa Capps, Basha Hartley, Denise Millar, Pam Normile, Cody Ponder, Chris Porter and Amy Venable
ABSENT:	Andy Paden
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE OCTOBER 1, 2012, MEETING.

Commissioner Normile moved that the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Ponder; and the question being upon approving the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 24, 2012.

Commissioner Venable moved that the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 24, 2012

and the question being upon approving the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

RECOMMENDATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

Food and Shelter for Friends	$25,000.00
Cleveland County Habitat for Humanity	$ 5,000.00
Bridges of Norman, Inc.	$ 7,200.00
Transition House, Inc.	$13,000.00
Meals on Wheels of Norman, Inc.	$ 2,000.00
Aging Services, Inc.	$ 4,000.00
Center for Children and Families, Inc.	$10,000.00
American Legion Post 88	$ 2,700.00
Among Friends Activity Center, Inc.	$ 2,500.00
East Main Place, Inc.	$ 5,000.00
HeartLine, Inc.	$ 2,000.00
Food for Thought Learning Institute	$ 4,500.00
Bethesda, Inc.	$ 4,000.00
Community Services Building, Inc.	$15,000.00
Women's Resource Center, Inc.	$ 8,500.00
Mary Abbott Children's House	$ 5,000.00
NAIC	$ 1,000.00

Salvation Army	$ 6,000.00
Health for Friends, Inc.	$15,000.00
Norman Day School for Handicapped Children	$ 600.00
ABLE	$ 2,000.00

which motion was duly seconded by Commissioner Millar; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

Commissioner Burk moved that the following agencies be recommended for funding:

Community After School Program	$ 6,000.00
American Red Cross	$ 2,000.00
Full Circle Life Enrichment Center	$ 2,000.00

which motion was duly seconded by Commissioner Venable; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Porter and Venable
NAYES:	None
ABSTAIN:	Commissioner Ponder

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

Commissioner Porter suggested that the Commission discuss the policy of the City of Norman that charges a compounding 10% fee to overdue water customers at a future meeting.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the October 1, 2012, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar; and the question being upon adjourning the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burks, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the October 1, 2012, meeting of the Social and Voluntary Services Commission was adjourned at 8:00 p.m.

* * * * *

PURCHASE ORDER

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 222428
DATE: 10/03/12

VENDOR #
2257

WOMEN'S RESOURCE CENTER INC
PO BOX 5089
NORMAN, OK 73070

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/01/12	BEST WAY	DESTINATION	NET/30

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	207809	10/02/12

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	8500.0000	8500.00
				SUB-TOTAL	8500.00
				TOTAL	8500.00

City of Norman, OK

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

Master

File Number: K-1213-95

File ID:	K-1213-95	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 30	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$25,000.00	**File Created:**	10/03/2012
File Name:	SVSC Contract with Food and Shelter			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $25,000 AND ENTER INTO CONTRACT NO. K-1213-95 WITH FOOD AND SHELTER FOR FRIENDS.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $25,000 from Food and Shelter for Friends and Contract No. K-1213-95; and, if approved, authorize execution of Contract No. K-1213-95 and direct payment in the amount of $25,000 to Food and Shelter for Friends.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 30

Attachments: Text File FSFF, K-1213-95 FSFF, SVSC Rqsts 2012, SVSC Minutes, PO FSFF

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1213-95

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2012-2013 City of Norman budget adopted on June 12, 2012.

DISCUSSION: On September 24, 2012, the Social and Voluntary Services Commission (SVSC) heard presentations from 25 social service agencies who had submitted applications for funding. The

application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 24 of the agencies would be recommended for funding to the Norman City Council at the October 23, 2012 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

K-1213-95

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 23rd day of October, 2012, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Food and Shelter for Friends**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$25,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Temporary Housing and Winter Shelter.**

Board Secretary

Board President

Approved as to form and legality this 9th day of October, 2012.

City Attorney

Approved by the City Council of the City of Norman this 23rd day of October, 2012.

ATTEST:

City Clerk

Mayor

SVSC Funding Request 2012

Organization	Purpose of Request	Contract No.	Amount
Health for Friends	Start up Expenses for Children's Clinic	K-1213-93	$15,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1213-94	$8,500.00
Food and Shelter for Friends	Temporary Housing and Winter Shelter	K-1213-95	$25,000.00
Transition House	Fund Drop In Center Expenses and Van Replacement	K-1213-96	$13,000.00
Full Circle Senior Adult Day Care	Partially Fund Music Therapy Program	K-1213-97	$2,000.00
Aging Services	Special Assistance Program and Food Pantry	K-1213-98	$4,000.00
Mary Abbott Children's House	Forensic Computer Lab	K-1213-99	$5,000.00
Among Friends Activity Center, Inc.	Funding for Exercise Program	K-1213-100	$2,500.00
Center for Children and Families	Games, Sports Equipment and Food for Support Groups	K-1213-101	$10,000.00
The Salvation Army	Utilities, Food and Supplies Assistance	K-1213-102	$6,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1213-103	$2,000.00
Bethesda, Inc.	Direct Client Care	K-1213-104	$4,000.00
Community After School Program	Tutoring Program	K-1213-105	$6,000.00
Bridges	Student's Electric Bills	K-1213-106	$7,200.00
Community Services Building	Repair Fascia and Soffit and Replace Guttering	K-1213-107	$15,000.00
American Red Cross	Disaster Canteen Supplies and Education Materials	K-1213-108	$2,000.00
East Main Place	Playground Renovation, Electric Ranges and Maintenance	K-1213-109	$5,000.00
ABLE	Spare Tires, Windshield and Repairing Windows	K-1213-110	$2,000.00
Cleveland County Habitat for Humanity	New Server, Router and Computer Backups	K-1213-111	$5,000.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1213-112	$2,000.00
American Legion Post 88	Replace Air Conditioning Unit	K-1213-113	$2,700.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1213-114	$4,500.00
NAIC	Transportation Fund and Bicycles	K-1213-115	$1,000.00
Norman Day School for Handicapped Children	Fundraising and Session Support	K-1213-116	$600.00
Total Amount			**$150,000.00**

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

October 1, 2012

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 1st day of October, 2012, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Brian Burk, Teresa Capps, Basha Hartley, Denise Millar, Pam Normile, Cody Ponder, Chris Porter and Amy Venable
ABSENT:	Andy Paden
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE OCTOBER 1, 2012, MEETING.

Commissioner Normile moved that the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Ponder; and the question being upon approving the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 24, 2012.

Commissioner Venable moved that the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 24, 2012

and the question being upon approving the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

RECOMMENDATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

Food and Shelter for Friends	$25,000.00
Cleveland County Habitat for Humanity	$ 5,000.00
Bridges of Norman, Inc.	$ 7,200.00
Transition House, Inc.	$13,000.00
Meals on Wheels of Norman, Inc.	$ 2,000.00
Aging Services, Inc.	$ 4,000.00
Center for Children and Families, Inc.	$10,000.00
American Legion Post 88	$ 2,700.00
Among Friends Activity Center, Inc.	$ 2,500.00
East Main Place, Inc.	$ 5,000.00
HeartLine, Inc.	$ 2,000.00
Food for Thought Learning Institute	$ 4,500.00
Bethesda, Inc.	$ 4,000.00
Community Services Building, Inc.	$15,000.00
Women's Resource Center, Inc.	$ 8,500.00
Mary Abbott Children's House	$ 5,000.00
NAIC	$ 1,000.00

Salvation Army	$ 6,000.00
Health for Friends, Inc.	$15,000.00
Norman Day School for Handicapped Children	$ 600.00
ABLE	$ 2,000.00

which motion was duly seconded by Commissioner Millar; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

Commissioner Burk moved that the following agencies be recommended for funding:

Community After School Program	$ 6,000.00
American Red Cross	$ 2,000.00
Full Circle Life Enrichment Center	$ 2,000.00

which motion was duly seconded by Commissioner Venable; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Porter and Venable
NAYES:	None
ABSTAIN:	Commissioner Ponder

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

Commissioner Porter suggested that the Commission discuss the policy of the City of Norman that charges a compounding 10% fee to overdue water customers at a future meeting.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the October 1, 2012, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar; and the question being upon adjourning the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burks, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the October 1, 2012, meeting of the Social and Voluntary Services Commission was adjourned at 8:00 p.m.

* * * * *

P U R C H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 22242
DATE: 10/03/1

VENDOR #
751

FOOD AND SHELTER FOR FRIENDS
P O BOX 5537
NORMAN, OK 73069

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/01/12	BEST WAY	DESTINATION	NET/30

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	207810	10/02/12

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	25000.0000	25000.00
				SUB-TOTAL	25000.00
				TOTAL	25000.00

City of Norman, OK

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

Master

File Number: K-1213-96

File ID:	K-1213-96	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 31	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$13,000.00	**File Created:**	10/03/2012
File Name:	SVSC Contract with Transition House			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $13,000 AND ENTER INTO CONTRACT NO. K-1213-96 WITH TRANSITION HOUSE, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $13,000 from Transition House, Inc., and Contract No. K-1213-96; and, if approved, authorize execution of Contract No. K-1213-96 and direct payment in the amount of $13,000 to Transition House, Inc.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 31

Attachments: Text File Transition House, K-1213-96 Transition House, SVSC Rqsts 2012, SVSC Minutes, PO Transition House

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1213-96

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2012-2013 City of Norman budget adopted on June 12, 2012.

DISCUSSION: On September 24, 2012, the Social and Voluntary Services Commission (SVSC) heard presentations from 25 social service agencies who had submitted applications for funding. The

application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 24 of the agencies would be recommended for funding to the Norman City Council at the October 23, 2012 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

K-1213-96

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 23rd day of October, 2012, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Transition House, Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$13,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Expenses Associated with Drop In Center and Van Replacement.**

Board Secretary

Board President

Approved as to form and legality this 9th day of October, 2012.

City Attorney

Approved by the City Council of the City of Norman this 23rd day of October, 2012.

ATTEST:

City Clerk

Mayor

SVSC Funding Request 2012

Organization	Purpose of Request	Contract No.	Amount
Health for Friends	Start up Expenses for Children's Clinic	K-1213-93	$15,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1213-94	$8,500.00
Food and Shelter for Friends	Temporary Housing and Winter Shelter	K-1213-95	$25,000.00
Transition House	Fund Drop In Center Expenses and Van Replacement	K-1213-96	$13,000.00
Full Circle Senior Adult Day Care	Partially Fund Music Therapy Program	K-1213-97	$2,000.00
Aging Services	Special Assistance Program and Food Pantry	K-1213-98	$4,000.00
Mary Abbott Children's House	Forensic Computer Lab	K-1213-99	$5,000.00
Among Friends Activity Center, Inc.	Funding for Exercise Program	K-1213-100	$2,500.00
Center for Children and Families	Games, Sports Equipment and Food for Support Groups	K-1213-101	$10,000.00
The Salvation Army	Utilities, Food and Supplies Assistance	K-1213-102	$6,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1213-103	$2,000.00
Bethesda, Inc.	Direct Client Care	K-1213-104	$4,000.00
Community After School Program	Tutoring Program	K-1213-105	$6,000.00
Bridges	Student's Electric Bills	K-1213-106	$7,200.00
Community Services Building	Repair Fascia and Soffit and Replace Guttering	K-1213-107	$15,000.00
American Red Cross	Disaster Canteen Supplies and Education Materials	K-1213-108	$2,000.00
East Main Place	Playground Renovation, Electric Ranges and Maintenance	K-1213-109	$5,000.00
ABLE	Spare Tires, Windshield and Repairing Windows	K-1213-110	$2,000.00
Cleveland County Habitat for Humanity	New Server, Router and Computer Backups	K-1213-111	$5,000.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1213-112	$2,000.00
American Legion Post 88	Replace Air Conditioning Unit	K-1213-113	$2,700.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1213-114	$4,500.00
NAIC	Transportation Fund and Bicycles	K-1213-115	$1,000.00
Norman Day School for Handicapped Children	Fundraising and Session Support	K-1213-116	$600.00
Total Amount			**$150,000.00**

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

October 1, 2012

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 1st day of October, 2012, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Brian Burk, Teresa Capps, Basha Hartley, Denise Millar, Pam Normile, Cody Ponder, Chris Porter and Amy Venable
ABSENT:	Andy Paden
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE OCTOBER 1, 2012, MEETING.

Commissioner Normile moved that the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Ponder; and the question being upon approving the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 24, 2012.

Commissioner Venable moved that the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 24, 2012

and the question being upon approving the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

RECOMMENDATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

Food and Shelter for Friends	$25,000.00
Cleveland County Habitat for Humanity	$ 5,000.00
Bridges of Norman, Inc.	$ 7,200.00
Transition House, Inc.	$13,000.00
Meals on Wheels of Norman, Inc.	$ 2,000.00
Aging Services, Inc.	$ 4,000.00
Center for Children and Families, Inc.	$10,000.00
American Legion Post 88	$ 2,700.00
Among Friends Activity Center, Inc.	$ 2,500.00
East Main Place, Inc.	$ 5,000.00
HeartLine, Inc.	$ 2,000.00
Food for Thought Learning Institute	$ 4,500.00
Bethesda, Inc.	$ 4,000.00
Community Services Building, Inc.	$15,000.00
Women's Resource Center, Inc.	$ 8,500.00
Mary Abbott Children's House	$ 5,000.00
NAIC	$ 1,000.00

Salvation Army	$ 6,000.00
Health for Friends, Inc.	$15,000.00
Norman Day School for Handicapped Children	$ 600.00
ABLE	$ 2,000.00

which motion was duly seconded by Commissioner Millar; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

Commissioner Burk moved that the following agencies be recommended for funding:

Community After School Program	$ 6,000.00
American Red Cross	$ 2,000.00
Full Circle Life Enrichment Center	$ 2,000.00

which motion was duly seconded by Commissioner Venable; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Porter and Venable
NAYES:	None
ABSTAIN:	Commissioner Ponder

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

Commissioner Porter suggested that the Commission discuss the policy of the City of Norman that charges a compounding 10% fee to overdue water customers at a future meeting.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the October 1, 2012, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar; and the question being upon adjourning the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burks, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the October 1, 2012, meeting of the Social and Voluntary Services Commission was adjourned at 8:00 p.m.

* * * * *

PURCHASE ORDER

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 222430
DATE: 10/03/12

VENDOR #
432

TRANSITION HOUSE INC
700 ASP SUITE 2
NORMAN, OK 73069

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/01/12	BEST WAY	DESTINATION	NET

CONFIRM BY
BONNIE DUNN

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	207811	10/02/12

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	13000.0000	13000.00
				SUB-TOTAL	13000.00
				TOTAL	13000.00

City of Norman, OK

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

Master

File Number: K-1213-97

File ID:	K-1213-97	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 32	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$2,000.00	**File Created:**	10/03/2012
File Name:	SVSC Contract with Full Circle			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $2,000 AND ENTER INTO CONTRACT NO. K-1213-97 WITH FULL CIRCLE SENIOR ADULT DAY CARE CENTER.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $2,000 from Full Circle Senior Adult Day Care Center and Contract No. K-1213-97; and, if approved, authorize execution of Contract No. K-1213-97 and direct payment in the amount of $2,000 to Full Circle Senior Adult Day Care Center.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 32

Attachments: Text File Full Circle, K-1213-97 Full Circle, SVSC Rqsts 2012, SVSC Minutes, PO Full Circle

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1213-97

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2012-2013 City of Norman budget adopted on June 12, 2012.

DISCUSSION: On September 24, 2012, the Social and Voluntary Services Commission (SVSC)

heard presentations from 25 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 24 of the agencies would be recommended for funding to the Norman City Council at the October 23, 2012 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

K-1213-97

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 23rd day of October, 2012, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Full Circle Senior Adult Day Center**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$2,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Music Therapy Program.**

Board Secretary

Board President

Approved as to form and legality this 9th day of October, 2012.

City Attorney

Approved by the City Council of the City of Norman this 23rd day of October, 2012.

ATTEST:

City Clerk

Mayor

SVSC Funding Request 2012

Organization	Purpose of Request	Contract No.	Amount
Health for Friends	Start up Expenses for Children's Clinic	K-1213-93	$15,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1213-94	$8,500.00
Food and Shelter for Friends	Temporary Housing and Winter Shelter	K-1213-95	$25,000.00
Transition House	Fund Drop In Center Expenses and Van Replacement	K-1213-96	$13,000.00
Full Circle Senior Adult Day Care	Partially Fund Music Therapy Program	K-1213-97	$2,000.00
Aging Services	Special Assistance Program and Food Pantry	K-1213-98	$4,000.00
Mary Abbott Children's House	Forensic Computer Lab	K-1213-99	$5,000.00
Among Friends Activity Center, Inc.	Funding for Exercise Program	K-1213-100	$2,500.00
Center for Children and Families	Games, Sports Equipment and Food for Support Groups	K-1213-101	$10,000.00
The Salvation Army	Utilities, Food and Supplies Assistance	K-1213-102	$6,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1213-103	$2,000.00
Bethesda, Inc.	Direct Client Care	K-1213-104	$4,000.00
Community After School Program	Tutoring Program	K-1213-105	$6,000.00
Bridges	Student's Electric Bills	K-1213-106	$7,200.00
Community Services Building	Repair Fascia and Soffit and Replace Guttering	K-1213-107	$15,000.00
American Red Cross	Disaster Canteen Supplies and Education Materials	K-1213-108	$2,000.00
East Main Place	Playground Renovation, Electric Ranges and Maintenance	K-1213-109	$5,000.00
ABLE	Spare Tires, Windshield and Repairing Windows	K-1213-110	$2,000.00
Cleveland County Habitat for Humanity	New Server, Router and Computer Backups	K-1213-111	$5,000.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1213-112	$2,000.00
American Legion Post 88	Replace Air Conditioning Unit	K-1213-113	$2,700.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1213-114	$4,500.00
NAIC	Transportation Fund and Bicycles	K-1213-115	$1,000.00
Norman Day School for Handicapped Children	Fundraising and Session Support	K-1213-116	$600.00
Total Amount			**$150,000.00**

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

October 1, 2012

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 1st day of October, 2012, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Brian Burk, Teresa Capps, Basha Hartley, Denise Millar, Pam Normile, Cody Ponder, Chris Porter and Amy Venable
ABSENT:	Andy Paden
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE OCTOBER 1, 2012, MEETING.

Commissioner Normile moved that the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Ponder; and the question being upon approving the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 24, 2012.

Commissioner Venable moved that the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 24, 2012

and the question being upon approving the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

RECOMMENDATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

Food and Shelter for Friends	$25,000.00
Cleveland County Habitat for Humanity	$ 5,000.00
Bridges of Norman, Inc.	$ 7,200.00
Transition House, Inc.	$13,000.00
Meals on Wheels of Norman, Inc.	$ 2,000.00
Aging Services, Inc.	$ 4,000.00
Center for Children and Families, Inc.	$10,000.00
American Legion Post 88	$ 2,700.00
Among Friends Activity Center, Inc.	$ 2,500.00
East Main Place, Inc.	$ 5,000.00
HeartLine, Inc.	$ 2,000.00
Food for Thought Learning Institute	$ 4,500.00
Bethesda, Inc.	$ 4,000.00
Community Services Building, Inc.	$15,000.00
Women's Resource Center, Inc.	$ 8,500.00
Mary Abbott Children's House	$ 5,000.00
NAIC	$ 1,000.00

Salvation Army	$ 6,000.00
Health for Friends, Inc.	$15,000.00
Norman Day School for Handicapped Children	$ 600.00
ABLE	$ 2,000.00

which motion was duly seconded by Commissioner Millar; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

Commissioner Burk moved that the following agencies be recommended for funding:

Community After School Program	$ 6,000.00
American Red Cross	$ 2,000.00
Full Circle Life Enrichment Center	$ 2,000.00

which motion was duly seconded by Commissioner Venable; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Porter and Venable
NAYES:	None
ABSTAIN:	Commissioner Ponder

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

Commissioner Porter suggested that the Commission discuss the policy of the City of Norman that charges a compounding 10% fee to overdue water customers at a future meeting.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the October 1, 2012, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar; and the question being upon adjourning the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burks, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the October 1, 2012, meeting of the Social and Voluntary Services Commission was adjourned at 8:00 p.m.

* * * * *

PURCHASE ORDER

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 22243
DATE: 10/03/12

VENDOR #
6324

FULL CIRCLE SENIOR ADULT DAY CENTER
1304 E LINDSAY PLAZA DR
NORMAN, OK 73071

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/01/12	BEST WAY	DESTINATION	NET/30

CONFIRM BY
JUDY ADM ASST

FREIGHT

ACCOUNT NO.
01010874114741

REQUISITIONED BY
COLES,C

REQ. NO.
207812

REQ. DATE
10/02/12

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	2000.0000	2000.00
				SUB-TOTAL	2000.00
				TOTAL	2000.00

City of Norman, OK

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

Master

File Number: K-1213-98

File ID:	K-1213-98	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 33	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$4,000.00	**File Created:**	10/03/2012
File Name:	SVSC Contract with Aging Services			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $4,000 AND ENTER INTO CONTRACT NO. K-1213-98 WITH AGING SERVICES, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $4,000 from Aging Services, Inc., and Contract No. K-1213-98; and, if approved, authorize execution of Contract No. K-1213-98 and direct payment in the amount of $4,000 to Aging Services, Inc.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 33

Attachments: Text File Aging Servics, K-1213-98 Aging, SVSC Rqsts 2012, SVSC Minutes, PO Aging Services

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 K-1213-98

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2012-2013 City of Norman budget adopted on June 12, 2012.

DISCUSSION: On September 24, 2012, the Social and Voluntary Services Commission (SVSC) heard presentations from 25 social service agencies who had submitted applications for funding. The

application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 24 of the agencies would be recommended for funding to the Norman City Council at the October 23, 2012 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

K-1213-98

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 23rd day of October, 2012, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Aging Services Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$4,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Special Assistance Program and food Pantry.**

Board Secretary

Board President

Approved as to form and legality this 9th day of October, 2012.

City Attorney

Approved by the City Council of the City of Norman this 23rd day of October, 2012.

ATTEST:

City Clerk

Mayor

SVSC Funding Request 2012

Organization	Purpose of Request	Contract No.	Amount
Health for Friends	Start up Expenses for Children's Clinic	K-1213-93	$15,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1213-94	$8,500.00
Food and Shelter for Friends	Temporary Housing and Winter Shelter	K-1213-95	$25,000.00
Transition House	Fund Drop In Center Expenses and Van Replacement	K-1213-96	$13,000.00
Full Circle Senior Adult Day Care	Partially Fund Music Therapy Program	K-1213-97	$2,000.00
Aging Services	Special Assistance Program and Food Pantry	K-1213-98	$4,000.00
Mary Abbott Children's House	Forensic Computer Lab	K-1213-99	$5,000.00
Among Friends Activity Center, Inc.	Funding for Exercise Program	K-1213-100	$2,500.00
Center for Children and Families	Games, Sports Equipment and Food for Support Groups	K-1213-101	$10,000.00
The Salvation Army	Utilities, Food and Supplies Assistance	K-1213-102	$6,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1213-103	$2,000.00
Bethesda, Inc.	Direct Client Care	K-1213-104	$4,000.00
Community After School Program	Tutoring Program	K-1213-105	$6,000.00
Bridges	Student's Electric Bills	K-1213-106	$7,200.00
Community Services Building	Repair Fascia and Soffit and Replace Guttering	K-1213-107	$15,000.00
American Red Cross	Disaster Canteen Supplies and Education Materials	K-1213-108	$2,000.00
East Main Place	Playground Renovation, Electric Ranges and Maintenance	K-1213-109	$5,000.00
ABLE	Spare Tires, Windshield and Repairing Windows	K-1213-110	$2,000.00
Cleveland County Habitat for Humanity	New Server, Router and Computer Backups	K-1213-111	$5,000.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1213-112	$2,000.00
American Legion Post 88	Replace Air Conditioning Unit	K-1213-113	$2,700.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1213-114	$4,500.00
NAIC	Transportation Fund and Bicycles	K-1213-115	$1,000.00
Norman Day School for Handicapped Children	Fundraising and Session Support	K-1213-116	$600.00
Total Amount			**$150,000.00**

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

October 1, 2012

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 1st day of October, 2012, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Brian Burk, Teresa Capps, Basha Hartley, Denise Millar, Pam Normile, Cody Ponder, Chris Porter and Amy Venable
ABSENT:	Andy Paden
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE OCTOBER 1, 2012, MEETING.

Commissioner Normile moved that the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Ponder; and the question being upon approving the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 24, 2012.

Commissioner Venable moved that the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 24, 2012

and the question being upon approving the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

RECOMMENDATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

Food and Shelter for Friends	$25,000.00
Cleveland County Habitat for Humanity	$ 5,000.00
Bridges of Norman, Inc.	$ 7,200.00
Transition House, Inc.	$13,000.00
Meals on Wheels of Norman, Inc.	$ 2,000.00
Aging Services, Inc.	$ 4,000.00
Center for Children and Families, Inc.	$10,000.00
American Legion Post 88	$ 2,700.00
Among Friends Activity Center, Inc.	$ 2,500.00
East Main Place, Inc.	$ 5,000.00
HeartLine, Inc.	$ 2,000.00
Food for Thought Learning Institute	$ 4,500.00
Bethesda, Inc.	$ 4,000.00
Community Services Building, Inc.	$15,000.00
Women's Resource Center, Inc.	$ 8,500.00
Mary Abbott Children's House	$ 5,000.00
NAIC	$ 1,000.00

Salvation Army	$ 6,000.00
Health for Friends, Inc.	$15,000.00
Norman Day School for Handicapped Children	$ 600.00
ABLE	$ 2,000.00

which motion was duly seconded by Commissioner Millar; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

Commissioner Burk moved that the following agencies be recommended for funding:

Community After School Program	$ 6,000.00
American Red Cross	$ 2,000.00
Full Circle Life Enrichment Center	$ 2,000.00

which motion was duly seconded by Commissioner Venable; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Porter and Venable
NAYES:	None
ABSTAIN:	Commissioner Ponder

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

Commissioner Porter suggested that the Commission discuss the policy of the City of Norman that charges a compounding 10% fee to overdue water customers at a future meeting.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the October 1, 2012, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar; and the question being upon adjourning the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burks, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the October 1, 2012, meeting of the Social and Voluntary Services Commission was adjourned at 8:00 p.m.

* * * * *

P U R C H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 22243
DATE: 10/03/1

VENDOR #
435

AGING SERVICES INC
1179 EAST MAIN
NORMAN, OK 73071

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/01/12	BEST WAY	DESTINATION	NET

CONFIRM BY
PAM MCINTOSH

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	207813	10/02/12

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	4000.0000	4000.00
				SUB-TOTAL	4000.00
				TOTAL	4000.00

City of Norman, OK

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

Master

File Number: K-1213-99

File ID:	K-1213-99	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 34	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$5,000.00	**File Created:**	10/03/2012
File Name:	SVSC Contract with Mary Abbot Children's House			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $5,000 AND ENTER INTO CONTRACT NO. K-1213-99 WITH MARY ABBOTT CHILDREN'S HOUSE.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,000 from Mary Abbott Children's House and Contract No. K-1213-99; and, if approved, authorize execution of Contract No. K-1213-99 and direct payment in the amount of $5,000 to Mary Abbott Children's House.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 34

Attachments: Text File Mary Abbott, K-1213-99 Mary Abbott, SVSC Rqsts 2012, SVSC Minutes, PO Mary Abbott

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1213-99

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2012-2013 City of Norman budget adopted on June 12, 2012.

DISCUSSION: On September 24, 2012, the Social and Voluntary Services Commission (SVSC) heard presentations from 25 social service agencies who had submitted applications for funding. The

application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 24 of the agencies would be recommended for funding to the Norman City Council at the October 23, 2012 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

K-1213-99

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 23rd day of October, 2012, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Mary Abbott Children's House**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$5,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Forensic Computer Lab Equipment.**

Board Secretary

Board President

Approved as to form and legality this 9th day of October, 2012.

City Attorney

Approved by the City Council of the City of Norman this 23rd day of October, 2012.

ATTEST:

City Clerk

Mayor

SVSC Funding Request 2012

Organization	Purpose of Request	Contract No.	Amount
Health for Friends	Start up Expenses for Children's Clinic	K-1213-93	$15,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1213-94	$8,500.00
Food and Shelter for Friends	Temporary Housing and Winter Shelter	K-1213-95	$25,000.00
Transition House	Fund Drop In Center Expenses and Van Replacement	K-1213-96	$13,000.00
Full Circle Senior Adult Day Care	Partially Fund Music Therapy Program	K-1213-97	$2,000.00
Aging Services	Special Assistance Program and Food Pantry	K-1213-98	$4,000.00
Mary Abbott Children's House	Forensic Computer Lab	K-1213-99	$5,000.00
Among Friends Activity Center, Inc.	Funding for Exercise Program	K-1213-100	$2,500.00
Center for Children and Families	Games, Sports Equipment and Food for Support Groups	K-1213-101	$10,000.00
The Salvation Army	Utilities, Food and Supplies Assistance	K-1213-102	$6,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1213-103	$2,000.00
Bethesda, Inc.	Direct Client Care	K-1213-104	$4,000.00
Community After School Program	Tutoring Program	K-1213-105	$6,000.00
Bridges	Student's Electric Bills	K-1213-106	$7,200.00
Community Services Building	Repair Fascia and Soffit and Replace Guttering	K-1213-107	$15,000.00
American Red Cross	Disaster Canteen Supplies and Education Materials	K-1213-108	$2,000.00
East Main Place	Playground Renovation, Electric Ranges and Maintenance	K-1213-109	$5,000.00
ABLE	Spare Tires, Windshield and Repairing Windows	K-1213-110	$2,000.00
Cleveland County Habitat for Humanity	New Server, Router and Computer Backups	K-1213-111	$5,000.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1213-112	$2,000.00
American Legion Post 88	Replace Air Conditioning Unit	K-1213-113	$2,700.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1213-114	$4,500.00
NAIC	Transportation Fund and Bicycles	K-1213-115	$1,000.00
Norman Day School for Handicapped Children	Fundraising and Session Support	K-1213-116	$600.00
Total Amount			**$150,000.00**

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

October 1, 2012

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 1st day of October, 2012, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Brian Burk, Teresa Capps, Basha Hartley, Denise Millar, Pam Normile, Cody Ponder, Chris Porter and Amy Venable
ABSENT:	Andy Paden
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE OCTOBER 1, 2012, MEETING.

Commissioner Normile moved that the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Ponder; and the question being upon approving the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 24, 2012.

Commissioner Venable moved that the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 24, 2012

and the question being upon approving the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

RECOMMENDATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

Food and Shelter for Friends	$25,000.00
Cleveland County Habitat for Humanity	$ 5,000.00
Bridges of Norman, Inc.	$ 7,200.00
Transition House, Inc.	$13,000.00
Meals on Wheels of Norman, Inc.	$ 2,000.00
Aging Services, Inc.	$ 4,000.00
Center for Children and Families, Inc.	$10,000.00
American Legion Post 88	$ 2,700.00
Among Friends Activity Center, Inc.	$ 2,500.00
East Main Place, Inc.	$ 5,000.00
HeartLine, Inc.	$ 2,000.00
Food for Thought Learning Institute	$ 4,500.00
Bethesda, Inc.	$ 4,000.00
Community Services Building, Inc.	$15,000.00
Women's Resource Center, Inc.	$ 8,500.00
Mary Abbott Children's House	$ 5,000.00
NAIC	$ 1,000.00

Salvation Army	$ 6,000.00
Health for Friends, Inc.	$15,000.00
Norman Day School for Handicapped Children	$ 600.00
ABLE	$ 2,000.00

which motion was duly seconded by Commissioner Millar; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

Commissioner Burk moved that the following agencies be recommended for funding:

Community After School Program	$ 6,000.00
American Red Cross	$ 2,000.00
Full Circle Life Enrichment Center	$ 2,000.00

which motion was duly seconded by Commissioner Venable; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Porter and Venable
NAYES:	None
ABSTAIN:	Commissioner Ponder

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

Commissioner Porter suggested that the Commission discuss the policy of the City of Norman that charges a compounding 10% fee to overdue water customers at a future meeting.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the October 1, 2012, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar; and the question being upon adjourning the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burks, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the October 1, 2012, meeting of the Social and Voluntary Services Commission was adjourned at 8:00 p.m.

* * * * *

PURCHASE ORDER

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 22243
DATE: 10/03/1

VENDOR #
1016

MARY ABBOTT CHILDREN'S HOUSE
PO BOX 6316
NORMAN, OK 73070

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/01/12	BEST WAY	DESTINATION	NET/30

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	207814	10/02/12

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	5000.0000	5000.00
				SUB-TOTAL	5000.00
				TOTAL	5000.00

City of Norman, OK

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

Master

File Number: K-1213-100

File ID:	K-1213-100	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 35	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$2,500.00	**File Created:**	10/03/2012
File Name:	SVSC Contract with Among Friends			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $2,500 AND ENTER INTO CONTRACT NO. K-1213-100 WITH AMONG FRIENDS ACTIVITY CENTER, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $2,500 from Among Friends Activity Center, Inc., and Contract No. K-1213-100; and, if approved, authorize execution of Contract No. K-1213-100 and direct payment in the amount of $2,500 to Among Friends Activity Center, Inc.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 35

Attachments: Text File Among Friends, SVSC Rqsts 2012, K-1213-100, SVSC Minutes, PO Among Friends

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1213-100

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2012-2013 City of Norman budget adopted on June 12, 2012.

DISCUSSION: On September 24, 2012, the Social and Voluntary Services Commission (SVSC) heard presentations from 25 social service agencies who had submitted applications for funding. The

application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 24 of the agencies would be recommended for funding to the Norman City Council at the October 23, 2012 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

K-1213-100

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 23rd day of October, 2012, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Among Friends Activity Center, Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$2,500.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Funding for Exercise Program.**

Joni R Williams
Board Secretary

Linda G. Ray
Board President

Approved as to form and legality this 9th of October, 2012.

City Attorney

Approved by the City Council of the City of Norman this 23rd day of October, 2012.

ATTEST:

City Clerk

Mayor

SVSC Funding Request 2012

Organization	Purpose of Request	Contract No.	Amount
Health for Friends	Start up Expenses for Children's Clinic	K-1213-93	$15,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1213-94	$8,500.00
Food and Shelter for Friends	Temporary Housing and Winter Shelter	K-1213-95	$25,000.00
Transition House	Fund Drop In Center Expenses and Van Replacement	K-1213-96	$13,000.00
Full Circle Senior Adult Day Care	Partially Fund Music Therapy Program	K-1213-97	$2,000.00
Aging Services	Special Assistance Program and Food Pantry	K-1213-98	$4,000.00
Mary Abbott Children's House	Forensic Computer Lab	K-1213-99	$5,000.00
Among Friends Activity Center, Inc.	Funding for Exercise Program	K-1213-100	$2,500.00
Center for Children and Families	Games, Sports Equipment and Food for Support Groups	K-1213-101	$10,000.00
The Salvation Army	Utilities, Food and Supplies Assistance	K-1213-102	$6,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1213-103	$2,000.00
Bethesda, Inc.	Direct Client Care	K-1213-104	$4,000.00
Community After School Program	Tutoring Program	K-1213-105	$6,000.00
Bridges	Student's Electric Bills	K-1213-106	$7,200.00
Community Services Building	Repair Fascia and Soffit and Replace Guttering	K-1213-107	$15,000.00
American Red Cross	Disaster Canteen Supplies and Education Materials	K-1213-108	$2,000.00
East Main Place	Playground Renovation, Electric Ranges and Maintenance	K-1213-109	$5,000.00
ABLE	Spare Tires, Windshield and Repairing Windows	K-1213-110	$2,000.00
Cleveland County Habitat for Humanity	New Server, Router and Computer Backups	K-1213-111	$5,000.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1213-112	$2,000.00
American Legion Post 88	Replace Air Conditioning Unit	K-1213-113	$2,700.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1213-114	$4,500.00
NAIC	Transportation Fund and Bicycles	K-1213-115	$1,000.00
Norman Day School for Handicapped Children	Fundraising and Session Support	K-1213-116	$600.00
Total Amount			**$150,000.00**

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

October 1, 2012

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 1st day of October, 2012, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Brian Burk, Teresa Capps, Basha Hartley, Denise Millar, Pam Normile, Cody Ponder, Chris Porter and Amy Venable
ABSENT:	Andy Paden
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE OCTOBER 1, 2012, MEETING.

Commissioner Normile moved that the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Ponder; and the question being upon approving the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 24, 2012.

Commissioner Venable moved that the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 24, 2012

and the question being upon approving the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

RECOMMENDATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

Food and Shelter for Friends	$25,000.00
Cleveland County Habitat for Humanity	$ 5,000.00
Bridges of Norman, Inc.	$ 7,200.00
Transition House, Inc.	$13,000.00
Meals on Wheels of Norman, Inc.	$ 2,000.00
Aging Services, Inc.	$ 4,000.00
Center for Children and Families, Inc.	$10,000.00
American Legion Post 88	$ 2,700.00
Among Friends Activity Center, Inc.	$ 2,500.00
East Main Place, Inc.	$ 5,000.00
HeartLine, Inc.	$ 2,000.00
Food for Thought Learning Institute	$ 4,500.00
Bethesda, Inc.	$ 4,000.00
Community Services Building, Inc.	$15,000.00
Women's Resource Center, Inc.	$ 8,500.00
Mary Abbott Children's House	$ 5,000.00
NAIC	$ 1,000.00

Salvation Army	$ 6,000.00
Health for Friends, Inc.	$15,000.00
Norman Day School for Handicapped Children	$ 600.00
ABLE	$ 2,000.00

which motion was duly seconded by Commissioner Millar; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

Commissioner Burk moved that the following agencies be recommended for funding:

Community After School Program	$ 6,000.00
American Red Cross	$ 2,000.00
Full Circle Life Enrichment Center	$ 2,000.00

which motion was duly seconded by Commissioner Venable; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Porter and Venable
NAYES:	None
ABSTAIN:	Commissioner Ponder

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

Commissioner Porter suggested that the Commission discuss the policy of the City of Norman that charges a compounding 10% fee to overdue water customers at a future meeting.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the October 1, 2012, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar; and the question being upon adjourning the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burks, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the October 1, 2012, meeting of the Social and Voluntary Services Commission was adjourned at 8:00 p.m.

* * * * *

PURCHASE ORDER

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 22243
DATE: 10/03/12

VENDOR #
8032

AMONG FRIENDS ACTIVITY CENTER
4101 HERITAGE PLACE DR
NORMAN, OK 73072

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/01/12	BEST WAY	DESTINATION	NET

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	207818	10/02/12

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	2500.0000	2500.00
				SUB-TOTAL	2500.00
				TOTAL	2500.00

City of Norman, OK

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

Master

File Number: K-1213-101

File ID:	K-1213-101	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 36	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$10,000.00	**File Created:**	10/03/2012
File Name:	SVSC Contract with CCFI			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $10,000 AND ENTER INTO CONTRACT NO. K-1213-101 WITH CENTER FOR CHILDREN AND FAMILIES, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $10,000 from Center for Children and Families, Inc., and Contract No. K-1213-101; and, if approved, authorize execution of Contract No. K-1213-101 and direct payment in the amount of $10,000 to Center for Children and Families, Inc.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 36

Attachments: Text File CCFI, SVSC Rqsts 2012, K-1213-101 CCFI, SVSC Minutes, PO CCFI

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1213-101

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2012-2013 City of Norman budget adopted on June 12, 2012.

DISCUSSION: On September 24, 2012, the Social and Voluntary Services Commission (SVSC)

heard presentations from 25 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 24 of the agencies would be recommended for funding to the Norman City Council at the October 23, 2012 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

K-1213-101

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 23rd day of October, 2012, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Center for Children and Families, Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$10,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Games, Sports Equipment and Food for Support Groups.**

Board Secretary

Board President

Approved as to form and legality this 9th day of October, 2012.

City Attorney

Approved by the City Council of the City of Norman this 23rd day of October, 2012.

ATTEST:

City Clerk

Mayor

SVSC Funding Request 2012

Organization	Purpose of Request	Contract No.	Amount
Health for Friends	Start up Expenses for Children's Clinic	K-1213-93	$15,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1213-94	$8,500.00
Food and Shelter for Friends	Temporary Housing and Winter Shelter	K-1213-95	$25,000.00
Transition House	Fund Drop In Center Expenses and Van Replacement	K-1213-96	$13,000.00
Full Circle Senior Adult Day Care	Partially Fund Music Therapy Program	K-1213-97	$2,000.00
Aging Services	Special Assistance Program and Food Pantry	K-1213-98	$4,000.00
Mary Abbott Children's House	Forensic Computer Lab	K-1213-99	$5,000.00
Among Friends Activity Center, Inc.	Funding for Exercise Program	K-1213-100	$2,500.00
Center for Children and Families	Games, Sports Equipment and Food for Support Groups	K-1213-101	$10,000.00
The Salvation Army	Utilities, Food and Supplies Assistance	K-1213-102	$6,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1213-103	$2,000.00
Bethesda, Inc.	Direct Client Care	K-1213-104	$4,000.00
Community After School Program	Tutoring Program	K-1213-105	$6,000.00
Bridges	Student's Electric Bills	K-1213-106	$7,200.00
Community Services Building	Repair Fascia and Soffit and Replace Guttering	K-1213-107	$15,000.00
American Red Cross	Disaster Canteen Supplies and Education Materials	K-1213-108	$2,000.00
East Main Place	Playground Renovation, Electric Ranges and Maintenance	K-1213-109	$5,000.00
ABLE	Spare Tires, Windshield and Repairing Windows	K-1213-110	$2,000.00
Cleveland County Habitat for Humanity	New Server, Router and Computer Backups	K-1213-111	$5,000.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1213-112	$2,000.00
American Legion Post 88	Replace Air Conditioning Unit	K-1213-113	$2,700.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1213-114	$4,500.00
NAIC	Transportation Fund and Bicycles	K-1213-115	$1,000.00
Norman Day School for Handicapped Children	Fundraising and Session Support	K-1213-116	$600.00
Total Amount			**$150,000.00**

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

October 1, 2012

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 1st day of October, 2012, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Brian Burk, Teresa Capps, Basha Hartley, Denise Millar, Pam Normile, Cody Ponder, Chris Porter and Amy Venable
ABSENT:	Andy Paden
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE OCTOBER 1, 2012, MEETING.

Commissioner Normile moved that the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Ponder; and the question being upon approving the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 24, 2012.

Commissioner Venable moved that the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 24, 2012

and the question being upon approving the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

RECOMMENDATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

Food and Shelter for Friends	$25,000.00
Cleveland County Habitat for Humanity	$ 5,000.00
Bridges of Norman, Inc.	$ 7,200.00
Transition House, Inc.	$13,000.00
Meals on Wheels of Norman, Inc.	$ 2,000.00
Aging Services, Inc.	$ 4,000.00
Center for Children and Families, Inc.	$10,000.00
American Legion Post 88	$ 2,700.00
Among Friends Activity Center, Inc.	$ 2,500.00
East Main Place, Inc.	$ 5,000.00
HeartLine, Inc.	$ 2,000.00
Food for Thought Learning Institute	$ 4,500.00
Bethesda, Inc.	$ 4,000.00
Community Services Building, Inc.	$15,000.00
Women's Resource Center, Inc.	$ 8,500.00
Mary Abbott Children's House	$ 5,000.00
NAIC	$ 1,000.00

Salvation Army	$ 6,000.00
Health for Friends, Inc.	$15,000.00
Norman Day School for Handicapped Children	$ 600.00
ABLE	$ 2,000.00

which motion was duly seconded by Commissioner Millar; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

Commissioner Burk moved that the following agencies be recommended for funding:

Community After School Program	$ 6,000.00
American Red Cross	$ 2,000.00
Full Circle Life Enrichment Center	$ 2,000.00

which motion was duly seconded by Commissioner Venable; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Porter and Venable
NAYES:	None
ABSTAIN:	Commissioner Ponder

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

Commissioner Porter suggested that the Commission discuss the policy of the City of Norman that charges a compounding 10% fee to overdue water customers at a future meeting.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the October 1, 2012, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar; and the question being upon adjourning the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burks, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the October 1, 2012, meeting of the Social and Voluntary Services Commission was adjourned at 8:00 p.m.

* * * * *

PURCHASE ORDER

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 22243!
DATE: 10/03/1:

VENDOR #
1335

CENTER FOR CHILDREN & FAMILIES
1151 EAST MAIN STREET
NORMAN, OK 73071

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/01/12	BEST WAY	DESTINATION	NET

CONFIRM BY
LINDA

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	207819	10/02/12

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	10000.0000	10000.00
				SUB-TOTAL	10000.00
				TOTAL	10000.00

City of Norman, OK

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

Master

File Number: K-1213-102

File ID:	K-1213-102	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 37	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$6,000.00	**File Created:**	10/03/2012
File Name:	SVSC Contract with Salvation Army			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $6,000 AND ENTER INTO CONTRACT NO. K-1213-102 WITH THE SALVATION ARMY.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $6,000 from the Salvation Army and Contract No. K-1213-102; and, if approved, authorize execution of Contract No. K-1213-102 and direct payment in the amount of $6,000 to the Salvation Army.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 37

Attachments: Text File Salvation Army, K-1213-102 Salvation Army, SVSC Rqsts 2012, SVSC Minutes, PO Salvation Army

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1213-102

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2012-2013 City of Norman budget adopted on June 12, 2012.

DISCUSSION: On September 24, 2012, the Social and Voluntary Services Commission (SVSC) heard presentations from 25 social service agencies who had submitted applications for funding. The

application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 24 of the agencies would be recommended for funding to the Norman City Council at the October 23, 2012 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

K-1213-102

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 23rd day of October, 2012, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **The Salvation Army**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$6,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Utilities, Food and Supplies Assistance.**

Board Secretary

Board President

Approved as to form and legality this 9th day of October, 2012.

City Attorney

Approved by the City Council of the City of Norman this 23rd day of October, 2012.

ATTEST:

City Clerk

Mayor

SVSC Funding Request 2012

Organization	Purpose of Request	Contract No.	Amount
Health for Friends	Start up Expenses for Children's Clinic	K-1213-93	$15,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1213-94	$8,500.00
Food and Shelter for Friends	Temporary Housing and Winter Shelter	K-1213-95	$25,000.00
Transition House	Fund Drop In Center Expenses and Van Replacement	K-1213-96	$13,000.00
Full Circle Senior Adult Day Care	Partially Fund Music Therapy Program	K-1213-97	$2,000.00
Aging Services	Special Assistance Program and Food Pantry	K-1213-98	$4,000.00
Mary Abbott Children's House	Forensic Computer Lab	K-1213-99	$5,000.00
Among Friends Activity Center, Inc.	Funding for Exercise Program	K-1213-100	$2,500.00
Center for Children and Families	Games, Sports Equipment and Food for Support Groups	K-1213-101	$10,000.00
The Salvation Army	Utilities, Food and Supplies Assistance	K-1213-102	$6,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1213-103	$2,000.00
Bethesda, Inc.	Direct Client Care	K-1213-104	$4,000.00
Community After School Program	Tutoring Program	K-1213-105	$6,000.00
Bridges	Student's Electric Bills	K-1213-106	$7,200.00
Community Services Building	Repair Fascia and Soffit and Replace Guttering	K-1213-107	$15,000.00
American Red Cross	Disaster Canteen Supplies and Education Materials	K-1213-108	$2,000.00
East Main Place	Playground Renovation, Electric Ranges and Maintenance	K-1213-109	$5,000.00
ABLE	Spare Tires, Windshield and Repairing Windows	K-1213-110	$2,000.00
Cleveland County Habitat for Humanity	New Server, Router and Computer Backups	K-1213-111	$5,000.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1213-112	$2,000.00
American Legion Post 88	Replace Air Conditioning Unit	K-1213-113	$2,700.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1213-114	$4,500.00
NAIC	Transportation Fund and Bicycles	K-1213-115	$1,000.00
Norman Day School for Handicapped Children	Fundraising and Session Support	K-1213-116	$600.00
Total Amount			**$150,000.00**

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

October 1, 2012

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 1st day of October, 2012, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Brian Burk, Teresa Capps, Basha Hartley, Denise Millar, Pam Normile, Cody Ponder, Chris Porter and Amy Venable
ABSENT:	Andy Paden
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE OCTOBER 1, 2012, MEETING.

Commissioner Normile moved that the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Ponder; and the question being upon approving the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 24, 2012.

Commissioner Venable moved that the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 24, 2012

and the question being upon approving the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

RECOMMENDATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

Food and Shelter for Friends	$25,000.00
Cleveland County Habitat for Humanity	$ 5,000.00
Bridges of Norman, Inc.	$ 7,200.00
Transition House, Inc.	$13,000.00
Meals on Wheels of Norman, Inc.	$ 2,000.00
Aging Services, Inc.	$ 4,000.00
Center for Children and Families, Inc.	$10,000.00
American Legion Post 88	$ 2,700.00
Among Friends Activity Center, Inc.	$ 2,500.00
East Main Place, Inc.	$ 5,000.00
HeartLine, Inc.	$ 2,000.00
Food for Thought Learning Institute	$ 4,500.00
Bethesda, Inc.	$ 4,000.00
Community Services Building, Inc.	$15,000.00
Women's Resource Center, Inc.	$ 8,500.00
Mary Abbott Children's House	$ 5,000.00
NAIC	$ 1,000.00

Salvation Army	$ 6,000.00
Health for Friends, Inc.	$15,000.00
Norman Day School for Handicapped Children	$ 600.00
ABLE	$ 2,000.00

which motion was duly seconded by Commissioner Millar; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

Commissioner Burk moved that the following agencies be recommended for funding:

Community After School Program	$ 6,000.00
American Red Cross	$ 2,000.00
Full Circle Life Enrichment Center	$ 2,000.00

which motion was duly seconded by Commissioner Venable; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Porter and Venable
NAYES:	None
ABSTAIN:	Commissioner Ponder

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

Commissioner Porter suggested that the Commission discuss the policy of the City of Norman that charges a compounding 10% fee to overdue water customers at a future meeting.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the October 1, 2012, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar; and the question being upon adjourning the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burks, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the October 1, 2012, meeting of the Social and Voluntary Services Commission was adjourned at 8:00 p.m.

* * * * *

PURCHASE ORDER

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 22243(
DATE: 10/03/12

VENDOR #
3459

SALVATION ARMY, THE
318 EAST HAYES
NORMAN, OK 73070

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/01/12	BEST WAY	DESTINATION	NET/30

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	207820	10/02/12

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	6000.0000	6000.00
				SUB-TOTAL	6000.00
				TOTAL	6000.00

City of Norman, OK

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

Master

File Number: K-1213-103

File ID:	K-1213-103	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 38	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$2,000.00	**File Created:**	10/03/2012
File Name:	SVSC Contract with Heartline			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $2,000 AND ENTER INTO CONTRACT NO. K-1213-103 WITH HEARTLINE, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $2,000 from Heartline, Inc., and Contract No. K-1213-103; and, if approved, authorize execution of Contract No. K-1213-103 and direct payment in the amount of $2,000 to Heartline, Inc.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 38

Attachments: Text File Heartline, K-1213-103 Heartline, SVSC Rqsts 2012, SVSC Minutes, PO Heartline

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1213-103

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2012-2013 City of Norman budget adopted on June 12, 2012.

DISCUSSION: On September 24, 2012, the Social and Voluntary Services Commission (SVSC) heard presentations from 25 social service agencies who had submitted applications for funding. The

application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 24 of the agencies would be recommended for funding to the Norman City Council at the October 23, 2012 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

K-1213-103

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 23rd day of October, 2012, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **HeartLine, Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$2,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Support Call Volume**

Board Secretary

on behalf of Board President

Approved as to form and legality this 9th day of October, 2012.

City Attorney

Approved by the City Council of the City of Norman this 23rd day of October, 2012.

ATTEST:

City Clerk

Mayor

SVSC Funding Request 2012

Organization	Purpose of Request	Contract No.	Amount
Health for Friends	Start up Expenses for Children's Clinic	K-1213-93	$15,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1213-94	$8,500.00
Food and Shelter for Friends	Temporary Housing and Winter Shelter	K-1213-95	$25,000.00
Transition House	Fund Drop In Center Expenses and Van Replacement	K-1213-96	$13,000.00
Full Circle Senior Adult Day Care	Partially Fund Music Therapy Program	K-1213-97	$2,000.00
Aging Services	Special Assistance Program and Food Pantry	K-1213-98	$4,000.00
Mary Abbott Children's House	Forensic Computer Lab	K-1213-99	$5,000.00
Among Friends Activity Center, Inc.	Funding for Exercise Program	K-1213-100	$2,500.00
Center for Children and Families	Games, Sports Equipment and Food for Support Groups	K-1213-101	$10,000.00
The Salvation Army	Utilities, Food and Supplies Assistance	K-1213-102	$6,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1213-103	$2,000.00
Bethesda, Inc.	Direct Client Care	K-1213-104	$4,000.00
Community After School Program	Tutoring Program	K-1213-105	$6,000.00
Bridges	Student's Electric Bills	K-1213-106	$7,200.00
Community Services Building	Repair Fascia and Soffit and Replace Guttering	K-1213-107	$15,000.00
American Red Cross	Disaster Canteen Supplies and Education Materials	K-1213-108	$2,000.00
East Main Place	Playground Renovation, Electric Ranges and Maintenance	K-1213-109	$5,000.00
ABLE	Spare Tires, Windshield and Repairing Windows	K-1213-110	$2,000.00
Cleveland County Habitat for Humanity	New Server, Router and Computer Backups	K-1213-111	$5,000.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1213-112	$2,000.00
American Legion Post 88	Replace Air Conditioning Unit	K-1213-113	$2,700.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1213-114	$4,500.00
NAIC	Transportation Fund and Bicycles	K-1213-115	$1,000.00
Norman Day School for Handicapped Children	Fundraising and Session Support	K-1213-116	$600.00
Total Amount			**$150,000.00**

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

October 1, 2012

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 1st day of October, 2012, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Brian Burk, Teresa Capps, Basha Hartley, Denise Millar, Pam Normile, Cody Ponder, Chris Porter and Amy Venable
ABSENT:	Andy Paden
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE OCTOBER 1, 2012, MEETING.

Commissioner Normile moved that the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Ponder; and the question being upon approving the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 24, 2012.

Commissioner Venable moved that the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 24, 2012

and the question being upon approving the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

RECOMMENDATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

Food and Shelter for Friends	$25,000.00
Cleveland County Habitat for Humanity	$ 5,000.00
Bridges of Norman, Inc.	$ 7,200.00
Transition House, Inc.	$13,000.00
Meals on Wheels of Norman, Inc.	$ 2,000.00
Aging Services, Inc.	$ 4,000.00
Center for Children and Families, Inc.	$10,000.00
American Legion Post 88	$ 2,700.00
Among Friends Activity Center, Inc.	$ 2,500.00
East Main Place, Inc.	$ 5,000.00
HeartLine, Inc.	$ 2,000.00
Food for Thought Learning Institute	$ 4,500.00
Bethesda, Inc.	$ 4,000.00
Community Services Building, Inc.	$15,000.00
Women's Resource Center, Inc.	$ 8,500.00
Mary Abbott Children's House	$ 5,000.00
NAIC	$ 1,000.00

Salvation Army	$ 6,000.00
Health for Friends, Inc.	$15,000.00
Norman Day School for Handicapped Children	$ 600.00
ABLE	$ 2,000.00

which motion was duly seconded by Commissioner Millar; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

Commissioner Burk moved that the following agencies be recommended for funding:

Community After School Program	$ 6,000.00
American Red Cross	$ 2,000.00
Full Circle Life Enrichment Center	$ 2,000.00

which motion was duly seconded by Commissioner Venable; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Porter and Venable
NAYES:	None
ABSTAIN:	Commissioner Ponder

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

Commissioner Porter suggested that the Commission discuss the policy of the City of Norman that charges a compounding 10% fee to overdue water customers at a future meeting.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the October 1, 2012, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar; and the question being upon adjourning the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burks, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the October 1, 2012, meeting of the Social and Voluntary Services Commission was adjourned at 8:00 p.m.

* * * * *

PURCHASE ORDER

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 22243
DATE: 10/03/12

VENDOR #
10398

HEARTLINE INC
P O BOX 12832
OKLAHOMA CITY, OK 73157

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/01/12	BEST WAY	DESTINATION	NET

CONFIRM BY FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	207823	10/02/12

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	2000.0000	2000.00
				SUB-TOTAL	2000.00
				TOTAL	2000.00

City of Norman, OK

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

Master

File Number: K-1213-104

File ID:	K-1213-104	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 39	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$4,000.00	**File Created:**	10/03/2012
File Name:	SVSC Contract with Bethesda			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $4,000 AND ENTER INTO CONTRACT NO. K-1213-104 WITH BETHESDA, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $4,000 from Bethesda, Inc., and Contract No. K-1213-104; and, if approved, authorize execution of Contract No. K-1213-104 and direct payment in the amount of $4,000 to Bethesda, Inc.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 39

Attachments: Text File Bethesda, K-1213-104 Bethesda, SVSC Rqsts 2012, SVSC Minutes, PO Bethesda

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1213-104

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2012-2013 City of Norman budget adopted on June 12, 2012.

DISCUSSION: On September 24, 2012, the Social and Voluntary Services Commission (SVSC) heard presentations from 25 social service agencies who had submitted applications for funding. The

application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 24 of the agencies would be recommended for funding to the Norman City Council at the October 23, 2012 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

K-1213-104

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 23rd day of October, 2012, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Bethesda, Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$4,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Direct Client Care.**

Board Secretary

Valerie J Kamble
Board President

Approved as to form and legality this 9th day of October, 2012.

City Attorney

Approved by the City Council of the City of Norman this 23rd day of October, 2012.

ATTEST:

City Clerk

Mayor

SVSC Funding Request 2012

Organization	Purpose of Request	Contract No.	Amount
Health for Friends	Start up Expenses for Children's Clinic	K-1213-93	$15,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1213-94	$8,500.00
Food and Shelter for Friends	Temporary Housing and Winter Shelter	K-1213-95	$25,000.00
Transition House	Fund Drop In Center Expenses and Van Replacement	K-1213-96	$13,000.00
Full Circle Senior Adult Day Care	Partially Fund Music Therapy Program	K-1213-97	$2,000.00
Aging Services	Special Assistance Program and Food Pantry	K-1213-98	$4,000.00
Mary Abbott Children's House	Forensic Computer Lab	K-1213-99	$5,000.00
Among Friends Activity Center, Inc.	Funding for Exercise Program	K-1213-100	$2,500.00
Center for Children and Families	Games, Sports Equipment and Food for Support Groups	K-1213-101	$10,000.00
The Salvation Army	Utilities, Food and Supplies Assistance	K-1213-102	$6,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1213-103	$2,000.00
Bethesda, Inc.	Direct Client Care	K-1213-104	$4,000.00
Community After School Program	Tutoring Program	K-1213-105	$6,000.00
Bridges	Student's Electric Bills	K-1213-106	$7,200.00
Community Services Building	Repair Fascia and Soffit and Replace Guttering	K-1213-107	$15,000.00
American Red Cross	Disaster Canteen Supplies and Education Materials	K-1213-108	$2,000.00
East Main Place	Playground Renovation, Electric Ranges and Maintenance	K-1213-109	$5,000.00
ABLE	Spare Tires, Windshield and Repairing Windows	K-1213-110	$2,000.00
Cleveland County Habitat for Humanity	New Server, Router and Computer Backups	K-1213-111	$5,000.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1213-112	$2,000.00
American Legion Post 88	Replace Air Conditioning Unit	K-1213-113	$2,700.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1213-114	$4,500.00
NAIC	Transportation Fund and Bicycles	K-1213-115	$1,000.00
Norman Day School for Handicapped Children	Fundraising and Session Support	K-1213-116	$600.00
Total Amount			**$150,000.00**

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

October 1, 2012

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 1st day of October, 2012, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Brian Burk, Teresa Capps, Basha Hartley, Denise Millar, Pam Normile, Cody Ponder, Chris Porter and Amy Venable
ABSENT:	Andy Paden
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE OCTOBER 1, 2012, MEETING.

Commissioner Normile moved that the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Ponder; and the question being upon approving the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 24, 2012.

Commissioner Venable moved that the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 24, 2012

and the question being upon approving the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

RECOMMENDATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

Food and Shelter for Friends	$25,000.00
Cleveland County Habitat for Humanity	$ 5,000.00
Bridges of Norman, Inc.	$ 7,200.00
Transition House, Inc.	$13,000.00
Meals on Wheels of Norman, Inc.	$ 2,000.00
Aging Services, Inc.	$ 4,000.00
Center for Children and Families, Inc.	$10,000.00
American Legion Post 88	$ 2,700.00
Among Friends Activity Center, Inc.	$ 2,500.00
East Main Place, Inc.	$ 5,000.00
HeartLine, Inc.	$ 2,000.00
Food for Thought Learning Institute	$ 4,500.00
Bethesda, Inc.	$ 4,000.00
Community Services Building, Inc.	$15,000.00
Women's Resource Center, Inc.	$ 8,500.00
Mary Abbott Children's House	$ 5,000.00
NAIC	$ 1,000.00

Salvation Army	$ 6,000.00
Health for Friends, Inc.	$15,000.00
Norman Day School for Handicapped Children	$ 600.00
ABLE	$ 2,000.00

which motion was duly seconded by Commissioner Millar; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

Commissioner Burk moved that the following agencies be recommended for funding:

Community After School Program	$ 6,000.00
American Red Cross	$ 2,000.00
Full Circle Life Enrichment Center	$ 2,000.00

which motion was duly seconded by Commissioner Venable; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Porter and Venable
NAYES:	None
ABSTAIN:	Commissioner Ponder

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

Commissioner Porter suggested that the Commission discuss the policy of the City of Norman that charges a compounding 10% fee to overdue water customers at a future meeting.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the October 1, 2012, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar; and the question being upon adjourning the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burks, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the October 1, 2012, meeting of the Social and Voluntary Services Commission was adjourned at 8:00 p.m.

* * * * *

P U R C H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 22243[illegible]
DATE: 10/03/12

VENDOR #
4929

BETHESDA INC
1181 EAST MAIN STREET
NORMAN, OK 73071

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/01/12	BEST WAY	DESTINAION	NET/30

CONFIRM BY
JUDY RINGER

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	207824	10/02/12

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	4000.0000	4000.00
				SUB-TOTAL	4000.00
				TOTAL	4000.00

City of Norman, OK

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

Master

File Number: K-1213-105

File ID:	K-1213-105	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 40	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$6,000.00	**File Created:**	10/03/2012
File Name:	SVSC Contract with Community After School Program			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $6,000 AND ENTER INTO CONTRACT NO. K-1213-105 WITH COMMUNITY AFTER SCHOOL PROGRAM.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $6,000 from Community After School Program and Contract No. K-1213-105; and, if approved, authorize execution of Contract No. K-1213-105 and direct payment in the amount of $6,000 to Community After School Program

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 40

Attachments: Text File Community After School, SVSC Rqsts 2012, K-1213-105 Comm After School, SVSC Minutes, PO Comm After School

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1213-105

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2012-2013 City of Norman budget adopted on June 12, 2012.

DISCUSSION: On September 24, 2012, the Social and Voluntary Services Commission (SVSC)

heard presentations from 25 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 24 of the agencies would be recommended for funding to the Norman City Council at the October 23, 2012 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

K-1213-105

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 23rd day of October, 2012, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Community After School Program**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$6,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Tutoring Program.**

Board Secretary

Board President

Approved as to form and legality this 9th day of October, 2012.

City Attorney

Approved by the City Council of the City of Norman this 23rd day of October, 2012.

ATTEST:

City Clerk

Mayor

SVSC Funding Request 2012

Organization	Purpose of Request	Contract No.	Amount
Health for Friends	Start up Expenses for Children's Clinic	K-1213-93	$15,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1213-94	$8,500.00
Food and Shelter for Friends	Temporary Housing and Winter Shelter	K-1213-95	$25,000.00
Transition House	Fund Drop In Center Expenses and Van Replacement	K-1213-96	$13,000.00
Full Circle Senior Adult Day Care	Partially Fund Music Therapy Program	K-1213-97	$2,000.00
Aging Services	Special Assistance Program and Food Pantry	K-1213-98	$4,000.00
Mary Abbott Children's House	Forensic Computer Lab	K-1213-99	$5,000.00
Among Friends Activity Center, Inc.	Funding for Exercise Program	K-1213-100	$2,500.00
Center for Children and Families	Games, Sports Equipment and Food for Support Groups	K-1213-101	$10,000.00
The Salvation Army	Utilities, Food and Supplies Assistance	K-1213-102	$6,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1213-103	$2,000.00
Bethesda, Inc.	Direct Client Care	K-1213-104	$4,000.00
Community After School Program	Tutoring Program	K-1213-105	$6,000.00
Bridges	Student's Electric Bills	K-1213-106	$7,200.00
Community Services Building	Repair Fascia and Soffit and Replace Guttering	K-1213-107	$15,000.00
American Red Cross	Disaster Canteen Supplies and Education Materials	K-1213-108	$2,000.00
East Main Place	Playground Renovation, Electric Ranges and Maintenance	K-1213-109	$5,000.00
ABLE	Spare Tires, Windshield and Repairing Windows	K-1213-110	$2,000.00
Cleveland County Habitat for Humanity	New Server, Router and Computer Backups	K-1213-111	$5,000.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1213-112	$2,000.00
American Legion Post 88	Replace Air Conditioning Unit	K-1213-113	$2,700.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1213-114	$4,500.00
NAIC	Transportation Fund and Bicycles	K-1213-115	$1,000.00
Norman Day School for Handicapped Children	Fundraising and Session Support	K-1213-116	$600.00
Total Amount			**$150,000.00**

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

October 1, 2012

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 1st day of October, 2012, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Brian Burk, Teresa Capps, Basha Hartley, Denise Millar, Pam Normile, Cody Ponder, Chris Porter and Amy Venable
ABSENT:	Andy Paden
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE OCTOBER 1, 2012, MEETING.

Commissioner Normile moved that the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Ponder; and the question being upon approving the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 24, 2012.

Commissioner Venable moved that the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 24, 2012

and the question being upon approving the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

RECOMMENDATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

Food and Shelter for Friends	$25,000.00
Cleveland County Habitat for Humanity	$ 5,000.00
Bridges of Norman, Inc.	$ 7,200.00
Transition House, Inc.	$13,000.00
Meals on Wheels of Norman, Inc.	$ 2,000.00
Aging Services, Inc.	$ 4,000.00
Center for Children and Families, Inc.	$10,000.00
American Legion Post 88	$ 2,700.00
Among Friends Activity Center, Inc.	$ 2,500.00
East Main Place, Inc.	$ 5,000.00
HeartLine, Inc.	$ 2,000.00
Food for Thought Learning Institute	$ 4,500.00
Bethesda, Inc.	$ 4,000.00
Community Services Building, Inc.	$15,000.00
Women's Resource Center, Inc.	$ 8,500.00
Mary Abbott Children's House	$ 5,000.00
NAIC	$ 1,000.00

Salvation Army	$ 6,000.00
Health for Friends, Inc.	$15,000.00
Norman Day School for Handicapped Children	$ 600.00
ABLE	$ 2,000.00

which motion was duly seconded by Commissioner Millar; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

Commissioner Burk moved that the following agencies be recommended for funding:

Community After School Program	$ 6,000.00
American Red Cross	$ 2,000.00
Full Circle Life Enrichment Center	$ 2,000.00

which motion was duly seconded by Commissioner Venable; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Porter and Venable
NAYES:	None
ABSTAIN:	Commissioner Ponder

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

Commissioner Porter suggested that the Commission discuss the policy of the City of Norman that charges a compounding 10% fee to overdue water customers at a future meeting.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the October 1, 2012, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar; and the question being upon adjourning the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burks, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the October 1, 2012, meeting of the Social and Voluntary Services Commission was adjourned at 8:00 p.m.

* * * * *

PURCHASE ORDER

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 22243
DATE: 10/03/1

VENDOR #
471

COMMUNITY AFTER SCHOOL PROGRAM
1023 N FLOOD
NORMAN, OK 73069

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/01/12	BEST WAY	DESTINATION	NET

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	207825	10/02/12

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	6000.0000	6000.00
				SUB-TOTAL	6000.00
				TOTAL	6000.00

City of Norman, OK

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

Master

File Number: K-1213-106

File ID:	K-1213-106	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 41	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$7,200.00	**File Created:**	10/03/2012
File Name:	SVSC contract with Bridges			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $7,200 AND ENTER INTO CONTRACT NO. K-1213-106 WITH BRIDGES, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $7,200 from Bridges, Inc., and Contract No. K-1213-106; and, if approved, authorize execution of Contract No. K-1213-106 and direct payment in the amount of $7,200 to Bridges, Inc.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 41

Attachments: Text File Bridges, K-1213-106 Bridges, SVSC Rqsts 2012, SVSC Minutes, PO Bridges

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1213-106

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2012-2013 City of Norman budget adopted on June 12, 2012.

DISCUSSION: On September 24, 2012, the Social and Voluntary Services Commission (SVSC) heard presentations from 25 social service agencies who had submitted applications for funding. The

application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 24 of the agencies would be recommended for funding to the Norman City Council at the October 23, 2012 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

K-1213-106

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 23rd day of October, 2012, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Bridges**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$7,200.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Assistance with Student's Electric Bills.**

Board ~~Secretary~~ Treasurer

Board President

Approved as to form and legality this 9th day of October, 2012.

City Attorney

Approved by the City Council of the City of Norman this 23rd day of October, 2012.

ATTEST:

City Clerk

Mayor

SVSC Funding Request 2012

Organization	Purpose of Request	Contract No.	Amount
Health for Friends	Start up Expenses for Children's Clinic	K-1213-93	$15,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1213-94	$8,500.00
Food and Shelter for Friends	Temporary Housing and Winter Shelter	K-1213-95	$25,000.00
Transition House	Fund Drop In Center Expenses and Van Replacement	K-1213-96	$13,000.00
Full Circle Senior Adult Day Care	Partially Fund Music Therapy Program	K-1213-97	$2,000.00
Aging Services	Special Assistance Program and Food Pantry	K-1213-98	$4,000.00
Mary Abbott Children's House	Forensic Computer Lab	K-1213-99	$5,000.00
Among Friends Activity Center, Inc.	Funding for Exercise Program	K-1213-100	$2,500.00
Center for Children and Families	Games, Sports Equipment and Food for Support Groups	K-1213-101	$10,000.00
The Salvation Army	Utilities, Food and Supplies Assistance	K-1213-102	$6,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1213-103	$2,000.00
Bethesda, Inc.	Direct Client Care	K-1213-104	$4,000.00
Community After School Program	Tutoring Program	K-1213-105	$6,000.00
Bridges	Student's Electric Bills	K-1213-106	$7,200.00
Community Services Building	Repair Fascia and Soffit and Replace Guttering	K-1213-107	$15,000.00
American Red Cross	Disaster Canteen Supplies and Education Materials	K-1213-108	$2,000.00
East Main Place	Playground Renovation, Electric Ranges and Maintenance	K-1213-109	$5,000.00
ABLE	Spare Tires, Windshield and Repairing Windows	K-1213-110	$2,000.00
Cleveland County Habitat for Humanity	New Server, Router and Computer Backups	K-1213-111	$5,000.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1213-112	$2,000.00
American Legion Post 88	Replace Air Conditioning Unit	K-1213-113	$2,700.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1213-114	$4,500.00
NAIC	Transportation Fund and Bicycles	K-1213-115	$1,000.00
Norman Day School for Handicapped Children	Fundraising and Session Support	K-1213-116	$600.00
Total Amount			**$150,000.00**

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

October 1, 2012

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 1st day of October, 2012, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Brian Burk, Teresa Capps, Basha Hartley, Denise Millar, Pam Normile, Cody Ponder, Chris Porter and Amy Venable
ABSENT:	Andy Paden
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE OCTOBER 1, 2012, MEETING.

Commissioner Normile moved that the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Ponder; and the question being upon approving the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 24, 2012.

Commissioner Venable moved that the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 24, 2012

and the question being upon approving the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

RECOMMENDATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

Food and Shelter for Friends	$25,000.00
Cleveland County Habitat for Humanity	$ 5,000.00
Bridges of Norman, Inc.	$ 7,200.00
Transition House, Inc.	$13,000.00
Meals on Wheels of Norman, Inc.	$ 2,000.00
Aging Services, Inc.	$ 4,000.00
Center for Children and Families, Inc.	$10,000.00
American Legion Post 88	$ 2,700.00
Among Friends Activity Center, Inc.	$ 2,500.00
East Main Place, Inc.	$ 5,000.00
HeartLine, Inc.	$ 2,000.00
Food for Thought Learning Institute	$ 4,500.00
Bethesda, Inc.	$ 4,000.00
Community Services Building, Inc.	$15,000.00
Women's Resource Center, Inc.	$ 8,500.00
Mary Abbott Children's House	$ 5,000.00
NAIC	$ 1,000.00

Salvation Army	$ 6,000.00
Health for Friends, Inc.	$15,000.00
Norman Day School for Handicapped Children	$ 600.00
ABLE	$ 2,000.00

which motion was duly seconded by Commissioner Millar; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

Commissioner Burk moved that the following agencies be recommended for funding:

Community After School Program	$ 6,000.00
American Red Cross	$ 2,000.00
Full Circle Life Enrichment Center	$ 2,000.00

which motion was duly seconded by Commissioner Venable; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Porter and Venable
NAYES:	None
ABSTAIN:	Commissioner Ponder

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

Commissioner Porter suggested that the Commission discuss the policy of the City of Norman that charges a compounding 10% fee to overdue water customers at a future meeting.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the October 1, 2012, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar; and the question being upon adjourning the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burks, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the October 1, 2012, meeting of the Social and Voluntary Services Commission was adjourned at 8:00 p.m.

* * * * *

P U R C H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 222440
DATE: 10/03/12

VENDOR #
602

BRIDGES INC
1672 N STUBBLEMAN
NORMAN, OK 73069

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/01/12	BEST WAY	DESTINATION	NET

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	207826	10/02/12

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	7200.0000	7200.00
				SUB-TOTAL	7200.00
				TOTAL	7200.00

City of Norman, OK

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

Master

File Number: K-1213-107

File ID:	K-1213-107	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 42	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$15,000.00	**File Created:**	10/03/2012
File Name:	SVSC contract with CSBI			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $15,000 AND ENTER INTO CONTRACT NO. K-1213-107 WITH COMMUNITY SERVICES BUILDING, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $15,000 from Community Services Building, Inc., and Contract No. K-1213-107; and, if approved, authorize execution of Contract No. K-1213-107 and direct payment in the amount of $15,000 to Community Services Building, Inc.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 42

Attachments: Text File CSBI, SVSC Rqsts 2012, K-1213-107
CSBI, SVSC Minutes, PO CSBI

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1213-107

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2012-2013 City of Norman budget adopted on June 12, 2012.

DISCUSSION: On September 24, 2012, the Social and Voluntary Services Commission (SVSC) heard presentations from 25 social service agencies who had submitted applications for funding. The

application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 24 of the agencies would be recommended for funding to the Norman City Council at the October 23, 2012 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

K-1213-107

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 23rd day of October, 2012, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Community Services Building, Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$15,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Repair Fascia and Soffit and Replace Guttering.**

Board Secretary

Board President

Approved as to form and legality this 9th day of October, 2012.

City Attorney

Approved by the City Council of the City of Norman this 23rd day of October, 2012.

ATTEST:

City Clerk

Mayor

SVSC Funding Request 2012

Organization	Purpose of Request	Contract No.	Amount
Health for Friends	Start up Expenses for Children's Clinic	K-1213-93	$15,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1213-94	$8,500.00
Food and Shelter for Friends	Temporary Housing and Winter Shelter	K-1213-95	$25,000.00
Transition House	Fund Drop In Center Expenses and Van Replacement	K-1213-96	$13,000.00
Full Circle Senior Adult Day Care	Partially Fund Music Therapy Program	K-1213-97	$2,000.00
Aging Services	Special Assistance Program and Food Pantry	K-1213-98	$4,000.00
Mary Abbott Children's House	Forensic Computer Lab	K-1213-99	$5,000.00
Among Friends Activity Center, Inc.	Funding for Exercise Program	K-1213-100	$2,500.00
Center for Children and Families	Games, Sports Equipment and Food for Support Groups	K-1213-101	$10,000.00
The Salvation Army	Utilities, Food and Supplies Assistance	K-1213-102	$6,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1213-103	$2,000.00
Bethesda, Inc.	Direct Client Care	K-1213-104	$4,000.00
Community After School Program	Tutoring Program	K-1213-105	$6,000.00
Bridges	Student's Electric Bills	K-1213-106	$7,200.00
Community Services Building	Repair Fascia and Soffit and Replace Guttering	K-1213-107	$15,000.00
American Red Cross	Disaster Canteen Supplies and Education Materials	K-1213-108	$2,000.00
East Main Place	Playground Renovation, Electric Ranges and Maintenance	K-1213-109	$5,000.00
ABLE	Spare Tires, Windshield and Repairing Windows	K-1213-110	$2,000.00
Cleveland County Habitat for Humanity	New Server, Router and Computer Backups	K-1213-111	$5,000.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1213-112	$2,000.00
American Legion Post 88	Replace Air Conditioning Unit	K-1213-113	$2,700.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1213-114	$4,500.00
NAIC	Transportation Fund and Bicycles	K-1213-115	$1,000.00
Norman Day School for Handicapped Children	Fundraising and Session Support	K-1213-116	$600.00
Total Amount			**$150,000.00**

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

October 1, 2012

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 1st day of October, 2012, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Brian Burk, Teresa Capps, Basha Hartley, Denise Millar, Pam Normile, Cody Ponder, Chris Porter and Amy Venable
ABSENT:	Andy Paden
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE OCTOBER 1, 2012, MEETING.

Commissioner Normile moved that the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Ponder; and the question being upon approving the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 24, 2012.

Commissioner Venable moved that the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 24, 2012

and the question being upon approving the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

RECOMMENDATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

Food and Shelter for Friends	$25,000.00
Cleveland County Habitat for Humanity	$ 5,000.00
Bridges of Norman, Inc.	$ 7,200.00
Transition House, Inc.	$13,000.00
Meals on Wheels of Norman, Inc.	$ 2,000.00
Aging Services, Inc.	$ 4,000.00
Center for Children and Families, Inc.	$10,000.00
American Legion Post 88	$ 2,700.00
Among Friends Activity Center, Inc.	$ 2,500.00
East Main Place, Inc.	$ 5,000.00
HeartLine, Inc.	$ 2,000.00
Food for Thought Learning Institute	$ 4,500.00
Bethesda, Inc.	$ 4,000.00
Community Services Building, Inc.	$15,000.00
Women's Resource Center, Inc.	$ 8,500.00
Mary Abbott Children's House	$ 5,000.00
NAIC	$ 1,000.00

Salvation Army	$ 6,000.00
Health for Friends, Inc.	$15,000.00
Norman Day School for Handicapped Children	$ 600.00
ABLE	$ 2,000.00

which motion was duly seconded by Commissioner Millar; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

Commissioner Burk moved that the following agencies be recommended for funding:

Community After School Program	$ 6,000.00
American Red Cross	$ 2,000.00
Full Circle Life Enrichment Center	$ 2,000.00

which motion was duly seconded by Commissioner Venable; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Porter and Venable
NAYES:	None
ABSTAIN:	Commissioner Ponder

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

Commissioner Porter suggested that the Commission discuss the policy of the City of Norman that charges a compounding 10% fee to overdue water customers at a future meeting.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the October 1, 2012, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar; and the question being upon adjourning the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burks, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the October 1, 2012, meeting of the Social and Voluntary Services Commission was adjourned at 8:00 p.m.

* * * * *

PURCHASE ORDER

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 22244
DATE: 10/03/1

VENDOR #
6323

COMMUNITY SERVICES BUILIDNG IN
1183 EAST MAIN
NORMAN, OK 73071

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/01/12	BEST WAY	DESTINATION	NET

CONFIRM BY FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	207827	10/02/12

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	15000.0000	15000.00
				SUB-TOTAL	15000.00
				TOTAL	15000.00

City of Norman, OK

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

Master

File Number: K-1213-108

File ID:	K-1213-108	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 43	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$2,000.00	**File Created:**	10/03/2012
File Name:	SVSC contract with American Red Cross			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $2,000 AND ENTER INTO CONTRACT NO. K-1213-108 WITH AMERICAN RED CROSS.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $2,000 from American Red Cross and Contract No. K-1213-108; and, if approved, authorize execution of Contract No. K-1213-108 and direct payment in the amount of $2,000 to American Red Cross.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 43

Attachments: Text File Red Cross, SVSC Rqsts 2012, K-1213-108
Red Cross, SVSC Minutes, PO Red Cross

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1213-108

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2012-2013 City of Norman budget adopted on June 12, 2012.

DISCUSSION: On September 24, 2012, the Social and Voluntary Services Commission (SVSC) heard presentations from 25 social service agencies who had submitted applications for funding. The

application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 24 of the agencies would be recommended for funding to the Norman City Council at the October 23, 2012 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

K-1213-108

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 23rd day of October, 2012, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **American Red Cross**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$2,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Disaster Canteen Supplies and Education Materials.**

John R. Koons
Board ~~Secretary~~
2nd Vice Chairman

Board President

Approved as to form and legality this ~~23rd~~ 9th day of October, 2012.

City Attorney

Approved by the City Council of the City of Norman this 23rd day of October, 2012.

ATTEST:

City Clerk

Mayor

SVSC Funding Request 2012

Organization	Purpose of Request	Contract No.	Amount
Health for Friends	Start up Expenses for Children's Clinic	K-1213-93	$15,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1213-94	$8,500.00
Food and Shelter for Friends	Temporary Housing and Winter Shelter	K-1213-95	$25,000.00
Transition House	Fund Drop In Center Expenses and Van Replacement	K-1213-96	$13,000.00
Full Circle Senior Adult Day Care	Partially Fund Music Therapy Program	K-1213-97	$2,000.00
Aging Services	Special Assistance Program and Food Pantry	K-1213-98	$4,000.00
Mary Abbott Children's House	Forensic Computer Lab	K-1213-99	$5,000.00
Among Friends Activity Center, Inc.	Funding for Exercise Program	K-1213-100	$2,500.00
Center for Children and Families	Games, Sports Equipment and Food for Support Groups	K-1213-101	$10,000.00
The Salvation Army	Utilities, Food and Supplies Assistance	K-1213-102	$6,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1213-103	$2,000.00
Bethesda, Inc.	Direct Client Care	K-1213-104	$4,000.00
Community After School Program	Tutoring Program	K-1213-105	$6,000.00
Bridges	Student's Electric Bills	K-1213-106	$7,200.00
Community Services Building	Repair Fascia and Soffit and Replace Guttering	K-1213-107	$15,000.00
American Red Cross	Disaster Canteen Supplies and Education Materials	K-1213-108	$2,000.00
East Main Place	Playground Renovation, Electric Ranges and Maintenance	K-1213-109	$5,000.00
ABLE	Spare Tires, Windshield and Repairing Windows	K-1213-110	$2,000.00
Cleveland County Habitat for Humanity	New Server, Router and Computer Backups	K-1213-111	$5,000.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1213-112	$2,000.00
American Legion Post 88	Replace Air Conditioning Unit	K-1213-113	$2,700.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1213-114	$4,500.00
NAIC	Transportation Fund and Bicycles	K-1213-115	$1,000.00
Norman Day School for Handicapped Children	Fundraising and Session Support	K-1213-116	$600.00
Total Amount			**$150,000.00**

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

October 1, 2012

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 1st day of October, 2012, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Brian Burk, Teresa Capps, Basha Hartley, Denise Millar, Pam Normile, Cody Ponder, Chris Porter and Amy Venable
ABSENT:	Andy Paden
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE OCTOBER 1, 2012, MEETING.

Commissioner Normile moved that the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Ponder; and the question being upon approving the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 24, 2012.

Commissioner Venable moved that the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 24, 2012

and the question being upon approving the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

RECOMMENDATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

Food and Shelter for Friends	$25,000.00
Cleveland County Habitat for Humanity	$ 5,000.00
Bridges of Norman, Inc.	$ 7,200.00
Transition House, Inc.	$13,000.00
Meals on Wheels of Norman, Inc.	$ 2,000.00
Aging Services, Inc.	$ 4,000.00
Center for Children and Families, Inc.	$10,000.00
American Legion Post 88	$ 2,700.00
Among Friends Activity Center, Inc.	$ 2,500.00
East Main Place, Inc.	$ 5,000.00
HeartLine, Inc.	$ 2,000.00
Food for Thought Learning Institute	$ 4,500.00
Bethesda, Inc.	$ 4,000.00
Community Services Building, Inc.	$15,000.00
Women's Resource Center, Inc.	$ 8,500.00
Mary Abbott Children's House	$ 5,000.00
NAIC	$ 1,000.00

Salvation Army	$ 6,000.00
Health for Friends, Inc.	$15,000.00
Norman Day School for Handicapped Children	$ 600.00
ABLE	$ 2,000.00

which motion was duly seconded by Commissioner Millar; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

Commissioner Burk moved that the following agencies be recommended for funding:

Community After School Program	$ 6,000.00
American Red Cross	$ 2,000.00
Full Circle Life Enrichment Center	$ 2,000.00

which motion was duly seconded by Commissioner Venable; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Porter and Venable
NAYES:	None
ABSTAIN:	Commissioner Ponder

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

Commissioner Porter suggested that the Commission discuss the policy of the City of Norman that charges a compounding 10% fee to overdue water customers at a future meeting.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the October 1, 2012, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar; and the question being upon adjourning the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burks, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the October 1, 2012, meeting of the Social and Voluntary Services Commission was adjourned at 8:00 p.m.

* * * * *

PURCHASE ORDER

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 222442
DATE: 10/03/12

VENDOR #
2987

AMERICAN RED CROSS (LOCAL)
1205 HALLEY AVENUE
NORMAN, OK 73069

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/01/12	BEST WAY	DESTINATION	NET/30

CONFIRM BY
BRANDY DAVIS BDAVIS@ARCOK

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	207828	10/02/12

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	2000.0000	2000.00
				SUB-TOTAL	2000.00
				TOTAL	2000.00

City of Norman, OK

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

Master

File Number: K-1213-109

File ID:	K-1213-109	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 44	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$5,000.00	**File Created:**	10/03/2012
File Name:	SVSC Contract with East Main Place			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $5,000 AND ENTER INTO CONTRACT NO. K-1213-109 WITH EAST MAIN PLACE.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,000 from East Main Place and Contract No. K-1213-109; and, if approved, authorize execution of Contract No. K-1213-109 and direct payment in the amount of $5,000 to East Main Place.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 44

Attachments: Text File East Main Place, SVSC Rqsts 2012, K-1213-109 East Main Place, SVSC Minutes, PO East Main Place

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1213-109

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2012-2013 City of Norman budget adopted on June 12, 2012.

DISCUSSION: On September 24, 2012, the Social and Voluntary Services Commission (SVSC) heard presentations from 25 social service agencies who had submitted applications for funding. The

application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 24 of the agencies would be recommended for funding to the Norman City Council at the October 23, 2012 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

K-1213-109

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 23rd day of October, 2012, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **East Main Place, Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$5,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Playground Renovation, Electric Ranges and Maintenance.**

Board Secretary

Board President

Approved as to form and legality this 9th day of October, 2012.

City Attorney

Approved by the City Council of the City of Norman this 23rd day of October, 2012.

ATTEST:

City Clerk

Mayor

SVSC Funding Request 2012

Organization	Purpose of Request	Contract No.	Amount
Health for Friends	Start up Expenses for Children's Clinic	K-1213-93	$15,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1213-94	$8,500.00
Food and Shelter for Friends	Temporary Housing and Winter Shelter	K-1213-95	$25,000.00
Transition House	Fund Drop In Center Expenses and Van Replacement	K-1213-96	$13,000.00
Full Circle Senior Adult Day Care	Partially Fund Music Therapy Program	K-1213-97	$2,000.00
Aging Services	Special Assistance Program and Food Pantry	K-1213-98	$4,000.00
Mary Abbott Children's House	Forensic Computer Lab	K-1213-99	$5,000.00
Among Friends Activity Center, Inc.	Funding for Exercise Program	K-1213-100	$2,500.00
Center for Children and Families	Games, Sports Equipment and Food for Support Groups	K-1213-101	$10,000.00
The Salvation Army	Utilities, Food and Supplies Assistance	K-1213-102	$6,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1213-103	$2,000.00
Bethesda, Inc.	Direct Client Care	K-1213-104	$4,000.00
Community After School Program	Tutoring Program	K-1213-105	$6,000.00
Bridges	Student's Electric Bills	K-1213-106	$7,200.00
Community Services Building	Repair Fascia and Soffit and Replace Guttering	K-1213-107	$15,000.00
American Red Cross	Disaster Canteen Supplies and Education Materials	K-1213-108	$2,000.00
East Main Place	Playground Renovation, Electric Ranges and Maintenance	K-1213-109	$5,000.00
ABLE	Spare Tires, Windshield and Repairing Windows	K-1213-110	$2,000.00
Cleveland County Habitat for Humanity	New Server, Router and Computer Backups	K-1213-111	$5,000.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1213-112	$2,000.00
American Legion Post 88	Replace Air Conditioning Unit	K-1213-113	$2,700.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1213-114	$4,500.00
NAIC	Transportation Fund and Bicycles	K-1213-115	$1,000.00
Norman Day School for Handicapped Children	Fundraising and Session Support	K-1213-116	$600.00
Total Amount			**$150,000.00**

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

October 1, 2012

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 1st day of October, 2012, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Brian Burk, Teresa Capps, Basha Hartley, Denise Millar, Pam Normile, Cody Ponder, Chris Porter and Amy Venable
ABSENT:	Andy Paden
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE OCTOBER 1, 2012, MEETING.

Commissioner Normile moved that the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Ponder; and the question being upon approving the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 24, 2012.

Commissioner Venable moved that the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 24, 2012

and the question being upon approving the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

RECOMMENDATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

Food and Shelter for Friends	$25,000.00
Cleveland County Habitat for Humanity	$ 5,000.00
Bridges of Norman, Inc.	$ 7,200.00
Transition House, Inc.	$13,000.00
Meals on Wheels of Norman, Inc.	$ 2,000.00
Aging Services, Inc.	$ 4,000.00
Center for Children and Families, Inc.	$10,000.00
American Legion Post 88	$ 2,700.00
Among Friends Activity Center, Inc.	$ 2,500.00
East Main Place, Inc.	$ 5,000.00
HeartLine, Inc.	$ 2,000.00
Food for Thought Learning Institute	$ 4,500.00
Bethesda, Inc.	$ 4,000.00
Community Services Building, Inc.	$15,000.00
Women's Resource Center, Inc.	$ 8,500.00
Mary Abbott Children's House	$ 5,000.00
NAIC	$ 1,000.00

Salvation Army	$ 6,000.00
Health for Friends, Inc.	$15,000.00
Norman Day School for Handicapped Children	$ 600.00
ABLE	$ 2,000.00

which motion was duly seconded by Commissioner Millar; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

Commissioner Burk moved that the following agencies be recommended for funding:

Community After School Program	$ 6,000.00
American Red Cross	$ 2,000.00
Full Circle Life Enrichment Center	$ 2,000.00

which motion was duly seconded by Commissioner Venable; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Porter and Venable
NAYES:	None
ABSTAIN:	Commissioner Ponder

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

Commissioner Porter suggested that the Commission discuss the policy of the City of Norman that charges a compounding 10% fee to overdue water customers at a future meeting.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the October 1, 2012, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar; and the question being upon adjourning the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burks, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the October 1, 2012, meeting of the Social and Voluntary Services Commission was adjourned at 8:00 p.m.

* * * * *

P U R C H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 222443
DATE: 10/03/12

VENDOR #
3410

EAST MAIN PLACE
1100 EAST MAIN STREET
NORMAN, OK 73071

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/01/12	BEST WAY	DESTINATION	NET/30

CONFIRM BY
THOMAS ROACH

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	207829	10/02/12

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	5000.0000	5000.00
				SUB-TOTAL	5000.00
				TOTAL	5000.00

City of Norman, OK

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

Master

File Number: K-1213-110

File ID:	K-1213-110	**Type:**	Contract	**Status:**	Consent Item
Version:	2	**Reference:**	Item No. 45	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$2,000.00	**File Created:**	10/03/2012
File Name:	SVSC Contract with ABLE			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $2,000 AND ENTER INTO CONTRACT NO. K-1213-110 WITH COUNCIL FOR DEVELOPMENT DISABILITIES D/B/A ABLE.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $2,000 from ABLE and Contract No. K-1213-110; and, if approved, authorize execution of Contract No. K-1213-110 and direct payment in the amount of $2,000 to ABLE.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 45

Attachments: Text File ABLE, SVSC Rqsts 2012, K-1213-110 ABLE, SVSC Minutes, PO ABLE

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1213-110

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2012-2013 City of Norman budget adopted on June 12, 2012.

DISCUSSION: On September 24, 2012, the Social and Voluntary Services Commission (SVSC)

heard presentations from 25 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 24 of the agencies would be recommended for funding to the Norman City Council at the October 23, 2012 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

K-1213-110

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 23rd day of October, 2012, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **ABLE**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$2,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Spare Tires, Windshield and Repairing Windows on Van.**

Board Secretary

Board President

Approved as to form and legality this 9th day of October, 2012.

City Attorney

Approved by the City Council of the City of Norman this 23rd day of October, 2012.

ATTEST:

City Clerk

Mayor

SVSC Funding Request 2012

Organization	Purpose of Request	Contract No.	Amount
Health for Friends	Start up Expenses for Children's Clinic	K-1213-93	$15,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1213-94	$8,500.00
Food and Shelter for Friends	Temporary Housing and Winter Shelter	K-1213-95	$25,000.00
Transition House	Fund Drop In Center Expenses and Van Replacement	K-1213-96	$13,000.00
Full Circle Senior Adult Day Care	Partially Fund Music Therapy Program	K-1213-97	$2,000.00
Aging Services	Special Assistance Program and Food Pantry	K-1213-98	$4,000.00
Mary Abbott Children's House	Forensic Computer Lab	K-1213-99	$5,000.00
Among Friends Activity Center, Inc.	Funding for Exercise Program	K-1213-100	$2,500.00
Center for Children and Families	Games, Sports Equipment and Food for Support Groups	K-1213-101	$10,000.00
The Salvation Army	Utilities, Food and Supplies Assistance	K-1213-102	$6,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1213-103	$2,000.00
Bethesda, Inc.	Direct Client Care	K-1213-104	$4,000.00
Community After School Program	Tutoring Program	K-1213-105	$6,000.00
Bridges	Student's Electric Bills	K-1213-106	$7,200.00
Community Services Building	Repair Fascia and Soffit and Replace Guttering	K-1213-107	$15,000.00
American Red Cross	Disaster Canteen Supplies and Education Materials	K-1213-108	$2,000.00
East Main Place	Playground Renovation, Electric Ranges and Maintenance	K-1213-109	$5,000.00
ABLE	Spare Tires, Windshield and Repairing Windows	K-1213-110	$2,000.00
Cleveland County Habitat for Humanity	New Server, Router and Computer Backups	K-1213-111	$5,000.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1213-112	$2,000.00
American Legion Post 88	Replace Air Conditioning Unit	K-1213-113	$2,700.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1213-114	$4,500.00
NAIC	Transportation Fund and Bicycles	K-1213-115	$1,000.00
Norman Day School for Handicapped Children	Fundraising and Session Support	K-1213-116	$600.00
Total Amount			**$150,000.00**

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

October 1, 2012

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 1st day of October, 2012, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Brian Burk, Teresa Capps, Basha Hartley, Denise Millar, Pam Normile, Cody Ponder, Chris Porter and Amy Venable
ABSENT:	Andy Paden
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE OCTOBER 1, 2012, MEETING.

Commissioner Normile moved that the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Ponder; and the question being upon approving the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 24, 2012.

Commissioner Venable moved that the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 24, 2012

and the question being upon approving the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

RECOMMENDATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

Food and Shelter for Friends	$25,000.00
Cleveland County Habitat for Humanity	$ 5,000.00
Bridges of Norman, Inc.	$ 7,200.00
Transition House, Inc.	$13,000.00
Meals on Wheels of Norman, Inc.	$ 2,000.00
Aging Services, Inc.	$ 4,000.00
Center for Children and Families, Inc.	$10,000.00
American Legion Post 88	$ 2,700.00
Among Friends Activity Center, Inc.	$ 2,500.00
East Main Place, Inc.	$ 5,000.00
HeartLine, Inc.	$ 2,000.00
Food for Thought Learning Institute	$ 4,500.00
Bethesda, Inc.	$ 4,000.00
Community Services Building, Inc.	$15,000.00
Women's Resource Center, Inc.	$ 8,500.00
Mary Abbott Children's House	$ 5,000.00
NAIC	$ 1,000.00

Salvation Army	$ 6,000.00
Health for Friends, Inc.	$15,000.00
Norman Day School for Handicapped Children	$ 600.00
ABLE	$ 2,000.00

which motion was duly seconded by Commissioner Millar; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

Commissioner Burk moved that the following agencies be recommended for funding:

Community After School Program	$ 6,000.00
American Red Cross	$ 2,000.00
Full Circle Life Enrichment Center	$ 2,000.00

which motion was duly seconded by Commissioner Venable; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Porter and Venable
NAYES:	None
ABSTAIN:	Commissioner Ponder

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

Commissioner Porter suggested that the Commission discuss the policy of the City of Norman that charges a compounding 10% fee to overdue water customers at a future meeting.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the October 1, 2012, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar; and the question being upon adjourning the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burks, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the October 1, 2012, meeting of the Social and Voluntary Services Commission was adjourned at 8:00 p.m.

* * * * *

P U R C H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 222444
DATE: 10/03/12

VENDOR #
5205

ABLE - COUNCIL FOR DEVELOPMENT
DISABILITIES INC
300 NORTH CRAWFORD STREET
NORMAN, OK 73069

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/01/12	BEST WAY	DESTINATION	NET

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	207830	10/02/12

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	2000.0000	2000.00
				SUB-TOTAL	2000.00
				TOTAL	2000.00

City of Norman, OK

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

Master

File Number: K-1213-111

File ID:	K-1213-111	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 46	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$5,000.00	**File Created:**	10/03/2012
File Name:	SVSC Contract with Habitat for Humanity			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $5,000 AND ENTER INTO CONTRACT NO. K-1213-111 WITH CLEVELAND COUNTY HABITAT FOR HUMANITY.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,000 from Cleveland County Habitat for Humanity and Contract No. K-1213-111; and, if approved, authorize execution of Contract No. K-1213-111 and direct payment in the amount of $5,000 to Cleveland County Habitat for Humanity.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 46

Attachments: Text File Habitat, SVSC Rqsts 2012, K-1213-111 HFH, SVSC Minutes, PO HFH

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1213-111

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2012-2013 City of Norman budget adopted on June 12, 2012.

DISCUSSION: On September 24, 2012, the Social and Voluntary Services Commission (SVSC)

heard presentations from 25 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 24 of the agencies would be recommended for funding to the Norman City Council at the October 23, 2012 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

K-1213-111

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 23rd day of October, 2012, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Cleveland County Habitat for Humanity**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$5,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **New Server, Router and Computer Backups**

Board Secretary

Board President

Approved as to form and legality this 9th day of October, 2012.

City Attorney

Approved by the City Council of the City of Norman this 23rd day of October, 2012.

ATTEST:

City Clerk

Mayor

SVSC Funding Request 2012

Organization	Purpose of Request	Contract No.	Amount
Health for Friends	Start up Expenses for Children's Clinic	K-1213-93	$15,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1213-94	$8,500.00
Food and Shelter for Friends	Temporary Housing and Winter Shelter	K-1213-95	$25,000.00
Transition House	Fund Drop In Center Expenses and Van Replacement	K-1213-96	$13,000.00
Full Circle Senior Adult Day Care	Partially Fund Music Therapy Program	K-1213-97	$2,000.00
Aging Services	Special Assistance Program and Food Pantry	K-1213-98	$4,000.00
Mary Abbott Children's House	Forensic Computer Lab	K-1213-99	$5,000.00
Among Friends Activity Center, Inc.	Funding for Exercise Program	K-1213-100	$2,500.00
Center for Children and Families	Games, Sports Equipment and Food for Support Groups	K-1213-101	$10,000.00
The Salvation Army	Utilities, Food and Supplies Assistance	K-1213-102	$6,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1213-103	$2,000.00
Bethesda, Inc.	Direct Client Care	K-1213-104	$4,000.00
Community After School Program	Tutoring Program	K-1213-105	$6,000.00
Bridges	Student's Electric Bills	K-1213-106	$7,200.00
Community Services Building	Repair Fascia and Soffit and Replace Guttering	K-1213-107	$15,000.00
American Red Cross	Disaster Canteen Supplies and Education Materials	K-1213-108	$2,000.00
East Main Place	Playground Renovation, Electric Ranges and Maintenance	K-1213-109	$5,000.00
ABLE	Spare Tires, Windshield and Repairing Windows	K-1213-110	$2,000.00
Cleveland County Habitat for Humanity	New Server, Router and Computer Backups	K-1213-111	$5,000.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1213-112	$2,000.00
American Legion Post 88	Replace Air Conditioning Unit	K-1213-113	$2,700.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1213-114	$4,500.00
NAIC	Transportation Fund and Bicycles	K-1213-115	$1,000.00
Norman Day School for Handicapped Children	Fundraising and Session Support	K-1213-116	$600.00
Total Amount			**$150,000.00**

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

October 1, 2012

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 1st day of October, 2012, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Brian Burk, Teresa Capps, Basha Hartley, Denise Millar, Pam Normile, Cody Ponder, Chris Porter and Amy Venable
ABSENT:	Andy Paden
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE OCTOBER 1, 2012, MEETING.

Commissioner Normile moved that the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Ponder; and the question being upon approving the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 24, 2012.

Commissioner Venable moved that the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 24, 2012

and the question being upon approving the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

RECOMMENDATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

Food and Shelter for Friends	$25,000.00
Cleveland County Habitat for Humanity	$ 5,000.00
Bridges of Norman, Inc.	$ 7,200.00
Transition House, Inc.	$13,000.00
Meals on Wheels of Norman, Inc.	$ 2,000.00
Aging Services, Inc.	$ 4,000.00
Center for Children and Families, Inc.	$10,000.00
American Legion Post 88	$ 2,700.00
Among Friends Activity Center, Inc.	$ 2,500.00
East Main Place, Inc.	$ 5,000.00
HeartLine, Inc.	$ 2,000.00
Food for Thought Learning Institute	$ 4,500.00
Bethesda, Inc.	$ 4,000.00
Community Services Building, Inc.	$15,000.00
Women's Resource Center, Inc.	$ 8,500.00
Mary Abbott Children's House	$ 5,000.00
NAIC	$ 1,000.00

Salvation Army	$ 6,000.00
Health for Friends, Inc.	$15,000.00
Norman Day School for Handicapped Children	$ 600.00
ABLE	$ 2,000.00

which motion was duly seconded by Commissioner Millar; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

Commissioner Burk moved that the following agencies be recommended for funding:

Community After School Program	$ 6,000.00
American Red Cross	$ 2,000.00
Full Circle Life Enrichment Center	$ 2,000.00

which motion was duly seconded by Commissioner Venable; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Porter and Venable
NAYES:	None
ABSTAIN:	Commissioner Ponder

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

Commissioner Porter suggested that the Commission discuss the policy of the City of Norman that charges a compounding 10% fee to overdue water customers at a future meeting.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the October 1, 2012, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar; and the question being upon adjourning the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burks, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the October 1, 2012, meeting of the Social and Voluntary Services Commission was adjourned at 8:00 p.m.

* * * * *

P U R C H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 22244
DATE: 10/03/1

VENDOR #
3947

HABITAT FOR HUMANITY
P O BOX 1005
NORMAN, OK 73070

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/01/12	BEST WAY	DESTINATION	NET/30

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	207832	10/02/12

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	5000.0000	5000.00
				SUB-TOTAL	5000.00
				TOTAL	5000.00

City of Norman, OK

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

Master

File Number: K-1213-112

File ID:	K-1213-112	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 47	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$2,000.00	**File Created:**	10/03/2012
File Name:	SVSC Contract with Meals on Wheels			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $2,000 AND ENTER INTO CONTRACT NO. K-1213-112 WITH MEALS ON WHEELS OF NORMAN, INC.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $2,000 from Meals on Wheels of Norman, Inc., and Contract No. K-1213-112; and, if approved, authorize execution of Contract No. K-1213-112 and direct payment in the amount of $2,000 to Meals on Wheels of Norman, Inc.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 47

Attachments: Text File Meals on Wheels, SVSC Rqsts 2012, K-1213-112 MOW, SVSC Minutes, PO MOW

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1213-112

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2012-2013 City of Norman budget adopted on June 12, 2012.

DISCUSSION: On September 24, 2012, the Social and Voluntary Services Commission (SVSC) heard presentations from 25 social service agencies who had submitted applications for funding. The

application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 24 of the agencies would be recommended for funding to the Norman City Council at the October 23, 2012 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

K-1213-112

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 23rd day of October, 2012, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Meals on Wheels of Norman, Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$2,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Free Meal Program**

Board Secretary

Board President

Approved as to form and legality this 9th day of October, 2012.

City Attorney

Approved by the City Council of the City of Norman this 23rd day of October, 2012.

ATTEST:

City Clerk

Mayor

SVSC Funding Request 2012

Organization	Purpose of Request	Contract No.	Amount
Health for Friends	Start up Expenses for Children's Clinic	K-1213-93	$15,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1213-94	$8,500.00
Food and Shelter for Friends	Temporary Housing and Winter Shelter	K-1213-95	$25,000.00
Transition House	Fund Drop In Center Expenses and Van Replacement	K-1213-96	$13,000.00
Full Circle Senior Adult Day Care	Partially Fund Music Therapy Program	K-1213-97	$2,000.00
Aging Services	Special Assistance Program and Food Pantry	K-1213-98	$4,000.00
Mary Abbott Children's House	Forensic Computer Lab	K-1213-99	$5,000.00
Among Friends Activity Center, Inc.	Funding for Exercise Program	K-1213-100	$2,500.00
Center for Children and Families	Games, Sports Equipment and Food for Support Groups	K-1213-101	$10,000.00
The Salvation Army	Utilities, Food and Supplies Assistance	K-1213-102	$6,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1213-103	$2,000.00
Bethesda, Inc.	Direct Client Care	K-1213-104	$4,000.00
Community After School Program	Tutoring Program	K-1213-105	$6,000.00
Bridges	Student's Electric Bills	K-1213-106	$7,200.00
Community Services Building	Repair Fascia and Soffit and Replace Guttering	K-1213-107	$15,000.00
American Red Cross	Disaster Canteen Supplies and Education Materials	K-1213-108	$2,000.00
East Main Place	Playground Renovation, Electric Ranges and Maintenance	K-1213-109	$5,000.00
ABLE	Spare Tires, Windshield and Repairing Windows	K-1213-110	$2,000.00
Cleveland County Habitat for Humanity	New Server, Router and Computer Backups	K-1213-111	$5,000.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1213-112	$2,000.00
American Legion Post 88	Replace Air Conditioning Unit	K-1213-113	$2,700.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1213-114	$4,500.00
NAIC	Transportation Fund and Bicycles	K-1213-115	$1,000.00
Norman Day School for Handicapped Children	Fundraising and Session Support	K-1213-116	$600.00
Total Amount			**$150,000.00**

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

October 1, 2012

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 1st day of October, 2012, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Brian Burk, Teresa Capps, Basha Hartley, Denise Millar, Pam Normile, Cody Ponder, Chris Porter and Amy Venable
ABSENT:	Andy Paden
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE OCTOBER 1, 2012, MEETING.

Commissioner Normile moved that the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Ponder; and the question being upon approving the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 24, 2012.

Commissioner Venable moved that the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 24, 2012

and the question being upon approving the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

RECOMMENDATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

Food and Shelter for Friends	$25,000.00
Cleveland County Habitat for Humanity	$ 5,000.00
Bridges of Norman, Inc.	$ 7,200.00
Transition House, Inc.	$13,000.00
Meals on Wheels of Norman, Inc.	$ 2,000.00
Aging Services, Inc.	$ 4,000.00
Center for Children and Families, Inc.	$10,000.00
American Legion Post 88	$ 2,700.00
Among Friends Activity Center, Inc.	$ 2,500.00
East Main Place, Inc.	$ 5,000.00
HeartLine, Inc.	$ 2,000.00
Food for Thought Learning Institute	$ 4,500.00
Bethesda, Inc.	$ 4,000.00
Community Services Building, Inc.	$15,000.00
Women's Resource Center, Inc.	$ 8,500.00
Mary Abbott Children's House	$ 5,000.00
NAIC	$ 1,000.00

Salvation Army	$ 6,000.00
Health for Friends, Inc.	$15,000.00
Norman Day School for Handicapped Children	$ 600.00
ABLE	$ 2,000.00

which motion was duly seconded by Commissioner Millar; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

Commissioner Burk moved that the following agencies be recommended for funding:

Community After School Program	$ 6,000.00
American Red Cross	$ 2,000.00
Full Circle Life Enrichment Center	$ 2,000.00

which motion was duly seconded by Commissioner Venable; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Porter and Venable
NAYES:	None
ABSTAIN:	Commissioner Ponder

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

Commissioner Porter suggested that the Commission discuss the policy of the City of Norman that charges a compounding 10% fee to overdue water customers at a future meeting.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the October 1, 2012, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar; and the question being upon adjourning the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burks, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the October 1, 2012, meeting of the Social and Voluntary Services Commission was adjourned at 8:00 p.m.

* * * * *

PURCHASE ORDER

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 22244(
DATE: 10/03/12

VENDOR #
6445

MEALS ON WHEELS OF NORMAN INC
P O BOX 1371
NORMAN, OK 73070

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/01/12	BEST WAY	DESTINATION	NET/30

CONFIRM BY
BARBARA HOPPER

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	207833	10/02/12

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	2000.0000	2000.00
				SUB-TOTAL	2000.00
				TOTAL	2000.00

City of Norman, OK

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

Master

File Number: K-1213-113

File ID:	K-1213-113	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 48	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$2,700.00	**File Created:**	10/03/2012
File Name:	SVSC Contract with American Legion			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $2,700 AND ENTER INTO CONTRACT NO. K-1213-113 WITH AMERICAN LEGION POST 88.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $2,700 from American Legion Post 88 and Contract No. K-1213-113; and, if approved, authorize execution of Contract No. K-1213-113 and direct payment in the amount of $2,700 to American Legion Post 88.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 48

Attachments: Text File American Legion, K-1213-113 American Legion, SVSC Rqsts 2012, SVSC Minutes, PO American Legion

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 K-1213-113

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2012-2013 City of Norman budget adopted on June 12, 2012.

DISCUSSION: On September 24, 2012, the Social and Voluntary Services Commission (SVSC) heard presentations from 25 social service agencies who had submitted applications for funding. The

application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 24 of the agencies would be recommended for funding to the Norman City Council at the October 23, 2012 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

K-1213-113

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 23rd day of October, 2012, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **American Legion Post 88**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$2,700.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Replace Air Conditioning Unit**

Board Secretary

Board President

Approved as to form and legality this 9th day of October, 2012.

City Attorney

Approved by the City Council of the City of Norman this 23rd day of October, 2012.

ATTEST:

City Clerk

Mayor

SVSC Funding Request 2012

Organization	Purpose of Request	Contract No.	Amount
Health for Friends	Start up Expenses for Children's Clinic	K-1213-93	$15,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1213-94	$8,500.00
Food and Shelter for Friends	Temporary Housing and Winter Shelter	K-1213-95	$25,000.00
Transition House	Fund Drop In Center Expenses and Van Replacement	K-1213-96	$13,000.00
Full Circle Senior Adult Day Care	Partially Fund Music Therapy Program	K-1213-97	$2,000.00
Aging Services	Special Assistance Program and Food Pantry	K-1213-98	$4,000.00
Mary Abbott Children's House	Forensic Computer Lab	K-1213-99	$5,000.00
Among Friends Activity Center, Inc.	Funding for Exercise Program	K-1213-100	$2,500.00
Center for Children and Families	Games, Sports Equipment and Food for Support Groups	K-1213-101	$10,000.00
The Salvation Army	Utilities, Food and Supplies Assistance	K-1213-102	$6,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1213-103	$2,000.00
Bethesda, Inc.	Direct Client Care	K-1213-104	$4,000.00
Community After School Program	Tutoring Program	K-1213-105	$6,000.00
Bridges	Student's Electric Bills	K-1213-106	$7,200.00
Community Services Building	Repair Fascia and Soffit and Replace Guttering	K-1213-107	$15,000.00
American Red Cross	Disaster Canteen Supplies and Education Materials	K-1213-108	$2,000.00
East Main Place	Playground Renovation, Electric Ranges and Maintenance	K-1213-109	$5,000.00
ABLE	Spare Tires, Windshield and Repairing Windows	K-1213-110	$2,000.00
Cleveland County Habitat for Humanity	New Server, Router and Computer Backups	K-1213-111	$5,000.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1213-112	$2,000.00
American Legion Post 88	Replace Air Conditioning Unit	K-1213-113	$2,700.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1213-114	$4,500.00
NAIC	Transportation Fund and Bicycles	K-1213-115	$1,000.00
Norman Day School for Handicapped Children	Fundraising and Session Support	K-1213-116	$600.00
Total Amount			**$150,000.00**

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

October 1, 2012

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 1st day of October, 2012, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Brian Burk, Teresa Capps, Basha Hartley, Denise Millar, Pam Normile, Cody Ponder, Chris Porter and Amy Venable
ABSENT:	Andy Paden
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE OCTOBER 1, 2012, MEETING.

Commissioner Normile moved that the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Ponder; and the question being upon approving the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 24, 2012.

Commissioner Venable moved that the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 24, 2012

and the question being upon approving the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

RECOMMENDATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

Food and Shelter for Friends	$25,000.00
Cleveland County Habitat for Humanity	$ 5,000.00
Bridges of Norman, Inc.	$ 7,200.00
Transition House, Inc.	$13,000.00
Meals on Wheels of Norman, Inc.	$ 2,000.00
Aging Services, Inc.	$ 4,000.00
Center for Children and Families, Inc.	$10,000.00
American Legion Post 88	$ 2,700.00
Among Friends Activity Center, Inc.	$ 2,500.00
East Main Place, Inc.	$ 5,000.00
HeartLine, Inc.	$ 2,000.00
Food for Thought Learning Institute	$ 4,500.00
Bethesda, Inc.	$ 4,000.00
Community Services Building, Inc.	$15,000.00
Women's Resource Center, Inc.	$ 8,500.00
Mary Abbott Children's House	$ 5,000.00
NAIC	$ 1,000.00

Salvation Army	$ 6,000.00
Health for Friends, Inc.	$15,000.00
Norman Day School for Handicapped Children	$ 600.00
ABLE	$ 2,000.00

which motion was duly seconded by Commissioner Millar; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

Commissioner Burk moved that the following agencies be recommended for funding:

Community After School Program	$ 6,000.00
American Red Cross	$ 2,000.00
Full Circle Life Enrichment Center	$ 2,000.00

which motion was duly seconded by Commissioner Venable; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Porter and Venable
NAYES:	None
ABSTAIN:	Commissioner Ponder

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

Commissioner Porter suggested that the Commission discuss the policy of the City of Norman that charges a compounding 10% fee to overdue water customers at a future meeting.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the October 1, 2012, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar; and the question being upon adjourning the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burks, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the October 1, 2012, meeting of the Social and Voluntary Services Commission was adjourned at 8:00 p.m.

* * * * *

P U R C H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 22250[illegible]
DATE: 10/03/12

VENDOR #
11515

AMERICAN LEGION POST #88
P O BOX 11
NORMAN, OK 73070

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/01/12	BEST WAY	DESTINATION	NET

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	207834	10/02/12

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING NEW VENDOR, WILL BRING OVER W9	2700.0000	2700.00

SUB-TOTAL	2700.00
TOTAL	2700.00

City of Norman, OK

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

Master

File Number: K-1213-114

File ID:	K-1213-114	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 49	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$4,500.00	**File Created:**	10/03/2012
File Name:	SVSC Contract with Food for Thought Learning Institute			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $4,500 AND ENTER INTO CONTRACT NO. K-1213-114 WITH FOOD FOR THOUGHT LEARNING INSTITUTE.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $4,500 from Food for Thought Learning Institute and Contract No. K-1213-114; and, if approved, authorize execution of Contract No. K-1213-114 and direct payment in the amount of $4,500 to Food for Thought Learning Institute.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 49

Attachments: Text File Food for Thought, K-1213-114 Food for Thought, SVSC Rqsts 2012, SVSC Minutes, PO Food for Thought

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 K-1213-114

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2012-2013 City of Norman budget adopted on June 12, 2012.

DISCUSSION: On September 24, 2012, the Social and Voluntary Services Commission (SVSC)

heard presentations from 25 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 24 of the agencies would be recommended for funding to the Norman City Council at the October 23, 2012 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

K-1213-114

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 23rd day of October, 2012, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Food for Thought Learning Institute**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$4,500.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Fund Services**

Board Secretary

Board President

Approved as to form and legality this 9th day of October, 2012.

City Attorney

Approved by the City Council of the City of Norman this 23rd day of October, 2012.

ATTEST:

City Clerk

Mayor

SVSC Funding Request 2012

Organization	Purpose of Request	Contract No.	Amount
Health for Friends	Start up Expenses for Children's Clinic	K-1213-93	$15,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1213-94	$8,500.00
Food and Shelter for Friends	Temporary Housing and Winter Shelter	K-1213-95	$25,000.00
Transition House	Fund Drop In Center Expenses and Van Replacement	K-1213-96	$13,000.00
Full Circle Senior Adult Day Care	Partially Fund Music Therapy Program	K-1213-97	$2,000.00
Aging Services	Special Assistance Program and Food Pantry	K-1213-98	$4,000.00
Mary Abbott Children's House	Forensic Computer Lab	K-1213-99	$5,000.00
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The Salvation Army	Utilities, Food and Supplies Assistance	K-1213-102	$6,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1213-103	$2,000.00
Bethesda, Inc.	Direct Client Care	K-1213-104	$4,000.00
Community After School Program	Tutoring Program	K-1213-105	$6,000.00
Bridges	Student's Electric Bills	K-1213-106	$7,200.00
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Meals on Wheels of Norman, Inc.	Free Meal Program	K-1213-112	$2,000.00
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Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1213-114	$4,500.00
NAIC	Transportation Fund and Bicycles	K-1213-115	$1,000.00
Norman Day School for Handicapped Children	Fundraising and Session Support	K-1213-116	$600.00
Total Amount			**$150,000.00**

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

October 1, 2012

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 1st day of October, 2012, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Brian Burk, Teresa Capps, Basha Hartley, Denise Millar, Pam Normile, Cody Ponder, Chris Porter and Amy Venable
ABSENT:	Andy Paden
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE OCTOBER 1, 2012, MEETING.

Commissioner Normile moved that the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Ponder; and the question being upon approving the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 24, 2012.

Commissioner Venable moved that the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 24, 2012

and the question being upon approving the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

RECOMMENDATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

Food and Shelter for Friends	$25,000.00
Cleveland County Habitat for Humanity	$ 5,000.00
Bridges of Norman, Inc.	$ 7,200.00
Transition House, Inc.	$13,000.00
Meals on Wheels of Norman, Inc.	$ 2,000.00
Aging Services, Inc.	$ 4,000.00
Center for Children and Families, Inc.	$10,000.00
American Legion Post 88	$ 2,700.00
Among Friends Activity Center, Inc.	$ 2,500.00
East Main Place, Inc.	$ 5,000.00
HeartLine, Inc.	$ 2,000.00
Food for Thought Learning Institute	$ 4,500.00
Bethesda, Inc.	$ 4,000.00
Community Services Building, Inc.	$15,000.00
Women's Resource Center, Inc.	$ 8,500.00
Mary Abbott Children's House	$ 5,000.00
NAIC	$ 1,000.00

Salvation Army	$ 6,000.00
Health for Friends, Inc.	$15,000.00
Norman Day School for Handicapped Children	$ 600.00
ABLE	$ 2,000.00

which motion was duly seconded by Commissioner Millar; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

Commissioner Burk moved that the following agencies be recommended for funding:

Community After School Program	$ 6,000.00
American Red Cross	$ 2,000.00
Full Circle Life Enrichment Center	$ 2,000.00

which motion was duly seconded by Commissioner Venable; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Porter and Venable
NAYES:	None
ABSTAIN:	Commissioner Ponder

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

Commissioner Porter suggested that the Commission discuss the policy of the City of Norman that charges a compounding 10% fee to overdue water customers at a future meeting.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the October 1, 2012, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar; and the question being upon adjourning the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burks, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the October 1, 2012, meeting of the Social and Voluntary Services Commission was adjourned at 8:00 p.m.

* * * * *

P U R C H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 222572
DATE: 10/05/12

VENDOR #
11519

FOOD FOR THOUGHT LEARNING INST
P O BOX 159
NORMAN, OK 73070

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/01/12	BEST WAY	DESTINATION	NET

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	207837	10/02/12

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	4500.0000	4500.00
				SUB-TOTAL	4500.00
				TOTAL	4500.00

City of Norman, OK

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

Master

File Number: K-1213-115

File ID:	K-1213-115	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 50	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$1,000.00	**File Created:**	10/03/2012
File Name:	SVSC contract with NAIC			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $1,000 AND ENTER INTO CONTRACT NO. K-1213-115 WITH NORMAN ALCOHOL INFORMATION CENTER (NAIC).

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $1,000 from NAIC and Contract No. K-1213-115; and, if approved, authorize execution of Contract No. K-1213-115 and direct payment in the amount of $1,000 to NAIC.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 50

Attachments: Text File NAIC, K-1213-115 NAIC, SVSC Rqsts 2012, SVSC Minutes, PO NAIC

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1213-115

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2012-2013 City of Norman budget adopted on June 12, 2012.

DISCUSSION: On September 24, 2012, the Social and Voluntary Services Commission (SVSC) heard presentations from 25 social service agencies who had submitted applications for funding. The

application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 24 of the agencies would be recommended for funding to the Norman City Council at the October 23, 2012 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

K-1213-115

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 23rd day of October, 2012, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **NAIC**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$1,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Transportation Fund and Bicycles**

John R. Kvons
Board Secretary

Board President

Approved as to form and legality this 9th day of October, 2012.

City Attorney

Approved by the City Council of the City of Norman this 23rd day of October, 2012.

ATTEST:

City Clerk

Mayor

SVSC Funding Request 2012

Organization	Purpose of Request	Contract No.	Amount
Health for Friends	Start up Expenses for Children's Clinic	K-1213-93	$15,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1213-94	$8,500.00
Food and Shelter for Friends	Temporary Housing and Winter Shelter	K-1213-95	$25,000.00
Transition House	Fund Drop In Center Expenses and Van Replacement	K-1213-96	$13,000.00
Full Circle Senior Adult Day Care	Partially Fund Music Therapy Program	K-1213-97	$2,000.00
Aging Services	Special Assistance Program and Food Pantry	K-1213-98	$4,000.00
Mary Abbott Children's House	Forensic Computer Lab	K-1213-99	$5,000.00
Among Friends Activity Center, Inc.	Funding for Exercise Program	K-1213-100	$2,500.00
Center for Children and Families	Games, Sports Equipment and Food for Support Groups	K-1213-101	$10,000.00
The Salvation Army	Utilities, Food and Supplies Assistance	K-1213-102	$6,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1213-103	$2,000.00
Bethesda, Inc.	Direct Client Care	K-1213-104	$4,000.00
Community After School Program	Tutoring Program	K-1213-105	$6,000.00
Bridges	Student's Electric Bills	K-1213-106	$7,200.00
Community Services Building	Repair Fascia and Soffit and Replace Guttering	K-1213-107	$15,000.00
American Red Cross	Disaster Canteen Supplies and Education Materials	K-1213-108	$2,000.00
East Main Place	Playground Renovation, Electric Ranges and Maintenance	K-1213-109	$5,000.00
ABLE	Spare Tires, Windshield and Repairing Windows	K-1213-110	$2,000.00
Cleveland County Habitat for Humanity	New Server, Router and Computer Backups	K-1213-111	$5,000.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1213-112	$2,000.00
American Legion Post 88	Replace Air Conditioning Unit	K-1213-113	$2,700.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1213-114	$4,500.00
NAIC	Transportation Fund and Bicycles	K-1213-115	$1,000.00
Norman Day School for Handicapped Children	Fundraising and Session Support	K-1213-116	$600.00
Total Amount			**$150,000.00**

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

October 1, 2012

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 1st day of October, 2012, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Brian Burk, Teresa Capps, Basha Hartley, Denise Millar, Pam Normile, Cody Ponder, Chris Porter and Amy Venable
ABSENT:	Andy Paden
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE OCTOBER 1, 2012, MEETING.

Commissioner Normile moved that the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Ponder; and the question being upon approving the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 24, 2012.

Commissioner Venable moved that the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 24, 2012

and the question being upon approving the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

RECOMMENDATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

Food and Shelter for Friends	$25,000.00
Cleveland County Habitat for Humanity	$ 5,000.00
Bridges of Norman, Inc.	$ 7,200.00
Transition House, Inc.	$13,000.00
Meals on Wheels of Norman, Inc.	$ 2,000.00
Aging Services, Inc.	$ 4,000.00
Center for Children and Families, Inc.	$10,000.00
American Legion Post 88	$ 2,700.00
Among Friends Activity Center, Inc.	$ 2,500.00
East Main Place, Inc.	$ 5,000.00
HeartLine, Inc.	$ 2,000.00
Food for Thought Learning Institute	$ 4,500.00
Bethesda, Inc.	$ 4,000.00
Community Services Building, Inc.	$15,000.00
Women's Resource Center, Inc.	$ 8,500.00
Mary Abbott Children's House	$ 5,000.00
NAIC	$ 1,000.00

Salvation Army	$ 6,000.00
Health for Friends, Inc.	$15,000.00
Norman Day School for Handicapped Children	$ 600.00
ABLE	$ 2,000.00

which motion was duly seconded by Commissioner Millar; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

Commissioner Burk moved that the following agencies be recommended for funding:

Community After School Program	$ 6,000.00
American Red Cross	$ 2,000.00
Full Circle Life Enrichment Center	$ 2,000.00

which motion was duly seconded by Commissioner Venable; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Porter and Venable
NAYES:	None
ABSTAIN:	Commissioner Ponder

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

Commissioner Porter suggested that the Commission discuss the policy of the City of Norman that charges a compounding 10% fee to overdue water customers at a future meeting.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the October 1, 2012, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar; and the question being upon adjourning the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burks, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the October 1, 2012, meeting of the Social and Voluntary Services Commission was adjourned at 8:00 p.m.

* * * * *

PURCHASE ORDER

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 22244'
DATE: 10/03/1:

VENDOR #
1370

NORMAN ALCOHOL INFORMATION
CENTER INCORPORATED (NAIC
P O BOX 730
NORMAN, OK 73070

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/01/12	BEST WAY	DESTINATION	NET

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	207840	10/02/12

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	1000.0000	1000.00
				SUB-TOTAL	1000.00
				TOTAL	1000.00

City of Norman, OK

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

Master

File Number: K-1213-116

File ID:	K-1213-116	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 51	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$600.00	**File Created:**	10/03/2012
File Name:	SVSC Contract with Norman Day School for Handicapped Children			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $600 AND ENTER INTO CONTRACT NO. K-1213-116 WITH NORMAN DAY SCHOOL FOR HANDICAPPED CHILDREN.

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $600 from Norman Day School for Handicapped Children and Contract No. K-1213-116; and, if approved, authorize execution of Contract No. K-1213-116 and direct payment in the amount of $600 to Norman Day School for Handicapped Children.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 51

Attachments: Text File Norman Day School, K-1213-116 Norman Day School, SVSC Rqsts 2012, SVSC Minutes, PO Norman Day School

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File K-1213-116

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2012-2013 City of Norman budget adopted on June 12, 2012.

DISCUSSION: On September 24, 2012, the Social and Voluntary Services Commission (SVSC) heard presentations from 25 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 24 of the agencies would be recommended for funding to the Norman City Council at the October 23, 2012 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

K-1213-116

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 23rd day of October, 2012, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Norman Day School for Handicapped Children**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$600.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Fundraising and Session Support**

Board Secretary

Board President

Approved as to form and legality thi 9th day of October, 2012.

City Attorney

Approved by the City Council of the City of Norman this 23rd day of October, 2012.

ATTEST:

City Clerk

Mayor

SVSC Funding Request 2012

Organization	Purpose of Request	Contract No.	Amount
Health for Friends	Start up Expenses for Children's Clinic	K-1213-93	$15,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1213-94	$8,500.00
Food and Shelter for Friends	Temporary Housing and Winter Shelter	K-1213-95	$25,000.00
Transition House	Fund Drop In Center Expenses and Van Replacement	K-1213-96	$13,000.00
Full Circle Senior Adult Day Care	Partially Fund Music Therapy Program	K-1213-97	$2,000.00
Aging Services	Special Assistance Program and Food Pantry	K-1213-98	$4,000.00
Mary Abbott Children's House	Forensic Computer Lab	K-1213-99	$5,000.00
Among Friends Activity Center, Inc.	Funding for Exercise Program	K-1213-100	$2,500.00
Center for Children and Families	Games, Sports Equipment and Food for Support Groups	K-1213-101	$10,000.00
The Salvation Army	Utilities, Food and Supplies Assistance	K-1213-102	$6,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1213-103	$2,000.00
Bethesda, Inc.	Direct Client Care	K-1213-104	$4,000.00
Community After School Program	Tutoring Program	K-1213-105	$6,000.00
Bridges	Student's Electric Bills	K-1213-106	$7,200.00
Community Services Building	Repair Fascia and Soffit and Replace Guttering	K-1213-107	$15,000.00
American Red Cross	Disaster Canteen Supplies and Education Materials	K-1213-108	$2,000.00
East Main Place	Playground Renovation, Electric Ranges and Maintenance	K-1213-109	$5,000.00
ABLE	Spare Tires, Windshield and Repairing Windows	K-1213-110	$2,000.00
Cleveland County Habitat for Humanity	New Server, Router and Computer Backups	K-1213-111	$5,000.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1213-112	$2,000.00
American Legion Post 88	Replace Air Conditioning Unit	K-1213-113	$2,700.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1213-114	$4,500.00
NAIC	Transportation Fund and Bicycles	K-1213-115	$1,000.00
Norman Day School for Handicapped Children	Fundraising and Session Support	K-1213-116	$600.00
Total Amount			**$150,000.00**

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

October 1, 2012

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 1st day of October, 2012, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Brian Burk, Teresa Capps, Basha Hartley, Denise Millar, Pam Normile, Cody Ponder, Chris Porter and Amy Venable
ABSENT:	Andy Paden
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE OCTOBER 1, 2012, MEETING.

Commissioner Normile moved that the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Ponder; and the question being upon approving the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the agenda of the October 1, 2012, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 24, 2012.

Commissioner Venable moved that the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 24, 2012

and the question being upon approving the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the minutes of the September 24, 2012, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

RECOMMENDATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

Food and Shelter for Friends	$25,000.00
Cleveland County Habitat for Humanity	$ 5,000.00
Bridges of Norman, Inc.	$ 7,200.00
Transition House, Inc.	$13,000.00
Meals on Wheels of Norman, Inc.	$ 2,000.00
Aging Services, Inc.	$ 4,000.00
Center for Children and Families, Inc.	$10,000.00
American Legion Post 88	$ 2,700.00
Among Friends Activity Center, Inc.	$ 2,500.00
East Main Place, Inc.	$ 5,000.00
HeartLine, Inc.	$ 2,000.00
Food for Thought Learning Institute	$ 4,500.00
Bethesda, Inc.	$ 4,000.00
Community Services Building, Inc.	$15,000.00
Women's Resource Center, Inc.	$ 8,500.00
Mary Abbott Children's House	$ 5,000.00
NAIC	$ 1,000.00

Salvation Army	$ 6,000.00
Health for Friends, Inc.	$15,000.00
Norman Day School for Handicapped Children	$ 600.00
ABLE	$ 2,000.00

which motion was duly seconded by Commissioner Millar; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

Commissioner Burk moved that the following agencies be recommended for funding:

Community After School Program	$ 6,000.00
American Red Cross	$ 2,000.00
Full Circle Life Enrichment Center	$ 2,000.00

which motion was duly seconded by Commissioner Venable; and the question being upon approving the above agencies for recommendation, a vote was taken with the following result:

YEAS:	Commissioners Burk, Capps, Hartley, Millar, Normile, Porter and Venable
NAYES:	None
ABSTAIN:	Commissioner Ponder

The Chair declared the motion carried; and the above agencies will be recommended for approval and forwarded to City council at the October 23rd meeting.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

Commissioner Porter suggested that the Commission discuss the policy of the City of Norman that charges a compounding 10% fee to overdue water customers at a future meeting.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the October 1, 2012, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar; and the question being upon adjourning the October 1, 2012, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Burks, Capps, Hartley, Millar, Normile, Ponder, Porter and Venable
NAYES:	None

The Chair declared the motion carried; and the October 1, 2012, meeting of the Social and Voluntary Services Commission was adjourned at 8:00 p.m.

* * * * *

P U R C H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 22244
DATE: 10/03/1

VENDOR #
8033

NORMAN DAY SCHOOL FOR
HANDICAPPED CHILDERN
1520 AVONDALE
NORMAN, OK 73069

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/01/12	BEST WAY	DESTINATION	NET/30

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	207842	10/02/12

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	600.0000	600.00
				SUB-TOTAL	600.00
				TOTAL	600.00

City of Norman, OK

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

Master

File Number: R-1213-26

File ID:	R-1213-26	**Type:**	Resolution	**Status:**	Consent Item
Version:	4	**Reference:**	Item No. 52	**In Control:**	City Council
Department:	Public Works Department	**Cost:**	$43,555.00	**File Created:**	10/08/2012
File Name:	Appropration for Signal Equipment			**Final Action:**	

Title: RESOLUTION NO. R-1213-26: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $43,555 FROM THE RISK MANAGEMENT FUND BALANCE TO PURCHASE TRAFFIC SIGNAL EQUIPMENT FOR THE TRAFFIC CONTROL DIVISION.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1213-26.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 52

Attachments: Text File R-1213=26, R-1213-26, DCR 2011-14004 Porter & Sandpiper Traffic Signal Damages.pdf, DCR 2012-07359 Hwy 9 & 12th Ave SE Cabinet - Controller Damages.pdf

Project Manager: David Riesland, Assistant Traffic Engineer

Entered by: michelle.rudder@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File R-1213-26

Body

BACKGROUND: The City's Traffic Control Division maintains more than 170 traffic and pedestrian signals citywide using $85,000 in the Division's operating budget (approximately $500 per signalized intersection per year). These funds are used for the purchase of the various replacement traffic signal system components necessary for the safe and efficient operation of our traffic signals.

On October 19, 2011, a traffic collision at the intersection of Porter Avenue and Sandpiper Lane resulted in damages to one of the traffic signal poles. The responsible driver was identified and the

insurance company obtained for collection purposes. City forces repaired the damaged portion of the pole.

On May 28, 2012, a traffic collision at the intersection of State Highway 9 and 12th Avenue SE resulted in damages to the traffic signal controller cabinet assembly and video detection cameras. The responsible driver was identified and the insurance company information obtained for collection purposes. City forces replaced the controller cabinet the evening of the collision utilizing the last spare controller cabinet assembly in our inventory.

City Legal coordinated with the Traffic Control Division to pursue reimbursement of these expenses from the insurance companies of the responsible parties. On September 24, 2012, $42,973.82 and $580.74 checks (total of $43,554.56) were collected from Farmers Insurance Company for damage to the equipment located at State Highway 9 and 12th Avenue SE and for damage to the equipment located at Porter Avenue and Sandpiper Lane, respectively, forwarded to the Finance Department and then deposited into account 043-0000-367.12-64, Miscellaneous Risk Management.

DISCUSSION: The recent and unusually high number of traffic collisions involving damage to traffic control signal equipment has depleted the City's inventory of spare units. Replacement units are necessary in order to address future emergency situations. The Division does not have adequate funding in its operating budget to purchase the two replacements units and needs to access the funds collected from the insurance companies in order to do so.

STAFF RECOMMENDATION: Staff recommends approval of a $43,555 (from both settlements) appropriation of funds from the Risk Management Fund Balance (account 043-0000-253.20-00) to General Fund, Traffic Signal Parts (account 010-5023-429.32-12). These funds will be used for the purchase of a traffic signal controller cabinet assembly, video detection cameras, and miscellaneous traffic signal equipment.

Resolution

R-1213-26

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $43,555 FROM THE RISK MANAGEMENT FUND BALANCE TO REPLACE TRAFFIC SIGNAL EQUIPMENT FOR THE TRAFFIC CONTROL DIVISION.

§ 1. WHEREAS, On October 19, 2011, a traffic collision occurred at the intersection of Porter Avenue and Sandpiper Lane resulting in damage to one of the traffic signal poles and City forces repaired the damaged portion of the pole; and

§ 2. WHEREAS, on May 28, 2012, a traffic collision occurred at the intersection of State Highway No. 9 and 12th Avenue S.E. resulting in damages to the traffic signal controller and cabinet assembly and video detection cameras and City forces replaced the controller cabinet utilizing the last spare controller cabinet assembly in inventory; and

§ 3. WHEREAS, on September 24, 2012, checks totaling $43,554.56 were collected from the insurance company for both accidents and deposited in the Risk Management Fund; and

§ 4. WHEREAS, the recent and high number of traffic collisions involving damage to traffic control signal equipment has depleted the City's inventory of spare units and the Traffic Control Division does not have adequate funding to purchase additional equipment.

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

§ 5. That the following appropriation be made for reasons as stated above:

Account Name	Losing Account	Gaining Account	Amount
Traffic Signal Parts	043-0000-253.20-00	010-5023-429.32-12	$43,555

PASSED AND ADOPTED this 23rd day of October, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: R-1213-60

File ID:	R-1213-60	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 53	**In Control:**	City Council
Department:	Finance Department	**Cost:**		**File Created:**	10/04/2012
File Name:	Annual Closeout appropriation item			**Final Action:**	

Title: RESOLUTION NO. R-1213-60: A RESOLUTION OF COUNCIL OF THE CITY OF NORMAN, OKLAHOMA APPROPRIATING $688,351 FROM THE SPECIAL GRANTS FUND BALANCE; $69 FROM THE ROOM TAX FUND BALANCE; $7,377 FROM THE WESTWOOD FUND BALANCE; $177,741 FROM THE RISK MANAGEMENT FUND BALANCE; $462,630 FROM THE CAPITAL FUND BALANCE; $526,171 FROM DEBT SERVICE FUND BALANCE; $49,651 FROM GENERAL OBLIGATION FUND BALANCE; $315,982 FROM THE HALL PARK DEBT SERVICE FUND BALANCE; AND $5,754 FROM THE SEWER SALES TAX FUND BALANCE TO CLOSE OUT YEAR END ACCOUNTING ENTRIES FOR FYE 2012.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1213-60.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 53

Attachments: Text File R-1213-60, R-1213-60 Annual Close Out

Project Manager: Suzanne Krohmer, Budget Manager

Entered by: suzanne.krohmer@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-1213-60

Body

BACKGROUND: At the end of each fiscal year, the Finance Department posts all year-end accounting entries. In order to help with this process, some division's categories of expenses require a transfer to cover any negative balances. Oklahoma statutes require that each fund be balanced at the object category of expenditures, which include: salaries and benefits; materials and supplies; services

and maintenance; and capital equipment. City of Norman policy requires the City Manager's approval for transfers of funds between departments, from salary and benefit category accounts, and transfers from operating accounts to capital equipment accounts. The City Manager has already approved needed year-end transfers under his authority. In some cases, however, some expenses cannot be covered from available allocations within the same fund and require an appropriation of fund balance. Oklahoma Statutes require that all appropriations of fund balance be approved by the City Council (governing body).

DISCUSSION: At fiscal year end (FYE) 2012 we have found several funds are lacking the needed funds within existing appropriations to cover expenses made during the year, for varying reasons. These include the Special Grants Fund, Room Tax Fund, Westwood Fund, Risk Management Fund, Capital Fund, Debt Service Fund, GO Bond Fund, Hall Park Debt Service Fund and the Sewer Sales Tax Fund.

In the Special Grants Fund an additional $688,351 needs to be appropriated due to the reimbursement of federal grant funds for the Compressed Natural Gas (CNG) Facility. When the original grant was approved, $750,000 was appropriated from the Capital Fund to cover payments until grant funds were received from the Department of Commerce. The grant funds were received into the Special Grants Fund and need to be appropriated to the Capital Fund to reimburse the payment made.

In the Room Tax Fund, an additional $69 is needed to cover a slightly higher-than-expected payment for debt service on the outstanding loan for improvements to the Westwood Golf Course (the parks capital improvement portion of the Room Tax pays debt service for the golf course improvements). A total appropriation of $69 is requested in the Room Tax Fund, to be transferred to the Westwood Fund debt service payment account.

The Westwood Fund needs an additional appropriation of $7,377. The FYE 2012 budget did not include merit or cost of living increases in the Salaries and Benefits category of expenses. Employees in that fund are represented by the American Federation of State County and Municipal Employees (AFSCME). At the conclusion of collective bargaining with AFSCME, merit increases and cost of living increases were granted to those employees paid from the Westwood Fund.

The Risk Management Fund is an internal service fund that accounts for the resources used to provide for the self-insurance of Worker's Compensation and Unemployment Insurance and to pay premiums on "stop-loss" insurance coverage for employee health and property loss. The Risk Management Fund is in need of an additional appropriation of $177,741 primarily due to Worker's Compensation cost increases. As discussed with Council on September 25th, weekly wage compensation costs, medical costs, and expenses of investigating employee claims were higher than expected in FYE 2012. Worker compensation weekly payments have also increased due to the average wage increase of employees during FYE 2012. Over time, these additional costs will be paid from higher "premium" payments made from various departmental allocations for employee benefits.

The Capital Fund is in need of an appropriation of fund balance to cover a negative balance of $462,630. The most prominent overruns in the Capital Fund includes: $111,339 to cover the issuance costs of the bond debt for projects, although included in the total project costs, was not budgeted in the specific account; and $280,073 in transfers to the General Fund, the majority of which is for the

portion of Street and Drainage Maintenance personnel reimbursements to the General Fund for work performed on capital improvement projects.

The over-budget condition in the General Debt Service Fund primarily relates to an Interfund transfer to the Risk Management Fund to cover the difference between what was budgeted and what was actually paid for worker's compensation costs. A total appropriation of $526,171 is requested in the General Debt Service Fund.

The General Obligation Bond Fund needs an appropriation of $49,651 for an Interfund transfer to the General Debt Service Fund. This difference is between what was budgeted and what was actually received in taxes.

The Hall Park Debt Service Fund was established to pay debt service costs associated with the Hall Park Assessment District. The fund needs an appropriation to cover a negative balance of $315,982 which was created when the Hall Park debt was paid off early.

The Sewer Sales Tax Fund is in need of an appropriation of fund balance to cover a negative balance of $5,754. This allocation shortage is due to an increase in inter-fund transfers to the Water Reclamation Fund for the close out of the Sludge Handling Facility project.

STAFF RECOMMENDATION: Staff recommends the following appropriations from each fund balance and transfers be approved:

$688,351 from Special Grants Fund Balance (account number 022-0000-253.20-00) to Capital Fund Interfund Transfer (account number 022-3094-491.80-50)

$69 from Room Tax Fund Balance (account number 023-0000-253.20-00) to Westwood Interfund Transfers (account number 023-3042-451.80-29)

$7,377 from Westwood Fund Balance (account number 029-0000-253.20-00) to Westwood Salaries (029-7032-451.20-03)

$177,741 from Risk Management Fund Balance (account number 043-0000-253.20-00) to Workers Compensation Orders/Settlements (account number 043-3002-415.21-31)

A total of $462,630 from Capital Fund Balance (account number 050-0000-253.20-00) to the following accounts: $111,339 to Debt Service Issuance Costs (account 050-3099-470.72-03); $71,218 to Full-Time Salaries (account number 050-5011-429.21-10) and $280,073 to Transfer to General Fund (account number 050-5090-491.80-10)

$526,171 from General Debt Service Fund Balance (account number 060-0000-253.20-00) to Transfer to Risk Management Fund (account number 060-3050-491.80-43)

$49,651 from General Obligation Bond Fund Balance (account number 064-0000-253.20-00) to Transfer to Debt Service Fund (account number 064-3054-491.80-60)

A total of $315,982 from Hall Park Debt Service Fund Balance (account number 074-0000-253.00-00) to Transfer to General Fund (account number 074-3094-491.80-10)

$5,754 from Sewer Sales Tax Fund Balance (account number 323-0000-253.00-00) to Transfer to Water Reclamation Fund (account number 323-5542-491.80-32)

Resolution

R-1213-60

A RESOLUTION OF COUNCIL OF THE CITY OF NORMAN, OKLAHOMA APPROPRIATING $688,351 FROM THE SPECIAL GRANTS FUND BALANCE; $69 FROM THE ROOM TAX FUND BALANCE; $7,377 FROM THE WESTWOOD FUND BALANCE; $177,741 FROM THE RISK MANAGEMENT FUND BALANCE; $462,630 FROM THE CAPITAL FUND BALANCE; $526,171 FROM DEBT SERVICE FUND BALANCE; $49,651 FROM GENERAL OBLIGATION FUND BALANCE; $315,982 FROM THE HALL PARK DEBT SERVICE FUND BALANCE; AND $5,754 FROM THE SEWER SALES TAX FUND BALANCE TO CLOSE OUT YEAR END ACCOUNTING ENTRIES FOR FYE 2012.

§ 1. WHEREAS, At the end of FYE 2012, funds are lacking the needed funds within existing appropriations to cover expenses made during the year; and

§ 2. WHEREAS, revenues have been received in the Funds to cover the expenses and it is necessary to appropriate those revenues to expenditure accounts; and

§ 3. WHEREAS, the Special Grants Fund received federal grant funds from the Oklahoma Department of Commerce for the Compressed Natural Gas Facility, which need to be appropriated to the Capital Fund to reimburse funds originally appropriated from the Capital Fund Balance prior to the disbursement of the grant funds; and

§ 4. WHEREAS, due to a slightly higher than expected payment for debt service on the outstanding loan for improvement to the Westwood Golf Course an additional $69 needs to be appropriated from the Room Tax Fund to be transferred to the Westwood Fund debt service payment account; and

§ 5. WHEREAS, the Westwood Fund did not include cost of living increases in the Salaries and Benefits category of expenses and once the collective bargaining process was concluded for the American Federation of State, County, and Municipal Employees those increases were granted to be paid from the Westwood Fund; and

§ 6. WHEREAS, Workers' Compensation cost increases and higher settlement costs for FYE 2012 required an additional appropriation of $177,741 from the Risk Management Fund; and

§ 7. WHEREAS, the Capital Fund did not include cost of living increases in the Salaries and Benefits category of expenses and as the result of the collective bargaining process increases were granted to be paid from the Capital Fund for those employees working on capital projects as well as the issuance costs of the bond debt for General Obligation Bond projects; and

§ 8. WHEREAS, there is an over-budgeted condition in the General Debt Service Fund primarily related to an Interfund transfer to the Risk Management Fund to cover the difference between what was budgeted and what was actually paid for Workers' Compensation settlements; and

§ 9. WHEREAS, the General Obligation Bond Fund needs an appropriation of $49,651 for an Interfund transfer to the General Debt Service Fund. This is the difference between what was budgeted and what was actually received in taxes; and

§ 10. WHEREAS, the Hall Park debt was paid off early and the Hall Park Debt Service Fund needs an additional $315, 982 appropriated to cover the pay-off; and

§ [illegible] WHEREAS, the Sewer Sales Tax Fund needs an additional $5,754 appropriated due to increased Interfund transfers to the Water Reclamation Fund for the close out of the Sludge Handling Facility Project; and

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

§ 12. That the following appropriations be made for the reasons as stated above.

Account Name	Losing Account	Gaining Account	Amount
Capital Fund Interfund Transfer	022-0000-253.20-00	022-3094-491.80-50	$688,351
Westwood Fund Interfund Transfers	023-0000-253.20-00	023-3042-451.80-29	$ 69
Westwood Salaries - Temporary	029-0000-253-20-00	029-7032.451.20-03	$ 7,377
Other Salaries/Orders-Settlements	043-0000-253.20-00	043-3002-415-21-31	$177,741
Debt Service Issuance Costs	050-0000-253.20-00	050-3099-470.72-03	$111,339
Other Salary/Overtime Regular	050-0000-253.20-00	050-5011-429.21-10	$ 71,218
General Fund Interfund Transfer	050-0000-253.20-00	050-5090-491.80-10	$280,073
Insurance Fund Interfund Transfer	060-0000-253.20-00	060-3050-491.80-43	$526,171
Debt Service Interfund Transfer	064-0000-253.20-00	064-3054-491.80-60	$ 49,651
General Fund Interfund Transfer	074-0000-253.00-00	074-3094-491.80-10	$315,982
Debt Service Fund Interfund Transfer	323-0000-253.00-00	323-5542-491.80-32	$ 5,754

PASSED AND ADOPTED this 23rd day of October, 2012.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: R-1213-63

File ID:	R-1213-63	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 54	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**	$15,000.00	**File Created:**	10/10/2012
File Name:	Appropriation from Special Grants Fund			**Final Action:**	

Title: RESOLUTION NO. R-1213-63: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $15,000 FROM THE SPECIAL GRANTS FUND BALANCE FOR EDUCATION/OUTREACH PROJECTS FUNDED BY A CERTIFIED LOCAL GOVERNMENTS (CLG) GRANT.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1213-63.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 54

Attachments: Text File R-1213-63, R-1213-63

Project Manager: Susan Atkins, Historic District Planner

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File R-1213-63

body

BACKGROUND: On April 24, 2012, Council approved the 2012-2013 Application for Funding from the Oklahoma State Historic Preservation Office (SHPO) for the Certified Local Governments (CLG) program. The CLG Program is part of the US Department of the Interior program for the development and support of local historic preservation programs. The City was first approved as a CLG city in 1998. This is our fourteenth year of funding.

DISCUSSION: Designation as a CLG city includes recognition of Norman's historic preservation

efforts and entitles the City to apply for a portion of the education/outreach funding set aside by the SHPO out of each year's budget.

In February 2012, SHPO notified City staff that $15,000 in funding was available for the 2012-2013 CLG program year. On August 17, 2012, the City of Norman received SHPO approval for Federal FY 2011 CLG Project Number 12-612. The contract budget includes four projects: a two-day masonry repair workshop for members of the public, a public workshop on infill development in and near commercial and residential historic districts, an architectural survey of historic automotive uses along the Porter Corridor, and sending staff to the State Preservation Conference in Perry, OK June 5-7, 2013. . The contract includes project descriptions and a budget including the documentation of required matching funds. The CLG program requires a 60/40 in-kind matching formula. For $15,000 in CLG funds, the City must document $10,000 as an in-kind match. Matching activities include staff time spent on historic preservation activities and partial funding of the two projects utilizing $2,200 from General Fund Account 10-4080-419.40-03, Professional Services/Consultant-Planning/Development.

RECOMMENDATION: Staff recommends receipt of $15,000 into the Special Grant Fund revenue account SHPO/CLG Grant (022-0000-334.13-26) when reimbursement is received from SHPO. Also, staff recommends appropriation of $15,000 from Special Grants Fund Balance (022-0000-253.20-00) into Professional Services/Consultant-Other (022-4046-464.40-09).

Resolution

R-1213-63

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $15,000 FROM THE SPECIAL GRANTS FUND BALANCE FOR EDUCATION/OUTREACH PROJECTS FUNDED BY A CERTIFIED LOCAL GOVERNMENTS (CLG) GRANT.

§ 1. WHEREAS, the City of Norman was the first City approved to receive funding from the Oklahoma State Historic Preservation Office (SHPO) for the Certified Local Governments (CLG) fourteen years ago; and

§ 2. WHEREAS, this program is part of the United States Department of the Interior program for the development and support of local historic preservation programs; and

§ 3. WHEREAS, designation as a CLG city includes recognition of Norman's historic preservation efforts and entitles the City to apply for a portion of the education/outreach funding set aside by the SHPO out of each year's budget; and

§ 4. WHEREAS, In February, 2012, SHPO notified City Staff that $15,000 in funding was available for the 2012-2013 CLG program year and when reimbursement is received from SHPO, it is recommended that the funds be receipted in to the Special Grant Fund.

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

§ 5. That $15,000 be appropriated from the Special Grant Fund Balance (022-0000-253.20-00) to Professional Services/Consultant-Other (022-4046-464.40-09) to pay for four projects.

PASSED AND ADOPTED this 23rd day of October, 2012.

ATTEST:

_____
Mayor

_____
City Clerk

City of Norman, OK

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

Master

File Number: R-1213-65

File ID:	R-1213-65	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 55	**In Control:**	City Council
Department:	Legal Department	**Cost:**		**File Created:**	10/17/2012
File Name:	R-1213-65 Receipt of US Dept of Commerce			**Final Action:**	

Title: RESOLUTION NO. R-1213-65: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ACKNOWLEDGING RECEIPT OF AWARD NO. 08-01-04806 FROM THE UNITED STATES DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION IN THE AMOUNT OF TWO AND ONE-HALF MILLION DOLLARS ($2,500,000) FOR CONSTRUCTION OF BUSINESS PARK INFRASTRUCTURE IMPROVEMENTS IN THE UNIVERSITY NORTH PARK DEVELOPMENT.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1213-65.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 55

Attachments: Resolution No. R-1213-65

Project Manager: Kathryn Walker, Assistant City Attorney

Entered by: kathryn.walker@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-1213-65

Body

BACKGROUND: The Economic Development component of the University North Park (UNP) Tax Increment Finance District (TIF) outlined in the UNP TIF Project Plan (Ordinance O-0506-66) provides for an amount up to $8.25 million in funding for incentives to foster special employment opportunities. The UNP TIF Master Development Agreement (Contract K-0607-44) further refined this focus by identifying sixty (60) acres of land that could be purchased by the Norman Economic Development Coalition (NEDC) at discounted prices, in an effort to provide incentive tools for attracting future employers to Norman that meet the criteria of the Oklahoma Quality Jobs Act. In September 2010, the City of Norman, University North Park LLC, University Town Center LLC, the

University of Oklahoma Foundation, the Norman Economic Development Coalition and the Norman Tax Increment Finance Authority (NTIFA) entered into the University North Park Economic Development Agreement (the "Agreement", Contract K-1011-75). The Agreement provided a framework and effective implementation mechanisms for individual economic development agreements with businesses proposing to locate in University North Park. Under the Agreement, NEDC is responsible for carrying out the economic development activities authorized by the Project Plan. NEDC is authorized to enter into development agreements with business enterprises deemed appropriate and desirable to achieve the objectives of the Project Plan and to attract, nourish, and sustain quality employment opportunities in University North Park that benefit the City of Norman. Under the Agreement and under the Project Plan, the City Manager (NTIFA General Manager) is authorized to take actions or steps necessary to further the commitments contained therein.

The Norman Economic Development Coalition (NEDC) has been planning for construction of a business park and advanced manufacturing center to be located in University North Park. The planned office park features six office building sites around a pond and landscaped area. The planned advanced manufacturing center is located just north of the planned office park.

In 2011, the Association of Central Oklahoma Governments (ACOG) received a grant from the U.S. Economic Development Administration (EDA) to develop a Comprehensive Economic Development Strategy (CEDS) for the four-county Central Oklahoma region (including Oklahoma, Cleveland, Canadian, and Logan counties). A CEDS is required for communities and regions to be eligible for EDA grants. The CEDS for our region was completed this summer.

NEDC has aggressively pursued federal grant funds to help further the development of the UNP office park and advanced manufacturing center. With ACOG's completion of its CEDS, NEDC was eligible to apply for an Economic Development Administration (EDA) investment award in August of 2012. NEDC requested funds to assist with infrastructure critical to the office park and the advanced manufacturing center. In late September, EDA notified NEDC that the City of Norman needed to be a co-applicant for the funds because the City would be accepting the funded public improvements and providing perpetual maintenance for such public improvements. The City Manager completed the required application form and the City was formally notified on September 28, 2012 of EDA's approval of the application in the amount of $2,500,000.

DISCUSSION: Resolution No. R-1213-65 formalizes the Council's acceptance of the EDA grant in the amount of $2,500,000 for the construction of infrastructure improvements in furtherance of the University Corporate Center and UNP Advanced Manufacturing Center.

STAFF RECOMMENDATION: Staff recommends approval of Resolution No. R-1213-65.

Resolution

R-1213-65

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA ACKNOWLEDGING RECEIPT OF AWARD NO. 08-01-04806 FROM THE UNITED STATES DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINSTRATION IN THE AMOUNT OF TWO AND ONE-HALF MILLION DOLLARS ($2,500,000) FOR CONSTRUCTION OF BUSINESS PARK INFRASTRUCTURE IMPROVEMENTS IN THE UNIVERSITY NORTH PARK DEVELOPMENT.

WHEREAS, the City of Norman (the "City"), by Ordinance No. O-0506-66, adopted May 23, 2006, as amended by Ordinance No. O-0809-8, adopted August 26, 2008 (the "TIF Ordinance"), pursuant to the Oklahoma Local Development Act, Title 62, Oklahoma Statutes, Section 851, *et seq.*, adopted and approved the Norman University North Park Project Plan, as amended (the "Project Plan") and the project therein described (the "Project"); and

WHEREAS, the Project supports achievement of the City's economic development and redevelopment objectives for the Project area, including reversal of urban stagnation, creation of a catalyst for expanding employment, attraction of major investment, preservation and enhancement of the tax base, and facilitation of investment, development and economic growth otherwise difficult, unlikely or impossible without the Project; and

WHEREAS, the City, as authorized in the Project Plan, has designated the Norman Economic Development Coalition ("NEDC") to undertake the financing for construction and development in support of the economic development activities and objectives of the Project; and

WHEREAS, the City and Norman Tax Increment Finance Authority (the "Authority") has heretofore approved the University North Park Economic Development Agreement (the "Agreement"); and

WHEREAS, the City and the Authority authorized and approved the use of certain tax increments to fund Economic Development Project Costs incurred by NEDC in the Agreement; and

WHEREAS, the Project Plan and the Agreement authorize the City Manager to execute documents and take such actions as may be necessary to implement the Agreement; and

WHEREAS, in 2011, the Association of Central Oklahoma Governments ("ACOG") received a grant from the U.S. Economic Development Administration ("EDA") to develop a Comprehensive Economic Development Strategy ("CEDS") for the four-county Central Oklahoma region (Oklahoma, Cleveland, Canadian and Logan counties); and

WHEREAS, with ACOG's completion of its CEDS in the Summer of 2012, communities and organizations within the ACOG region became eligible for EDA grants; and

WHEREAS, NEDC requested EDA funds to assist with critical infrastructure to the office park and the advanced manufacturing center; and

WHEREAS, EDA notified NEDC in late September 2012 that the City of Norman needed to be a co-applicant for the funds because the City would be accepting the funded public improvements and providing perpetual maintenance for such public improvements; and

WHEREAS, the City Manager completed application documents on behalf of the City as a co-applicant for such funds and in furtherance of economic development as authorized by the Agreement and the Project Plan.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Norman, Oklahoma as follows:

1. That application for grant funds from the United States Department of Commerce Economic Development Administration in conjunction with NEDC for the funding of a portion of the business park infrastructure improvements was an appropriate step in implementing the Agreement and furthering the economic development component of the Project Plan; and

2. That receipt of EDA Award No. 08-01-04806 as a co-recipient with NEDC, and all commitments contained therein is hereby formally acknowledged.

PASSED AND APPROVED THIS ____ DAY OF OCTOBER, 2012.

CITY OF NORMAN, OKLAHOMA

(SEAL)

By: _____
Name: Cindy S. Rosenthal
Title: Mayor

ATTEST:

By: _____
Name: Brenda Hall
Title: Clerk

City of Norman, OK

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

Master

File Number: GID-1213-35

File ID:	GID-1213-35	**Type:**	Settlement	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 56	**In Control:**	City Council
Department:	Legal Department	**Cost:**	$105,000.00	**File Created:**	10/10/2012
File Name:	Buckmaster Settlement			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE CITY ATTORNEY THAT THE CITY COUNCIL APPROVE A SETTLEMENT OF CAROL BUCKMASTER VS. THE CITY OF NORMAN, CLEVELAND COUNTY DISTRICT COURT CASE NO. CJ-2010-505 IN THE AMOUNT OF $105,000.

ACTION NEEDED: Motion to approve or reject the City Attorney's recommendation; and, if approved, authorize the City Attorney's Office to effectuate the settlement in the amount of $105,000.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 56

Attachments:

Project Manager: Jeff Bryant, City Attorney

Entered by: jayme.rowe@normanok.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File GID-1213-35

Body

BACKGROUND: Carol Buckmaster filed Buckmaster v. City of Norman, Case No. CJ-2010-505, in Cleveland County District Court on March 15, 2010. This is a personal injury claim wherein Mrs. Buckmaster alleged that on August 8, 2008 she was injured after stepping into a hole located within City of Norman right-of-way near the intersection of 24th Avenue SE and Alameda Street.

A judge trial was held on October 19, 2011 and October 26, 2011, and the trial court ruled in favor of the Plaintiff. The Plaintiff was awarded $125,000 which included costs and prejudgment interest. While the City has initiated the appeal process, and briefs are currently on file with the Oklahoma

Supreme Court under Case No. 110216, Mrs. Buckmaster's attorney has offered a settlement in the amount of $99,500 plus costs not to exceed $5,500. The points of litigation and the proposed settlement were discussed by City Council in several Executive Sessions, most recently on October 2, 2012. In accordance with that most recent discussion, this item is being presented to City Council for consideration at this time.

DISCUSSION AND RECOMMENDATION: The merits of the settlement proposal were discussed in Executive Session and more detail is also provided in a separate Privileged and Confidential memo provided to Council. Pursuant to discussions in Executive Session this matter is being forwarded for consideration and approval by City Council. If approved, the City Attorney's office will reduce the settlement amount to judgment in accordance with 51 O.S. §159 and 62 O.S. §362. If approved, the settlement amount will then be placed on the property tax rolls for collection over the next three years, resulting in an estimated cost of 45 cents per year for three year for a property with an estimated valued of $100,000.

City of Norman, OK

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

Master

File Number: GID-1213-35

File ID:	GID-1213-35	**Type:**	Settlement	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 56	**In Control:**	City Council
Department:	Legal Department	**Cost:**	$105,000.00	**File Created:**	10/10/2012
File Name:	Buckmaster Settlement			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE CITY ATTORNEY THAT THE CITY COUNCIL APPROVE A SETTLEMENT OF CAROL BUCKMASTER VS. THE CITY OF NORMAN, CLEVELAND COUNTY DISTRICT COURT CASE NO. CJ-2010-505 IN THE AMOUNT OF $105,000.

ACTION NEEDED: Motion to approve or reject the City Attorney's recommendation; and, if approved, authorize the City Attorney's Office to effectuate the settlement in the amount of $105,000.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 56

Attachments:

Project Manager: Jeff Bryant, City Attorney

Entered by: jayme.rowe@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-1213-35

Body

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City of Norman, OK

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

Master

File Number: R-1213-6

File ID:	R-1213-6	**Type:**	Resolution	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 57	**In Control:**	City Council
Department:	Finance Department	**Cost:**		**File Created:**	10/09/2012
File Name:	R-1213-6 GO Bond Sale			**Final Action:**	

Title: RESOLUTION NO. R-1213-6: A RESOLUTION FIXING THE AMOUNT OF GENERAL OBLIGATION BONDS TO MATURE EACH YEAR; FIXING THE TIME AND PLACE THE BONDS ARE TO BE SOLD; DESIGNATING A PAYING AGENT/ REGISTRAR; RATIFYING A LEGAL SERVICES AGREEMENT AND A FINANCIAL ADVISOR SERVICES AGREEMENT WITH RESPECT TO THE ISSUANCE OF THE BONDS; APPROVING THE PRELIMINARY OFFICIAL STATEMENT AND DISTRIBUTION THEREOF AND AUTHORIZING THE CLERK TO GIVE NOTICE OF SAID SALE AS REQUIRED BY LAW AND FIXING OTHER DETAILS OF THE ISSUE.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1213-6.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 57

Attachments: Text File R-1213-6, R-1213-6 Sale of GO Bonds, R-1213-6 Actions for Bond Sale, 12 Notice of Sale of Bonds 2012D (2)

Project Manager: Anthony Francisco, Director of Finance

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File R-1213-6

Body

BACKGROUND: On August 28, 2012, the voters of Norman approved the issuance of $42,575,000 in general obligation bonds (GO Bonds) to widen arterial roads and replace bridges and drainage facilities throughout Norman. Funding was approved for the following projects (the estimated project costs below are for the City's portion of projects that will also receive State and Federal matching

funds):

- Lindsey Street Widening, 24th Avenue SW to Berry Road - $21,445,118
- Alameda Street Widening/Safety - $1,301,507
- 36th Avenue NW Widening, Tecumseh Road to Indian Hills Road - $5,420,507
- Cedar Lane Road Widening, 12th Avenue SE to 24th Avenue SE - $3,615,506
- 12th Avenue SE Widening, State Highway 9 to Cedar Lane Road - $1,101,021
- West Main Street Bridge Over Brookhaven Creek Replacement - $2,553,407
- Franklin Road Bridge Over Little River Tributary Replacement - $1,960,827
- 24th Avenue East Widening, Robinson Street to Lindsey Street - $5,177,107

DISCUSSION: The attached Resolution R-1213-6 would set a sale date of November 13, 2012 for the competitive sale of the GO Bonds to an underwriter, as directed by Oklahoma statutes. The Resolution would also reaffirm the appointments of Bank of Oklahoma as Registrar/Paying Agent for the bonds; Municipal Finance Services and First Southwest Company as Financial Advisors for the bond issuances; and Public Finance Law Group and Floyd Law Firm as Bond Counsel for the transactions.

Subsequent to the competitive sale of the bonds, the Council will consider Ordinances approving the indebtedness, approving the underwriter and the reselling prices of the bonds.

RECOMMENDATION: It is recommended that the Resolution be approved.

RESOLUTION NO. R-1213-6

A RESOLUTION FIXING THE AMOUNT OF GENERAL OBLIGATION BONDS TO MATURE EACH YEAR; FIXING THE TIME AND PLACE THE BONDS ARE TO BE SOLD; DESIGNATING A PAYING AGENT/ REGISTRAR; RATIFYING A LEGAL SERVICES AGREEMENT AND A FINANCIAL ADVISOR SERVICES AGREEMENT WITH RESPECT TO THE ISSUANCE OF THE BONDS; APPROVING THE PRELIMINARY OFFICIAL STATEMENT AND DISTRIBUTION THEREOF AND AUTHORIZING THE CLERK TO GIVE NOTICE OF SAID SALE AS REQUIRED BY LAW AND FIXING OTHER DETAILS OF THE ISSUE.

WHEREAS, the issuance of general obligation bonds by The City of Norman, Oklahoma, in the sum of Forty Two Million Five Hundred Seventy Five Thousand Dollars ($42,575,000) for the purpose of widening streets and bridges within the City, and constructing related drainage and other improvements in connection with said streets and bridges, has been duly authorized at an election held on August 28, 2012, for that purpose; and

WHEREAS, the City Council of said City pursuant to Title 62, Oklahoma Statutes 2011, Sections 353 and 354, as amended, hereby deems it beneficial at the present time to sell and issue Twenty Million Fifty Thousand Dollars ($20,050,000) of said general obligation bonds.

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

SECTION 1. That the $20,050,000 general obligation bonds of said municipality voted on the 28th day of August, 2012, shall be offered for purposes of sale as authorized by Title 62, Oklahoma Statutes 2011, Sections 353 and 354, as amended, and shall be called "General Obligation Bonds, Series 2012D".

SECTION 2. That the General Obligation Bonds, Series 2012D in the aggregate amount of $20,050,000 of The City of Norman, Oklahoma, shall be offered for sale and bids shall be received in the form of sealed bids, facsimile bids, electronic (Parity®) bids or similar secure electronic bids in the office of the Finance Director at the Norman Municipal Complex, Building C, 201 West Gray, in Norman, Oklahoma 73069, on the 13th day of November, 2012, at 11:00 o'clock A.M., Central Time, and that said bonds shall become due $1,055,000 on December 1, 2014, and $1,055,000 annually each year thereafter until paid, except that the last installment shall be for $1,060,000. The City Council will convene at 6:30 P.M. at said location and date to consider the bids and take action to award the bonds.

SECTION 3. That BOKF, NA dba Bank of Oklahoma, Oklahoma City, Oklahoma, is hereby designated as Paying Agent/Registrar for said Bonds and the Mayor or Vice-Mayor is authorized to execute an agreement for such services.

SECTION 4. Municipal Finance Services, Inc., and First Southwest Company are hereby designated as Financial Advisors and the Financial Advisor Services Agreement

(K-9697-37) dated September 10, 1996, as amended by an Amendment to Financial Advisor Services Agreement dated October 10, 2006, previously entered into by the City with Municipal Finance Services, Inc., and First Southwest Company, pertaining to the bonds, is hereby ratified and confirmed. The Public Finance Law Group PLLC, Oklahoma City, Oklahoma, and Floyd Law Firm, P.C., Norman, Oklahoma, are hereby designated as Bond Counsel and the Response to Proposal Request for Bond Counsel Services dated July 20, 1992 (K-9293-45), as amended by an Amendment to Bond Counsel Engagement Letter dated October 10, 2006, and as further amended by an Amendment to Bond Counsel Engagement Letter dated March 28, 2007, previously entered into by the City with The Public Finance Law Group PLLC and Floyd Law Firm, P.C., pertaining to the bonds, is hereby ratified and confirmed.

SECTION 5. That the Preliminary Official Statement pertaining to the Bonds is deemed by the City Council to be "near final" in accordance with the requirements of Rule 15c2-12 of the Securities and Exchange Commission promulgated pursuant to the Securities and Exchange Act of 1934, as amended. The City Council further authorizes distribution of the Preliminary Official Statement by the Financial Advisor in connection with the sale of the Bonds.

SECTION 6. That the City Clerk is hereby ordered to cause notice of the sale of said Bonds to be given as required by state law.

[Remainder of Page Left Blank Intentionally]

PASSED AND APPROVED THIS 23RD DAY OF OCTOBER, 2012.

THE CITY OF NORMAN, OKLAHOMA

(SEAL)

_____
Mayor

ATTEST:

_____
City Clerk

STATE OF OKLAHOMA)
) SS
COUNTY OF CLEVELAND)

I, the undersigned, the duly qualified and acting Clerk of The City of Norman, Oklahoma, hereby certify that the foregoing is a true and complete copy of a Resolution calling for the sale of Bonds adopted by the governing body of said municipality and Transcript of Proceedings of said governing body had at a regular meeting thereof duly held on the date therein set out, insofar as the same relates to the introduction, reading and adoption thereof as the same appears of record in my office.

I further certify that attached hereto are true and complete copies of the public notice given to the City Clerk of Norman, Oklahoma, and of public notice posted in prominent public view at the City Hall, 201 West Gray, in said City at least twenty-four (24) hours prior to the meeting wherein said Resolution was approved, excluding Saturdays, Sundays and State designated legal holidays.

WITNESS my hand and seal this 23rd day of October, 2012.

(SEAL)

_____
City Clerk

RESOLUTION NO. R-1213-6
RESOLUTION AUTHORIZING SALE OF BONDS

PURSUANT TO THE LEGAL NOTICE AS IS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT INCLUDING THE POSTING OF NOTICE AND AGENDA AS IS REQUIRED BY THE TERMS THEREOF, THE MAYOR AND THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA (THE "CITY") MET IN REGULAR SESSION IN CITY HALL, 201 WEST GRAY, IN NORMAN, OKLAHOMA, ON THE 23RD DAY OF OCTOBER, 2012, AT 6:30 P.M.

PRESENT:

ABSENT:

Notice of the schedule of regular meetings of the governing body of the municipality for the calendar year 2012 having been given in writing to the Clerk of the municipality on November 15, 2011, and public notice of this meeting having been posted in prominent public view at City Hall, 201 West Gray, in Norman, Oklahoma, at least twenty-four (24) hours prior to this meeting, excluding Saturdays, Sundays and State designated legal holidays, all in compliance with the Oklahoma Open Meeting Act.

(OTHER PROCEEDINGS)

Thereupon, Mayor _____ introduced the proposed municipal resolution set forth hereinbelow, which was read in full by the Clerk or Deputy Clerk and upon motion by _____, seconded by _____, said Resolution was adopted by the following vote:

AYE:

NAY:

The Resolution was thereupon signed by the Mayor or Vice Mayor, attested by the City Clerk or Deputy Clerk, sealed with the seal of said municipality, and is as follows:

[Remainder of Page Left Blank Intentionally]

NOTICE OF SALE OF BONDS

In accordance with Title 62, Oklahoma Statutes 2011, Sections 353 and 354, as amended, notice is hereby given that The City of Norman, Oklahoma, will receive sealed bids, facsimile bids, electronic (Parity®) bids or similar secure electronic bids on the 13th day of November, 2012, at 11:00 o'clock, A.M., Central Daylight Time, in the office of the Finance Director at the Norman Municipal Complex, Building C, 201 West Gray, in Norman, Oklahoma 73069, for the sale of $20,050,000 General Obligation Bonds, Series 2012D of said City, which Bonds will mature as follows: $1,055,000 on December 1, 2014, and $1,055,000 annually each year thereafter until paid, except that the last installment shall be $1,060,000. The City Council will convene at 6:30 P.M. at said location and date to consider the bids and take action to award the bonds.

Said Bonds shall be sold to the bidder bidding the lowest true interest cost the Bonds shall bear, and agreeing to pay par and accrued interest for the Bonds. The lowest true interest cost will be calculated by doubling the semi-annual interest rate necessary to discount debt service on the Bonds to the price bid for the Bonds. The date from which the annual true interest rate will be calculated is December 1, 2012. Each bidder shall submit with his bid a sum in cash, cashier's or certified check, electronic (wire) transfer or financial surety bond payable to the Treasurer of the City, equal to two (2%) percent of the par value of the Bonds, or $401,000. If a Financial Surety Bond is used, it must be from an insurance company licensed to issue such bond in the State of Oklahoma, and such bond must be submitted to the City or the Financial Advisor prior to the opening of the bids. The Financial Surety Bond must identify each bidder whose Deposit is guaranteed by such Financial Surety Bond. The right is reserved to reject all bids.

WITNESS my official hand and the seal of said City this 23rd day of October, 2012.

(SEAL)

_____

City Clerk

City of Norman, OK

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

Master

File Number: O-1213-6

File ID:	O-1213-6	**Type:**	Ordinance	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 58	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	07/17/2012
File Name:	O-1213-6 On-Premise Digital Signs			**Final Action:**	

Title: ORDINANCE NO. O-1213-6: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTIONS 18-303, 18-405, AND 18-506 OF CHAPTER 18 OF THE CODE OF THE CITY OF NORMAN ADDING PROVISIONS TO ALLOW DIGITAL ON-PREMISE SIGNS AND ADDING SECTION 18-412 PROVIDING REQUIREMENTS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-6 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-6 upon Final Reading section by section.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 58

Attachments: Text File O-1213-6, O-1213-6 (On-Premise Digital Signs) 8-9-12, O-1213-6 (On-Premise Digital Signs) Annotated 8-9-12, Staff Report for On-premise digital signs, 9-13-12 PC Minutes - On-Premise Digital Signs, 8-9-12 PC Minutes - O-1213-6, Memo Postponing OnPremise Sign Ordinance, June 19 SS minutes

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	08/09/2012	Postponed				
	Action Text: Postponed						
1	Planning Commission	08/09/2012					
1	Planning Commission	09/13/2012	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	09/13/2012					
1	City Council	10/09/2012	Introduced and adopted on First Reading by title only				Pass
	Action Text: Introduced and adopted on First Reading by title only						

Text of Legislative File O-1213-6

Body

BACKGROUND: The Business and Community Affairs Committee initiated a discussion regarding on-premise digital electronic signs in March, 2012 and at their May, 2012 meeting requested that the draft Ordinance be presented to full Council at a Study Session. The staff presented the proposed amendments to City Council at their Study Session on June 19, 2012. The ordinance includes changes as discussed with the Business and Community Affairs Committee and the full City Council.

DISCUSSION: The highlights of the draft include the following:

- The Sign Code establishes regulations for broad categories of uses, and digital signs would only be allowed within the Commercial and Industrial categories, as well as for Institutional uses in low-density residential areas.
- An individual business would be allowed either a wall (building) sign or a freestanding ground sign.
- In those areas utilizing joint use signs (such as shopping centers) if the joint identification sign were digital, each business within that area could still opt to install a digital wall sign.
- Because of the potential for visual distraction, language is included that restricts the location of digital signs near signalized intersections to be no closer than fifty feet (50') to the edge of pavement.
- Like the billboard language, digital on-premise signs cannot have "visual movement" but must simply project one or more "static" images. The "dwell time" was adjusted to twelve seconds, as these signs are smaller than billboards, and persons must be able to absorb the proposed content.
- As currently drafted, illumination levels are the same as billboards, that is 5000 NITs daytime and 300 NITs at night.
- Devices must be installed which adjust for ambient light levels, as well as a device that will "freeze" the image if a malfunction occurs.
- Because many businesses are located near residential areas, the draft seeks to limit any potential impact by requiring a separation of two hundred feet (200') between the sign and any nearby residential zoning district.
- An exception to the 200-foot rule is provided for churches, schools and other institutional uses in

the section of the Sign Code that regulates signs for institutional uses when they occur in neighborhood areas (indentified as low density residential in the Code).

Staff believes the regulations proposed will help to minimize any impacts on-premise digital signs might have on either the traveling public or nearby residents.

There are two reports included in your agenda packet that were submitted to staff by a concerned citizen. The titles are listed below.

1. Safety Impacts of the Emerging Digital Display Technology for Outdoor Advertising Signs/FINAL REPORT, Submitted Under NCHRP Project 20-7 (256), Prepared by Jerry Wachtel, CPE, President, The Veridian Group, Inc., Berkeley, California, April, 2009

2. Illuminating the Issues, Digital Signage and Philadelphia's Green Future, by Gregory Young

RECOMMENDATION: At their meeting of September 13, 2012, the Planning Commission, by a vote of 5-2, recommended adoption of Ordinance No. O-1213-6.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING SECTIONS 18-303, 18-405, AND 18-506 OF CHAPTER 18 OF THE CODE OF THE CITY OF NORMAN ADDING PROVISIONS TO ALLOW DIGITAL ON-PREMISE SIGNS AND ADDING SECTION 18-412 PROVIDING REQUIREMENTS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That **ARTICLE III. PERMITS, PLANS, FEES AND INSPECTIONS**, of Chapter 18 of the Code of the City of Norman shall be amended to read as follows:

* * *

Sec. 18-303. Permit Fees.

A permit fee shall be paid to the City for each sign permit issued under this code [chapter]. The permit fee shall be in accordance with the following schedule:

Bench or bus shelter signs: Ten dollars ($10.00) per year

* * *

Permanent signs, off-premise: Fifty dollars ($50.00). Renewal: Twenty-five dollars ($25.00) per year

Electronic digital sign, new construction or conversion (one time fee): on-premise sign Two hundred fifty dollars ($250.00), off-premise sign Five hundred dollars ($500.00).

The above fees do not include electrical permit fees, which shall be in addition to the above. If any person installs or commences work on a sign for which a permit is required before obtaining the necessary permit, the permit fee shall automatically be doubled.

* * *

§ 2. That **ARTICLE IV. GENERAL REGULATIONS**, of Chapter 18 of the Code of the City of Norman shall be amended to read as follows:

* * *

Sec. 18-405. - Illumination.

Illuminated signs shall be subject to the following conditions:

(1) Any light used for the illumination of a sign shall be shielded so that the beams or rays of light will not shine directly onto surrounding areas.

(2) Neither the direct nor the reflected light from any light source shall create a traffic hazard or distraction to operators of motor vehicles on public thoroughfares.

(3) Signs in residential and agricultural zoning districts shall be either nonilluminated, internally or indirectly illuminated, but may not be directly illuminated.

(4) Signs in commercial and industrial zoning districts may be indirectly, directly or internally illuminated.

* * *

Sec. 18-412. Electronic Digital Signs – On Premise

This section outlines the requirements for on-premise signs which utilize electronic digital technology to create a static sign which can have changeable copy or display a variable message and/or feature a graphic display. Such signs may be all or a portion of an allowed ground sign or wall sign, provided that the following conditions are met:

(1) Digital signs are only allowed in areas that are classified within this chapter as Commercial or Industrial.

(2) One digital sign is allowed per business, and may be all or part of any allowed ground or wall sign (but not both). However, a business located on a lot which shares common facilities, such as parking or buildings, may utilize an electronic digital wall sign even when there is a digital Joint ID sign on the same lot.

(3) No digital sign shall be located within fifty (50) feet of the driving surface of a signalized intersection, measured in a straight line from the leading edge of the sign structure to the nearest edge of pavement. Such sign may not be located closer than twenty (20) feet from the edge of any other street. Such signs must also comply with the setback provisions of this ordinance, which may result in a greater setback.

(4) Digital signs shall only display a static message or messages. There shall be no effects of movement, blinking, animation, scrolling, flashing, or similar effects in the individual images.

(5) Digital signs which display more than one (1) static message shall do so sequentially, with each static message having a dwell time of no less than twelve (12) seconds and a transition time between static messages of no more than one (1) second. Changes of image shall be instantaneous as seen by the human eye, and shall not use blinking, fading, rolling, shading, dissolving, or similar effects as part of the change.

(6) Digital signs shall not display an illuminative brightness exceeding three hundred (300) NITs at any time between one-half (1/2) hour before sunset until sunrise of the next day or five thousand (5000) NITs between sunrise until one-half (1/2) hour before sunset.

(7) Digital signs shall not display an illuminative brightness of such intensity or brilliance that they impair the vision or endanger the safety and welfare of any cyclist or person operating a motor vehicle.

(8) Digital signs shall not resemble or simulate any warning or danger signal, or any official traffic control device, sign, signal, or light.

(9) All digital signs shall have installed ambient light monitors or photo cells, and shall at all times allow such devices to automatically adjust the brightness level of the sign based on ambient light conditions. Each sign shall be equipped with a default mechanism that will automatically freeze the sign in one position or display a static message if a malfunction occurs.

(10) If a digital sign is visible from a nearby residential zoning district, it shall be located no closer than two hundred (200) feet from the closest point of that residential zoning district, measured in a straight line from the nearest point of the sign structure to the nearest point of the residential district.

* * *

§ 3. That **ARTICLE V. DISTRICT SIGN REGULATIONS**, of Chapter 18 of the Code of the City of Norman shall be amended to read as follows:

* * *

Sec. 18-506. Low density residential zone sign standards.

* * *

(b) *Specific regulations.*

(1) *Ground signs:* Allowed for address identifications signs:

* * *

d. 1. Churches, schools (public or private), and other institutional uses, may erect one (1) freestanding, internally illuminated, ground sign on their property. Such sign shall not exceed seventeen (17) feet in height nor forty-eight (48) square feet per face. For properties which have frontage on more than one (1) street, an additional sign may be erected on each such frontage, but all such signage may not exceed ninety-six (96) square feet for all faces. In addition to the name or address of the facility, one-half (½) of the sign area may contain a changeable copy portion for public announcements. Such sign shall substitute for any ground sign allowed by other sections of this chapter, but shall not count against allowable wall signage. Wall signage denoting the name or address of the facility may not exceed fifty-five (55) square feet for each separate use.

2. Churches and schools (public or private), and other institutional uses are allowed one freestanding digital electronic ground sign on the primary frontage of the main building. Digital electronic wall signs are not permitted. Such

freestanding sign shall substitute for any other sign allowed by any other section of this Chapter. Such signs shall not exceed twelve (12) feet in height nor forty-eight (48) square feet per face and shall meet the regulations of Sec. 18-412 (1), (3), (4), (5), (6), (7), (8) and (9) of this Chapter. Digital electronic signs must be turned off no later than 10 pm.

* * *

§ 4. 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, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this _____ day of

of _____, 2012.

_____
Cindy Rosenthal, Mayor

NOT ADOPTED this _____ day

of _____, 2012.

_____
Cindy Rosenthal, Mayor

ATTEST:

_____
Brenda Hall, City Clerk

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING SECTIONS 18-303, 18-405, AND 18-506 OF CHAPTER 18 OF THE CODE OF THE CITY OF NORMAN ADDING PROVISIONS TO ALLOW DIGITAL ON-PREMISE SIGNS AND ADDING SECTION 18-412 PROVIDING REQUIREMENTS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That **ARTICLE III. PERMITS, PLANS, FEES AND INSPECTIONS**, of Chapter 18 of the Code of the City of Norman shall be amended to read as follows:

* * *

Sec. 18-303. Permit Fees.

A permit fee shall be paid to the City for each sign permit issued under this code [chapter]. The permit fee shall be in accordance with the following schedule:

Bench or bus shelter signs: Ten dollars ($10.00) per year

* * *

Permanent signs, off-premise: Fifty dollars ($50.00). Renewal: Twenty-five dollars ($25.00) per year

Electronic digital sign, new construction or conversion (one time fee): <u>on-premise sign Two hundred fifty dollars ($250.00),</u> off-premise sign Five hundred dollars ($500.00).

The above fees do not include electrical permit fees, which shall be in addition to the above. If any person installs or commences work on a sign for which a permit is required before obtaining the necessary permit, the permit fee shall automatically be doubled.

* * *

§ 2. That **ARTICLE IV. GENERAL REGULATIONS**, of Chapter 18 of the Code of the City of Norman shall be amended to read as follows:

* * *

Sec. 18-405. - Illumination.

Illuminated signs shall be subject to the following conditions:

(1) Any light used for the illumination of a sign shall be shielded so that the beams or rays of light will not shine directly onto surrounding areas.

(2) Neither the direct nor the reflected light from any light source shall create a traffic hazard or distraction to operators of motor vehicles on public thoroughfares.

(3) Signs in residential and agricultural zoning districts shall be either nonilluminated, internally or indirectly illuminated, but may not be directly illuminated.

(4) Signs in commercial and industrial zoning districts may be indirectly, directly or internally illuminated. ~~Any such illuminated sign shall be turned off not later than 11:00 p.m., or one half (½) hour after the use to which it is appurtenant is closed. This time limit shall not apply to any light primarily for the protection of the premises or provision of light for safety purposes.~~

* * *

Sec. 18-412. Electronic Digital Signs – On Premise

This section outlines the requirements for on-premise signs which utilize electronic digital technology to create a static sign which can have changeable copy or display a variable message and/or feature a graphic display. Such signs may be all or a portion of an allowed ground sign or wall sign, provided that the following conditions are met:

(1) Digital signs are only allowed in areas that are classified within this chapter as Commercial or Industrial.

(2) One digital sign is allowed per business, and may be all or part of any allowed ground or wall sign (but not both). However, a business located on a lot which shares common facilities, such as parking or buildings, may utilize an electronic digital wall sign even when there is a digital Joint ID sign on the same lot.

(3) No digital sign shall be located within fifty (50) feet of the driving surface of a signalized intersection, measured in a straight line from the leading edge of the sign structure to the nearest edge of pavement. Such sign may not be located closer than twenty (20) feet from the edge of any other street. Such signs must also comply with the setback provisions of this ordinance, which may result in a greater setback.

(4) Digital signs shall only display a static message or messages. There shall be no effects of movement, blinking, animation, scrolling, flashing, or similar effects in the individual images.

(5) Digital signs which display more than one (1) static message shall do so sequentially, with each static message having a dwell time of no less than twelve (12) seconds and a transition time between static messages of no more than one (1) second. Changes of image shall be instantaneous as seen by the human eye, and shall not use blinking, fading, rolling, shading, dissolving, or similar effects as part of the change.

(6) Digital signs shall not display an illuminative brightness exceeding three hundred (300) NITs at any time between one-half (1/2) hour before sunset until sunrise of the next day or five thousand (5000) NITs between sunrise until one-half (1/2) hour before sunset.

(7) Digital signs shall not display an illuminative brightness of such intensity or brilliance that they impair the vision or endanger the safety and welfare of any cyclist or person operating a motor vehicle.

(8) Digital signs shall not resemble or simulate any warning or danger signal, or any official traffic control device, sign, signal, or light.

(9) All digital signs shall have installed ambient light monitors or photo cells, and shall at all times allow such devices to automatically adjust the brightness level of the sign based on ambient light conditions. Each sign shall be equipped with a default mechanism that will automatically freeze the sign in one position or display a static message if a malfunction occurs.

(10) If a digital sign is visible from a nearby residential zoning district, it shall be located no closer than two hundred (200) feet from the closest point of that residential zoning district, measured in a straight line from the nearest point of the sign structure to the nearest point of the residential district.

* * *

§ 3. That **ARTICLE V. DISTRICT SIGN REGULATIONS**, of Chapter 18 of the Code of the City of Norman shall be amended to read as follows:

* * *

Sec. 18-506. Low density residential zone sign standards.

* * *

(b) *Specific regulations.*

(1) *Ground signs:* Allowed for address identifications signs:

* * *

d. 1. Churches, schools (public or private), and other institutional uses, may erect one (1) freestanding, internally illuminated, ground sign on their property. Such sign shall not exceed seventeen (17) feet in height nor forty-eight (48) square feet per face. For properties which have frontage on more than one (1) street, an additional sign may be erected on each such frontage, but all such signage may not exceed ninety-six (96) square feet for all faces. In addition to the name or address of the facility, one-half (½) of the sign area may contain a changeable copy portion for public announcements. Such sign shall substitute for any ground sign allowed by other sections of this chapter, but shall not count against allowable wall signage. Wall signage denoting the name or address of the facility may not exceed fifty-five (55) square feet for each separate use.

2. Churches and schools (public or private), and other institutional uses are allowed one freestanding digital electronic ground sign on the primary frontage of the main building. Digital electronic wall signs are not permitted. Such free-standing sign shall substitute for any other sign allowed by any other section of this Chapter. Such signs shall not exceed twelve (12) feet in height nor forty-eight (48) square feet per face and shall meet the regulations of **Sec. 18-412 (1), (3), (4), (5), (6), (7), (8) and (9)** of this Chapter. Digital electronic signs must be turned off no later than 10 pm.

* * *

§ 4. 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, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this _____ day of

of _____, 2012.

_____
Cindy Rosenthal, Mayor

NOT ADOPTED this _____ day

of _____, 2012.

_____
Cindy Rosenthal, Mayor

ATTEST:

_____
Brenda Hall, City Clerk

ORDINANCE NO. O-1213-6 ITEM NO. 7

STAFF REPORT

SUBJECT: On-Premise Digital Electronic Signs

The Business and Community Affairs Committee initiated a discussion regarding on-premise digital electronic signs in March, 2012 and at their May, 2012 meeting requested that the draft Ordinance be presented to full Council at a Study Session. The staff presented the proposed amendments to City Council at their Study Session on June 19, 2012. The draft ordinance is attached as Exhibit A and includes changes as discussed with the Business and Community Affairs Committee and the full City Council.

The highlights of the draft include the following:

- The Sign Code establishes regulations for broad categories of uses, and digital signs would only be allowed within the Commercial and Industrial categories, as well as for institutional uses in low density residential areas.
- An individual business would be allowed either a wall (building) sign or a freestanding ground sign.
- In those areas utilizing joint use signs (such as shopping centers) if the joint identification sign were digital, each business within that area could still opt to install a digital wall sign.
- Because of the potential for visual distraction, language is included that restricts the location of digital signs near signalized intersections to be no closer than fifty feet (50') to the edge of pavement.
- Like the billboard language, digital on-premise signs cannot have "visual movement" but must simply project one or more "static" images. The "dwell time" was adjusted to twelve seconds, as these signs are smaller than billboards, and persons must be able to absorb the proposed content.
- As currently drafted, illumination levels are the same as billboards, that is 5000 NITs daytime and 300 NITs at night.
- Devices must be installed which adjust for ambient light levels, as well as a device that will "freeze" the image if a malfunction occurs.
- Because many businesses are located near residential areas, the draft seeks to limit any potential impact by requiring a separation of two hundred feet (200') between the sign and any nearby residential zoning district.

- An exception to the 200-foot rule is provided for churches, schools and other institutional uses in the section of the Sign Code that regulates signs for institutional uses when they occur in neighborhood areas (indentified as low density residential in the Code).

Staff believes the regulations proposed will help to minimize any impacts on-premise digital signs might have on either the traveling public or nearby residents.

There are two reports attached separately for your information that were submitted to staff by a concerned citizen. The titles are listed below.

1. Safety Impacts of the Emerging Digital Display Technology for Outdoor Advertising Signs/FINAL REPORT, Submitted Under NCHRP Project 20-7 (256), Prepared by Jerry Wachtel, CPE, President, The Veridian Group, Inc., Berkeley, California, April, 2009

2. Illuminating the Issues, Digital Signage and Philadelphia's Green Future, by Gregory Young

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

SEPTEMBER 13, 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 13th day of September 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions at least twenty-four hours prior to the beginning of the meeting.

Vice Chairman Chris Lewis called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

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

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Leah Messner, Asst. City Attorney Jeff Bryant, City Attorney Rick Hoffstatter, GIS Analyst Terry Floyd, Development Coordinator Scott Sturtz, City Engineer

* * *

Vice Chairman Lewis noted the request for postponement submitted by the applicant for Item 11, OSOI Tecumseh Development, L.L.C. and NE Development, L.L.C. (R-1213-36, O-1213-11, and PP-1213-4).

Curtis McCarty moved to postpone Item Nos. 11a, 11b and 11c until the October 11, 2012 Planning Commission meeting. Tom Knotts seconded the motion.

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

Item No. 7, being:
ORDINANCE NO. O-1213-6 – AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER 18 OF THE CODE OF THE CITY OF NORMAN TO ADD PROVISIONS TO ALLOW DIGITAL ON-PREMISE SIGNS IN SECTIONS 18-303, 18-405, 18-412 AND 18-506; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ITEMS SUBMITTED FOR THE RECORD:
1. Staff Report
2. Ordinance No. O-1213-6 (Annotated)
3. Excerpt – Planning Commission Minutes of August 9, 2012
4. Illuminating the Issues: Digital Signage and Philadelphia's Green Future (bound separately)
5. Safety Impacts of the Emerging Digital Display Technology for Outdoor Advertising Signs: Final Report (bound separately)

PRESENTATION BY STAFF:
1. Ms. Connors – This on-premise digital electronic sign discussion started at the Business and Community Affairs Committee. We discussed this with them in March of 2012 and also in May. This also has been to a City Council Study Session on June 19, and they requested that this ordinance be moved forward. It's before the Planning Commission because it is an amendment to Chapter 18, which you hear. Our current sign code prohibits all signs which are animated or have real or visual movement. That prohibition has been in the code since 1979. In our current code there are five classifications of zone groupings for on-premise signs, and all land uses under the City zoning ordinance are contained in one of those five classifications. So instead of going by zoning district, we go by these classifications. We have an industrial, commercial, office, medium density, and low density. The three that we are discussing this evening as a part of the on-premise digital sign discussion is 1, 2, and 5. So in the proposed language for on-premise digital signs – if you'll remember, we've already gone through a process and approved off-premise digital signs in Norman – on-premise digital signs would only be allowed within the commercial and industrial categories, and then as well as institutional uses would be allowed in low-density residential areas. An individual business would be allowed either a building sign or a free-standing sign, but not both. However, in projects utilizing joint use signs, such as a shopping center, if the joint identification sign were digital, then each business could also have a digital wall sign. The language in this ordinance restricts the location of the digital signs for the commercial and industrial sites near signalized intersections to be no closer than 50' to the edge of pavement. All these signs cannot have any visual movement, but must project from one static image to the next, with a dwell time of 12 seconds. The off-premise digital sign dwell time was 8 seconds. You probably don't remember that. This is slower because you're going at a slower pace on city streets. The illumination for these digital signs during the daytime is 5,000 NITS and 300 NITS at night. At night they don't need to be as bright because we're seeing them in the dark. We also require that devices must be installed which adjust for the ambient light levels if they change, and that the device will freeze if there's a malfunction occurring in the sign. It also requires a separation of 200' for the commercial and industrial sites between the sign and any nearby residential zoning district. In another portion of the code regarding low-density areas and institutional uses, such as churches and schools, this 200' rule doesn't play in. In those sections the sign code will regulate signs that can occur closer in neighborhood areas, because most churches and schools are not 200' from a residential zoning district – they're either in the zoning district or across the street from it. That's primarily the changes.

AUDIENCE PARTICIPATION:
1. Brad Raley, 541 S. Flood Avenue – I have to say, when I heard about this ordinance, I thought it was a solution in search of a problem. I don't know about you, but I feel absolutely inundated by advertisements everywhere I go. I am puzzled that we want to do more. I'm also struck by the fact that, in an age when everybody is going smarter and to social media, that we are essentially going back to the 1950s for our technology for advertising in our approach. The

biggest concern I have beyond that – that's sort of a basic objection – is I live right on the edge of the historic district. As far as I can see, there's no restrictions with the historic district. I live just down the street from the Firehouse Center. I assume they would have good taste, but I don't know. I have huge concerns, as do others, I think, with the residential areas with schools and churches. The fact that there is no restriction there – that you can have very large signs in a residential neighborhood strikes me as counter to the nature of Norman. Personally, I think the whole thing should be rethought. The only part of it that makes sense to me are for the buses. The rest of it, I don't see the point. But, if it's going to go forward, certainly we can restrict this kind of signage with churches and schools in residential areas. That seems to me to be a fairly common-sense approach. Thank you.

2. Megan Benson, 1235 Windsor Way – I am aware of the sign ordinance – the passing of the sign ordinance in 1979, after literally years of study by the Environmental Advisory Control Board. I feel like I have an inside track to the original intent of that law because my mother, June Benson, was one of the crafters of that piece of legislation. It's been proposed and cast as safe, inevitable – as high-density housing – necessary to stay current with technology, and it's portrayed as true to the original intent, and it really is none of these. We have the choice to say no as many other cities have and entire states have. The ordinance as crafted would allow lighted signs to change every 12 seconds. While I would argue that this alone is distracting, if you stand at the corner of Berry Road and Lindsey and look west, you will see a minimum of 50 signs, all of which will be changing every 12 seconds, and I doubt they're going to be coordinated. The result is that each of these changing signs would create visual chaos in an already high-accident area. I'm just using that as an example. There are many of these around town. But let's move north to the intersection of Berry and Boyd and look west. In that residential neighborhood, there are five churches and institutions in the block between Berry Road and Wiley Road, all of which can have signs – illuminated signs every 12 seconds changing their message. The signs will be taller than the single-story single-family dwellings that are right across the street. It's out of proportion for that neighborhood. I don't know of any other example, but I can imagine there are several in this situation.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Ms. Pailes – I've been curious about the permission for the churches and schools, also, because those are typically things that you find once – I mean, you look for them once and then you know where they are, as opposed to a McDonalds, for your random traveler wanting to find it. It's not usually a random traveler looking for a school or a church, so you did wonder why they needed a 12' changeable sign. I live in a neighborhood with two nearby churches – three actually – and it just seems excessive for a residential neighborhood. I thank you for all of this information, which was very nice, although I didn't read every word. It looked like the ordinance covered a great deal of what they suggest as best practices. Some things they did not cover – the studies mention that people will wait for the change. If you're driving down the street and you know a sign is changeable, you'll watch it until it changes. This makes them hazardous, even if you're trying to account for that; the very fact that it will change makes people watch them longer. The other thing that ordinances like this commonly include are requests – demands – that the materials be recycled, since those light bulbs all burn out. Many things talk about the worry about digital signs on corners, because if you have a 45 degree angle corner you've kind of got to track that corner. If you've got a bright digital sign straight ahead, you're apt to lose your place in the lane because you're tracking the digital sign instead of your corner. So it seems like there are several lacks. Now I don't think we actually have any ability to add or subtract from this – probably just say yes or no. I don't even know if we just maybe accept it. So I'm not really sure what our role here is. But it seems that there are several areas that are both too permissive and that have some lacks. That's it.

2. Mr. Boeck – It's one of those deals where I know schools already have – university some. Most of those signs seem to go on highways. I look at the signs coming down I-35 and seeing the

signs just right there by the Baptist school. You see them as you're driving by – you can see them change. But the idea of having them in residential neighborhoods at churches, to me – we've got enough eye clutter as it is. I understand technology. I just have a problem with filling our commercial streets and churches and schools with digital signs that just advertise more and more stuff. So that's my comment.

3. Mr. Lewis – Susan, I do have a question. Certainly not segregating out a specific entity, such as a school or a church, if a sign abuts a residential neighborhood, such as our lighting ordinance we require shielding – is there any type of time limit on when these signs can be active that abuts a neighborhood, or is there any type of shielding that is required?

4. Ms. Connors – There is no shielding, but I did want to mention that in the low-density residential areas these signs must be turned off at 10:00 p.m.

5. Mr. Lewis – At 10:00 p.m. So completely off, regardless of whether it's church, school, hotel?

6. Ms. Connors – In the low-density residential areas, that's right – whether it's church or school, they all must be turned off at 10:00 p.m.

7. Mr. McCarty – The example of looking up Berry on Boyd west – churches across the street from residential areas. It's less than 200'. It's probably a 50' street, I'd guess. So those would have to go off at 10:00?

8. Ms. Connors – Yes. Unless you're in a commercial or industrial area.

9. Mr. McCarty – They can't have more than 300 NITS. So that's 25 mph and I haven't ran the numbers, but if you're driving the speed limit, how far can you travel in 12 seconds? I guess my question is, is that intended so that it doesn't distract you? Is that distance of travel – 12 seconds – intended at any certain miles per hour?

10. Ms. Connors – Really the 12 seconds was taken from literature research that we did for on-premise signs, and that seemed to be the standard, as well as 8 seconds on the freeway. It has to turn in a second. The change can't linger. So it's a one-second turn from one image to the next.

11. Ms. Gordon – I have a quick question. The 300 NITS basically at night until 10:00, right, and then they have to turn it off? Is that any brighter than a regular old sign that they would have lit up? How much brighter is it?

12. Ms. Connors – I'm sorry. We've asked sign people to tell us what that means. I don't have a good answer for you on how bright that is. Some have said it's the brightness of a digital television in your home.

13. Ms. Gordon – I'm less concerned about the distraction for traffic. I think it would be less of an issue with that as it would be having a big church sign close to somebody's window.

14. Ms. Connors – Remember, these signs still have to meet all the setbacks we have now. It's not like they can put these any closer than they can now any other type of sign.

15. Ms. Pailes – Some of the stuff that we got said that a typically illuminated billboard with the lights shining on it is 100 NITS. So 300 is considerably brighter.

16. Mr. Lewis – When this first came forward and I read it, I thought this absolutely makes sense to limit it in certain areas. But now that I understand that the signs will be going off at 10:00 p.m., my concern was, if I were living across from a sign and I had it shining in my bedroom window every night, I would not like this. But since they're going off at 10:00 p.m. and they're at minimal NITS, they reduce in brightness in the evening time, I believe this is something that I can support moving forward.

Jim Gasaway moved to recommend adoption of Ordinance No. O-1213-6 to the City Council. Cindy Gordon seconded the motion.

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

YEAS	Jim Gasaway, Cindy Gordon, Tom Knotts, Curtis McCarty, Chris Lewis
NAYES	Dave Boeck, Roberta Pailes
ABSENT	Diana Hartley, Andy Sherrer

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-1213-6 to the City Council, passed by a vote of 5-2.

* * *

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

AUGUST 9, 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 9th day of August 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions at least 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 Curtis McCarty Roberta Pailes Chris Lewis Andy Sherrer
MEMBERS ABSENT	Cindy Gordon Tom Knotts

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Leah Messner, Asst. City Attorney Larry Knapp, GIS Analyst Terry Floyd, Development Coordinator

* * *

Item No. 9, being:
ORDINANCE NO. O-1213-6 – AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER 18 OF THE CODE OF THE CITY OF NORMAN TO ADD PROVISIONS TO ALLOW DIGITAL ON-PREMISE SIGNS IN SECTIONS 18-303, 18-402, 18-405, AND 18-412; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ITEMS SUBMITTED FOR THE RECORD:
1. Staff Memo requesting Postponement

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Chris Lewis moved to postpone Ordinance No. O-1213-6 for one month. Diana Hartley 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, Curtis McCarty, Roberta Pailes, Chris Lewis, Andy Sherrer
NAYES	None
ABSENT	Cindy Gordon, Tom Knotts

Ms. Tromble announced that the motion to postpone Ordinance No. O-1213-6 for one month passed by a vote of 7-0.

* * *

office memorandum

TO: Norman Planning Commission

FROM: Susan Connors, Director
Planning & Community Development

DATE: August 9, 2012

RE: Item No. 9, On-Premise Digital Signs

Staff is requesting postponement of this item to the September 13, 2012 agenda.

CITY COUNCIL STUDY SESSION MINUTES

June 19, 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 Conference Room on the 19th day of June, 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, Ezzell, Gallagher, Griffith, Kovach, Lockett, Quinn, Spaulding, Mayor Rosenthal
ABSENT:	None

Item 1, being:

DISCUSSION REGARDING PROPOSED AMENDMENTS TO THE ORDINANCE REGULATIONS FOR ON-PREMISE ELECTRONIC SIGNS.

Ms. Susan Connors, Director of Planning and Community Development, said Chapter 18 of Norman's Sign Code has prohibited all signs which are animated or have real or visual movement since the adoption in 1979. She said there are five (5) classifications of zone groupings for on-premises signs in the Sign Ordinance and all land uses under the City Zoning Ordinance are contained in one of the five (5) classifications as follows:

1. Industrial: I-1, I-2
2. Commercial: C-1, C-2, C-3, T-C (Tourist Commercial), M-1 (Industrial), C-R
3. Office: C-O, R-O, O-1
4. Medium Density Residential: R-2, RM-2, R-3, RM-4, RM-6
5. Low Density Residential: R-1, R-1-A, RE, A-1, A-2, PL

Ms. Connors said the Business and Community Affairs Committee (BACA) previously reviewed language regarding on-premise digital electronic signs. She highlighted the proposed regulations as follows:

- Digital signs would only be allowed within commercial and industrial categories as well as certain institutional uses such as schools and churches;
- An individual business would be allowed either a wall sign or a freestanding ground sign;
- In areas utilizing joint use signs, if the joint identification sign were digital, each business within that area could still opt to install a digital wall sign;
- Because of the potential for visual distraction the location of digital signs would be restricted near signalized intersections to be no closer than fifty feet to the edge of the pavement;
- Digital on-premise signs cannot have "visual movement" but must simply project one or more "static" images with a dwell time of twelve seconds;
- Illumination levels will be 5000 NITs in daytime and 300 NITS at night;
- Devices must be installed with an adjustment device for ambient light levels and be able to free the image in case of a malfunction;
- Due to many businesses being located near residential areas, the ordinance seeks to require a separation of 200 feet between the sign and any nearby residential district to limit potential impact; and
- An exception to the 200 foot rule is provided for churches, schools, and other institutional uses in the section of the Sign Code that regulates signs for institutional uses when they occur in neighborhood areas (identified as low density residential in the Code).

Ms. Connors said if Council chooses to adopt this language, Staff believes the proposed regulations would help minimize any impacts on-premises digital signs might have on the traveling public or nearby residents.

If Council decides to move forward Staff would schedule a public hearing at the August 9, 2012, Planning Commission meeting, a First Reading of the ordinance would be introduced at a City Council meeting, followed by a public hearing at a City Council meeting.

Ms. Connors said since the last discussion of on-premises digital electronic signs at the May 3, 2012, BACA, Staff has received a request from Cleveland Area Rapid Transit (CART) and Tyler Outdoor Advertising for digital signage at specific sheltered CART bus stop locations in Norman. CART is proposing the digital signs will increase revenue and offer CART a communication tool to provide notices to passengers related to changes of schedule, bus delays, and stop closures.

Ms. Connors said the current CART contract allows full panel advertising in the bus shelters, but if Council wishes to consider this proposal, the CART contract will need to be amended when the renewal comes before Council in July 2012. The proposed tentative locations for digital signage are as follows:

1. Robinson Street and 24th Avenue N.W. (north side of the street, westbound)
2. Main Street at Norman High School (north side of the street, westbound)
3. 36th Avenue N.W. at Robinson Street (east side of the street, north bound near Dodson's)
4. Alameda Street at Triad Village (north side of the street, westbound)
5. West Lindsey Street at Berry Road (south side of the street, eastbound)

Mayor Rosenthal said bus stops are closer than 50 feet from the curb and Ms. Connors said the proposed digital signs/bus stop locations are not across the street from residential areas. Mayor Rosenthal said the proposed draft ordinance language restricts the location of digital signs near signalized intersections to be no closer than 50 feet because of traffic distractions, yet the proposed locations are placed and/or located within 50 feet of signalized intersections and Ms. Connors said if Council desires to accept CART's proposal, that particular digital sign restriction would be handled separately through a contract with CART, rather than through the sign ordinance. She said the full panel advertising that is currently allowed on CART bus shelters is not part of the existing sign ordinance, but is addressed through the contract with CART. Mayor Rosenthal felt this could set up an immediate conflict between the CART contract and the proposed sign ordinance. She asked if the current CART contract deviated from the sign ordinance and Ms. Connors said the sign ordinance does not address signage at bus stops and that is the reason it is handled through the contract. Councilmember Kovach said he would appreciate input and/or a staff report from the Public Works Department regarding digital signs at signalized intersections before having to make a decision on CART's request.

Councilmember Kovach said he is concerned with placing a digital sign at location #5, West Lindsey Street to Berry Road, because it is too close to residential structures, but felt digital signs could be placed at the other four (4) proposed shelter locations since they are heavy commercial areas. Councilmember Dillingham asked what type of digital signage CART is proposing and Ms. Connors said the signage would have static images with a 12 second dwell time between changes. Councilmember Dillingham said she agrees with Councilmember Kovach about location #5, since it is close to residential areas and Ms. Connors said Council could choose to make changes and/or disapprove all the proposed CART bus locations.

Councilmember Ezzell asked who owns the CART bus stops and Ms. Leah Messner, Assistant City Attorney, said the shelters themselves are owned and constructed by CART but are located in the public right-of-way (ROW). Councilmember Quinn asked whether the illumination could be less on bus stops and Ms. Connors said Council could choose to allow less illumination on the proposed bus stops on a yearly trial basis.

Mayor Rosenthal said since most are located in residential areas; she is concerned with the 200 foot exception for churches and schools, as well as allowing digital ground signs to be 17 feet in height and 48 square feet per face. She said the current lighting ordinance has specific setbacks on lighting in residential areas and felt that the digital sign allowance could be evasive to surrounding residential property. Councilmember Griffith agreed stating digital signs of that height might be distracting to the traveling public and felt eye-level digital signs would be more appropriate. Ms. Connors said Staff used the current sign ordinance verbiage "...not to exceed 17 feet in height nor 48 square feet per face..." which are the standards for signs currently allowed at churches and schools, but the size requirements can be changed if Council desires. She said the discussions at recent BACA meetings determined churches and schools should be accommodated and since one type of institutional use can not be treated differently than another type of institutional use, the verbiage "other institutional uses" was kept in the proposed ordinance amendments. Mayor Rosenthal asked if BACA discussions included turning the digital signs off at a certain hour and Ms. Connors said there was mention, but no consensus. Councilmember Kovach felt that if Council allowed digital signs into residential areas it would be appropriate to require the signs to be turned off at night and Mayor Rosenthal agreed.

Councilmember Ezzell said a determining factor for digital sign height should be relative to abutting properties for example; he would have concerns with a 17 foot digital sign located at Cleveland Elementary School on Sherry Avenue; however, he would not have concerns with a 17 foot digital sign at Norman High and Norman North High Schools, since they are located on Main Street and Stubbeman Avenue. Councilmember Kovach felt Council should restrict sign height by whether or not the digital sign would face a residential area. Councilmember Gallagher suggested the digital signs be turned off every night at 8:00 p.m. and Mayor Rosenthal said another possibility is to require digital signs to be turned off after sundown, however she felt church and school functions can run until 9:00 p.m., so she would support a requirement to have digital signs turned off by 10:00 p.m. Mayor Rosenthal agreed with Councilmember Gallagher stating the function of a sign that is located at a school, whether big or small, is the same, i.e., not advertising a product but rather providing information to citizens, and she would prefer the digital signage be no taller than 12 feet. Councilmember Dillingham felt a 17 foot digital sign at Norman High School would be incredible distracting, as well as a possible visual problem between cars and pedestrians. Councilmember Ezzell asked how the City would address issues where schools and/or churches were retro-fitting a digital component to an existing sign and Ms. Connors said the digital component would be retro-fitted to the height that would be allowed by ordinance. Councilmember Ezzell asked if Council determined that signs shall not exceed 12 feet in height; in theory an existing 17 foot sign could be retro-fitted with a digital component, but only 12 feet or lower and Ms. Connors said yes. Ms. Connors reminded Council that only one digital sign is allowed per business, school and/or church and must be placed on the primary frontage of the property. She said if an existing sign is replaced with a digital sign, the business, school, and/or church can not also have a non-digital sign.

Ms. Connors asked Council for guidance in moving forward with the CART contract and Mayor Rosenthal said she is concerned with the proposed shelter locations that abut pavement. Councilmember Griffith asked if the current advertising on CART bus stops face the lane of traffic that is approaching the bus stop only or does both sides have advertising and Ms. Connors said there is advertising on both sides of the bus stops. Councilmember Griffith said he would support reducing the illumination on digital signs since they are close to streets. Councilmember Ezzell suggested moving forward with only one a digital sign CART bus stop location, to be on a trial basis, rather than all five (5) at this time. He felt this would allow the flexibility for adjusting the NITs, height, etc., and Mayor Rosenthal agreed, but requested additional digital sign demonstrations or displays before moving forward.

Ms. Megan Benson, 1225 Windsor Way, said she lives across the street from Jackson Elementary and said most of Norman's elementary and/or middle schools are very close to residential property. She said it has been difficult finding information pertaining to studies regarding on-premises sign(s) as they relate to safety and asked whether Council is reviewing independent or peer reviewed studies. Ms. Benson said many cities have rejected digital displays primarily because of safety concerns to include Dallas, Houston, Galveston, Fort Worth, Amarillo, Denver, and Los Angeles. Staff's research did not find specific indication that there was a safety

issue, particularly with off-premises signs such as billboards and the literature did not address on-premises signs as much. Ms. Benson said she is concerned with the ecological factors and said her research indicated the life span of a digital sign has a 49 to 1 carbon footprint compared to a traditional sign. She wondered if ecological factors were considered by Council and Ms. Connors said there were not any discussions or research done on the ecological factors regarding digital signs. Mayor Rosenthal asked Ms. Benson to provide Staff with information and sources she identified in terms of the on-premises signs and requested Staff to research why other cities have not adopted similar ordinances. Councilmember Kovach requested Public Works Staff research the traffic and safety control aspect of digital signs.

Items submitted for the record

1. Memorandum dated June 19, 2012, from Susan Connors, AICP, Director of Planning and Community Development, to Mayor and City Councilmembers, with Exhibit A, On-Premise Electronic Digital Signs
2. Letter dated June 1, 2012, from Douglas W. Myers, Director, Cleveland Area Rapid Transit, to Susan Connors, Planning Director
3. Photos of digital signs presented by Tyler Outdoor Advertising
4. City Council Business and Community Affairs Committee minutes of May 3, 2012
5. PowerPoint presentation entitled, "On-Premise Digital Electronic Signs," City Council, June 19, 2012

The meeting adjourned at 6:05 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-1213-10

File ID:	O-1213-10	**Type:**	Ordinance	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 59	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	08/16/2012
File Name:	O-1213-10 Opolis Special Use			**Final Action:**	

Title: ORDINANCE NO. O-1213-10: 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 BAR, LOUNGE OR TAVERN FOR PROPERTY CURRENTLY ZONED C-3, INTENSIVE COMMERCIAL DISTRICT, LOCATED AT 113 NORTH CRAWFORD AVENUE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-10 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-10 upon Final Reading as a whole.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 59

Attachments: Text File O-1213-10 Opolis, O-1213-10 OPOLIS Special Use, Opolis_Location, Opolis Special Use Staff Rpt, PD 12-25 Opolis_Special Use, Opolis Description, Opolis Site Plan, 9-13-12 PC Minutes - Opolis

Project Manager: Jane Hudson, Principal Planner

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	09/13/2012	Recommended for Adoption at a subsequent City Council Meeting	City Council	Pass
	Action Text:	Recommended for Adoption at a subsequent City Council Meeting to the City Council			
1	Planning Commission	09/13/2012			
1	City Council	10/09/2012	Introduced and adopted on First Reading by title only		Pass
	Action Text:	Introduced and adopted on First Reading by title only			

Text of Legislative File O-1213-10

Body

BACKGROUND: The applicants, Andy and Marian Nunez, run an establishment in the downtown area called Opolis. In 2002 Opolis applied for and was granted a Special Use for a Nightclub so they could host artists to show and perform visual and multi-media art, including music; i.e., live entertainment. The applicants have been licensed to serve beer at the establishment since 2002. They now request approval for the addition of alcohol to their business. To serve alcohol the applicants must request and receive approval for a Special Use for a Bar within the C-3 zoning district.

DISCUSSION: Granting of this request should not impact any of the neighbors as this establishment has been in operation for many years, just without the bar element. The proposed use of this facility fits with the neighborhood/downtown area. The majority of uses surrounding this particular facility are commercial businesses, which are predominantly daytime occupancies. As with other downtown businesses which are zoned C-3, there is no on-site parking required. Crawford Street does have some on-street parallel parking and a nearby parking lot is available for night use.

RECOMMENDATION: This request is a minor change to the existing use. The applicants are not requesting any additional square footage so the occupant load will stay the same. Other than the permission to serve alcohol, the use of this facility will not change. There will be no additional impacts on adjacent properties. Staff supports this request for Special Use for a Bar, Lounge or Tavern. At their meeting of September 13, 2012, the Planning Commission, by a vote of 7-0, recommended adoption of this Special Use.

O-1213-10

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 BAR, LOUNGE OR TAVERN FOR PROPERTY CURRENTLY ZONED C-3, INTENSIVE COMMERCIAL DISTRICT, LOCATED AT 113 NORTH CRAWFORD AVENUE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

§ 1. WHEREAS, Marian Nunez/Opolis Production, L.L.C., the owner of the hereinafter described property, has made application for Special Use for a Bar, Lounge or Tavern in the C-3, Intensive Commercial 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 Bar, Lounge or Tavern, to wit:

The North 25' of the South 50' of Lots 31 and 32, and the South 50' of the West 10' of Lot 30, and the East 5' of the South 25' of Lot 31, Block 22, NORMAN ORIGINAL TOWN, Cleveland County, Oklahoma

Said described tract contains 1,259 square feet, 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

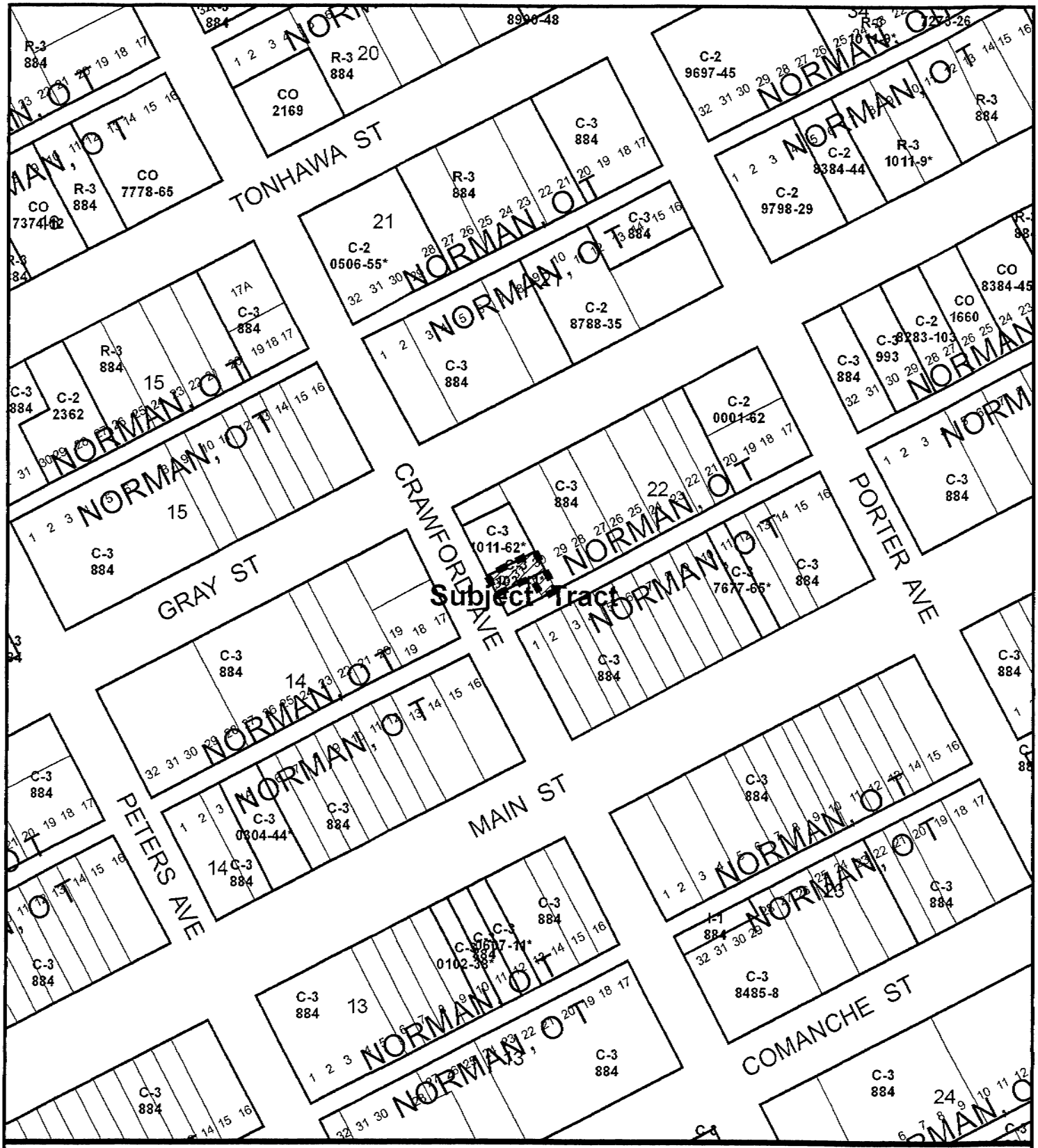
NOT ADOPTED this _____day of

_____, 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

July 10, 2012

0 100 200 Ft.

Subject Tract

Zoning

59-2

ORDINANCE NO. O-1213-10 ITEM NO. 10

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Andy & Marian Nunez/Opolis Production
REQUESTED ACTION	Special Use for a Bar, Lounge or Tavern
EXISTING ZONING	C-3, Intensive Commercial District
SURROUNDING ZONING	North: C-3, Intensive Commercial District East: C-3, Intensive Commercial District South: C-3, Intensive Commercial District West: C-3, Intensive Commercial District
LOCATION	113 N. Crawford Avenue
SIZE	1,259 Square Feet
PURPOSE	Bar & Live Entertainment
EXISTING LAND USE	Commercial Establishment
SURROUNDING LAND USE	North: Commercial East: Commercial South: Commercial West: Commercial
LAND USE PLAN DESIGNATION	Commercial

SYNOPSIS: The applicants, Andy and Marian Nunez, run an establishment in the downtown area called Opolis. In 2002 Opolis applied for and was granted a Special Use for a Nightclub so they could host artists to show and perform visual and multi-media art, including music; i.e. live entertainment. The applicants now request approval for the addition of alcohol to their business. To serve alcohol the applicants must request and receive approval for a Special Use for a Bar within the C-3 zoning district.

ANALYSIS: Granting of this request should not impact any of the neighbors as this establishment has been in operation for many years just without the bar element. The proposed use of this facility fits with the neighborhood/downtown area. The majority of uses surrounding this particular facility are commercial businesses, which are predominantly day-time occupancies. As with other downtown businesses which are zoned C-3, there is no on-

site parking required. Crawford Street does have some on-street parallel parking and a nearby parking lot is available for night use.

OTHER AGENCY COMMENTS:

- **PARK BOARD** Commercial uses do not require parkland dedication.

- **PUBLIC WORKS** The property has already been platted and utilities, streets and sidewalks are existing. This Special Use will not require any modification to the site which would require additional public improvements.

STAFF RECOMMENDATION: This request is a minor change to the existing use. The applicants are not requesting any additional square footage so the occupant load will stay the same. Other than the permission to serve alcohol the use of this facility will not change. There will be no additional impacts on adjacent properties. Staff supports this request for Special Use for a Bar.

City of Norman Predevelopment **July 26, 2012**

Applicant	Opolis
Location	113 North Crawford Avenue
Case Number	PD 12-25
Time	6:30-7:00 PM

Attendee	Stakeholder	Address	Phone
Marian Nunez	Applicant	1506 Sunset Dr.	321-3953
Barbara Bowman	Neighbor	1600 N. Porter Avenue	595-9738
Ken Danner	City Staff – Public Works Department		366-5458
Jane Hudson	City Staff – Planning Department		366-5344

Application Summary Opolis is a small owner operated multi-use performance space. We have been providing culture and entertainment to our community for the past 10 years. As we have aged so have out patrons and we feel it is time for a change. Opolis is hoping for the opportunity to offer wine, beer and spirits to our customers in the same friendly and peaceful environment we have come to be known for in the past. Opolis has developed a reputation s a must stop for critically acclaimed, smaller traveling acts. Our goal is to continue on that path, yet in a more adult fashion allowing for our continued success. The transformation will be simple with vey few changes made to the existing layout other than added shelving and an ice machine. We are confident this is a positive move for us and we know it to be a desirable transition by our, now majority, legal drinking patrons. We hope the rest of the community sees it in the same positive light.

Neighbor Comment The neighbors comment was a concern with broken glass in the adjacent parking lot.

Applicant The applicant agreed this is an issue and stated they clean the parking lot frequently. However, it is not their parking lot and don't have any control of who parks in that area.

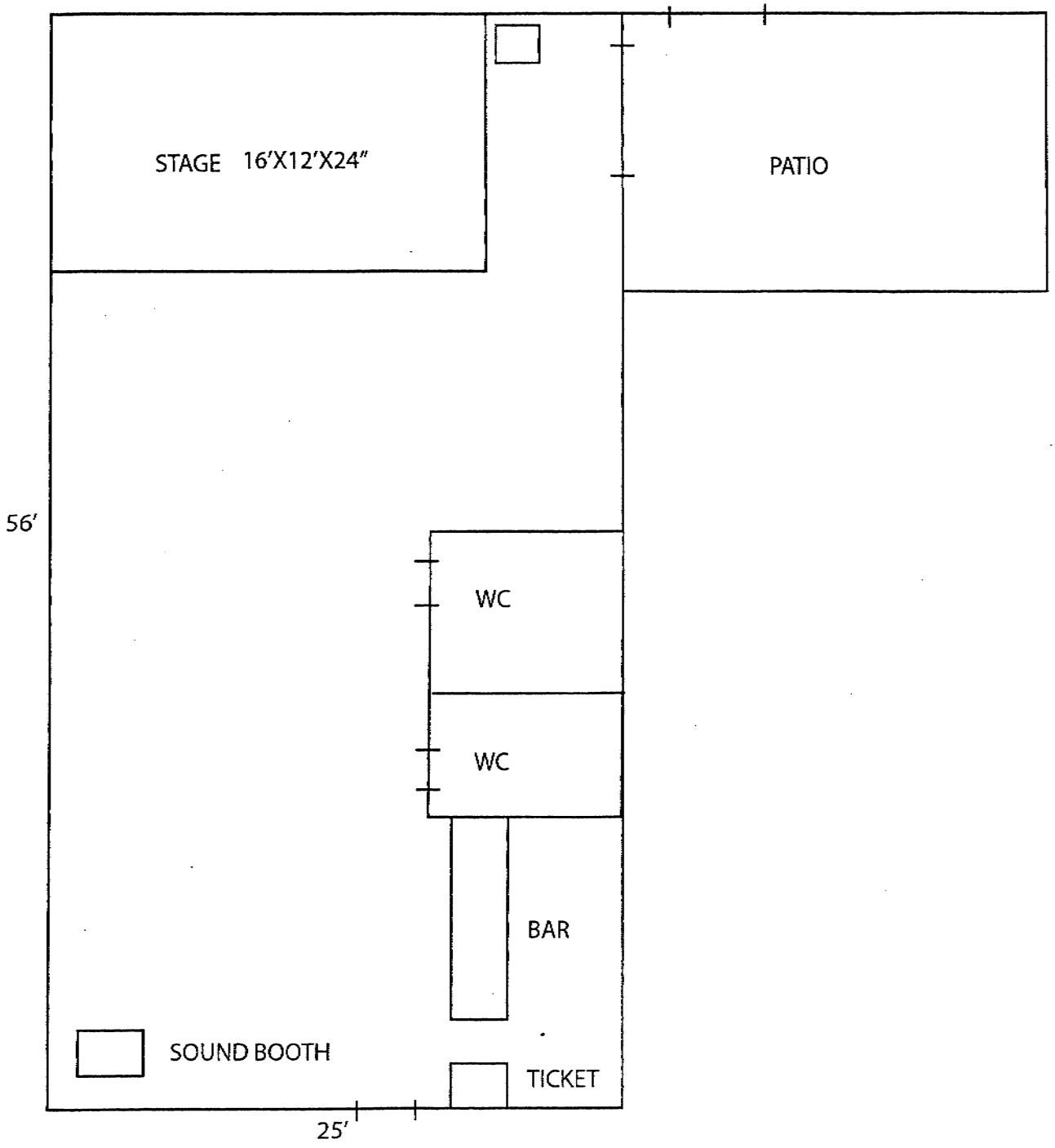
OPOLIS

113 NORTH CRAWFORD AVE.
NORMAN, OK 73071
CONTACT ANDY/MARIAN NUNEZ
405.623.9203/595.9738
ANDY@STARLIGHTMINTS.COM
MLOVENUNEZ@GMAIL.COM
OPOLIS.ORG

Opolis is a small, intimate, owner operated, multi use performance space. We have been providing culture and entertainment to our community for the past 10 years. As we have aged, so have our patrons and we feel it is time for a change. Opolis is hoping for the opportunity to offer wine, beer and spirits to our customers in the same friendly and peaceful environment we have come to be known for. Opolis has developed a reputation as a must stop for critically acclaimed, smaller traveling acts. Our goal is to continue on that path, yet in a more adult fashion allowing for our continued success. The transformation will be simple with very few changes made to the existing layout other than added shelving and an ice machine. We are confident this is a positive move for us and we know it to be a desirable transition by our, now majority, legal drinking patrons. We hope that the rest of the community sees it in the same positive light.

OPOLIS

113 NORTH CRAWFORD AVE.
NORMAN, OK 73069
CONTACT ANDY/MARIAN NUNEZ
405.623.9203 (ALT 405.595.9738)
ANDY@STARLIGHTMINTS.COM
MLOVENUNEZ@GMAIL.COM
OPOLIS.ORG



NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

SEPTEMBER 13, 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 13th day of September 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions at least twenty-four hours prior to the beginning of the meeting.

Vice Chairman Chris Lewis called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

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

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Leah Messner, Asst. City Attorney Jeff Bryant, City Attorney Rick Hoffstatter, GIS Analyst Terry Floyd, Development Coordinator Scott Sturtz, City Engineer

* * *

Vice Chairman Lewis noted the request for postponement submitted by the applicant for Item 11, OSOI Tecumseh Development, L.L.C. and NE Development, L.L.C. (R-1213-36, O-1213-11, and PP-1213-4).

Curtis McCarty moved to postpone Item Nos. 11a, 11b and 11c until the October 11, 2012 Planning Commission meeting. Tom Knotts seconded the motion.

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

Item No. 10, being:
ORDINANCE NO. O-1213-10 – MARIAN NUNEZ/OPOLIS PRODUCTION REQUEST SPECIAL USE FOR A BAR, LOUNGE OR TAVERN FOR PROPERTY CURRENTLY ZONED C-3, INTENSIVE COMMERCIAL DISTRICT, AND LOCATED AT 113 N. CRAWFORD AVENUE.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Pre-Development Summary – 7/26/12
4. Project Description
5. Interior Floor Plan

PRESENTATION BY STAFF:
1. Ms. Hudson – This is a request for Special Use for Opolis. In 2002 they requested a Special Use for a Nightclub, which they were granted, and now they would also like to request Special Use to serve alcohol. Staff approves this request. The applicant is present if you have any questions for her, and I'd be happy to answer any questions as well.

PRESENTATION BY THE APPLICANT:
None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Dave Boeck moved to recommend adoption of Ordinance No. O-1213-10 to 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, Cindy Gordon, Tom Knotts, Curtis McCarty, Roberta Pailes, Chris Lewis
NAYES	None
ABSENT	Diana Hartley, Andy Sherrer

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-1213-10 to 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-1213-37

File ID:	R-1213-37	**Type:**	Land Use Plan Resolution	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 60	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	08/16/2012
File Name:	Alameda Dollar General 2025			**Final Action:**	

Title: RESOLUTION NO. R-1213-37: 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-1213-4**, SO AS TO PLACE PART OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 9 NORTH, RANGE 1 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE COMMERCIAL DESIGNATION AND REMOVE THE SAME FROM THE COUNTRY RESIDENTIAL DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED ON THE NORTH SIDE OF ALAMEDA DRIVE APPROXIMATELY ONE-FOURTH MILE EAST OF 72ND AVENUE N.E.)

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1213-37, Land Use Plan Amendment No. LUP-1213-37; and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according thereto.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 60

Attachments: Text File R-1213-37, R-1213-37 Dollar General, DollarGeneral2025 Map, Dollar General 2025 Staff Rpt, PD 12-24 DOP LLC - Dollar General, 9-13-12 PC Minutes - Dollar General

Project Manager: Jane Hudson, Principal Planner

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	09/13/2012	Recommended for Adoption at a subsequent City Council Meeting	City Council	Pass

Action Text: Recommended for Adoption at a subsequent City Council Meeting to the City Council

1 Planning Commission 09/13/2012

Text of Legislative File R-1213-37

Body

BACKGROUND: The applicant has submitted a commercial rezoning request for a 2.02 acre tract of land located in the eastern portion of the city limits in order to develop a retail store. There are limited commercial nodes in the rural area, and the rezoning request is accompanied by this amendment to the 2025 Plan that would designate this property for commercial use.

DISCUSSION: The 2025 Plan identifies two criteria that must be examined before a land use change is approved.

*1. **There has been a change in circumstances resulting from development of properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest.*** Immediately east of this request is a City owned fire station, zoned Institutional. Across the street on the south side of Alameda Drive is an existing commercial convenience store with fuel pumps.

*2. **There is a determination that the proposed change would not result in adverse land use or adverse traffic impacts to surrounding properties or the vicinity.*** The general policy for commercial designations in the rural area is to allow commercial nodes to establish if they can maintain a three-mile separation from other commercial nodes. There is existing commercial across the street and this use would increase the size of this existing commercial node. There are commercial uses located almost three miles east of this location at 108th Avenue NE. There is another commercial use located west almost three miles, close to 36th Avenue NE. The fire station is to the east. With the rural growth in the eastern portion of Norman it is reasonable that a commercial use could be supported for this property. There is one access point onto Alameda Drive which has a good sight distance at this location. The proposed retail use does not generate an excessive amount of traffic. The store will generate between 142 and 285 vehicles per day depending on the population growth in the area.

RECOMMENDATION: Staff supports this request for commercial designation. At their meeting of September 13, 2012, the Planning Commission, by a vote of 7-0, recommended adoption of this NORMAN 2025 Land Use and Transportation Plan amendment.

Resolution

R-1213-37
LUP-1213-4

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-1213-4**, SO AS TO PLACE PART OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 9 NORTH, RANGE 1 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE COMMERCIAL DESIGNATION AND REMOVE THE SAME FROM THE COUNTRY RESIDENTIAL DESIGNATION FOR THE HEREINAFTER DESCRIBED PROPERTY. (GENERALLY LOCATED ON THE NORTH SIDE OF ALAMEDA DRIVE APPROXIMATELY ONE-FOURTH MILE EAST OF 72ND AVENUE N.E.)

§ 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, Norman DOP VIII, L.L.C., has requested that the following described property be moved from the Country Residential Designation and placed in the Commercial Designation of the NORMAN 2025 Land Use and Transportation Plan, to wit:

A tract of land lying in a portion of the SE/4 of the SW/4 of Section 29, T9N, R1W of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows:

COMMENCING at the NE/C of the SE/4 of the SW/4 of said Section 29;
THENCE South 89°44'57" West a distance of 822.94 feet;
THENCE South 00°24'20" East a distance of 435.34 feet;
THENCE South 89°44'57" West a distance of 276.00 feet;
THENCE South 00°24'20" East a distance of 64.37 feet for a POINT OF BEGINNING
THENCE continuing South 00°24'20" East a distance of 364.68 feet to a point on the Old State Highway No. 9 Northerly right-of-way;
THENCE following said Northerly right-of-way line, along a non-tangent curve to the right having a radius of 5679.58 feet, an arc length of 230.92 feet, a chord bearing of South 67°46'03" West and chord length of 230.90 feet to the West line of the SE/4 of the SW/4;
THENCE North 00°38'51" West along said West line a distance of 450.11 feet;
THENCE North 89°28'53" East a distance of 216.25 to the POINT OF BEGINNING;

Encompassing 87,935 square feet (2.02 acres), more of less.

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

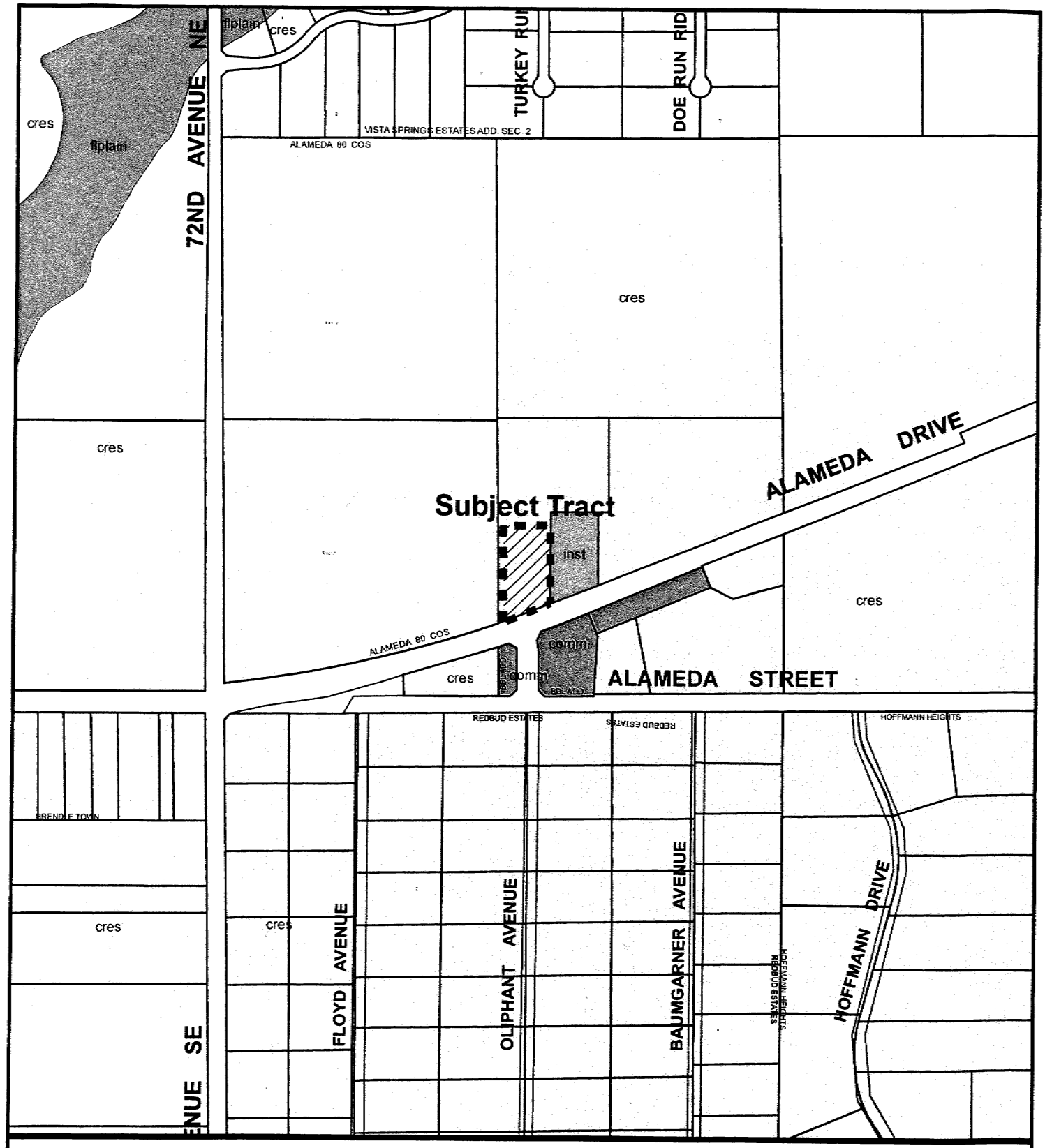
§ 4. That the Council of the City of Norman recognizes the need to control the future growth of the City of Norman; and, that after due consideration, has determined that the requested amendment is compatible with the adopted NORMAN 2025 Land Use and Transportation Plan and does hereby approve the requested amendment.

PASSED and ADOPTED this _____ day of _____, 2012.

_____
Mayor

ATTEST:

_____
City Clerk



Norman 2025 Land Use Plan

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
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September 4, 2012

0 300 600 Ft.

Subject Tract

Zoning

RESOLUTION NO. R-1213-37 ITEM NO. 12a

STAFF REPORT

ITEM: Norman DOP VII, L.L.C. requests amendment of the NORMAN 2025 Land Use and Transportation Plan (LUP-1213-4) from Country Residential Designation to Commercial Designation for property generally located on the north side of Alameda Drive approximately ¼ mile east of 72nd Avenue N.E.

SUMMARY OF REQUEST: The applicant has submitted a commercial rezoning request for a 2.02 acre tract of land located in the eastern portion of the city limits in order to develop a retail store. There are limited commercial nodes in the rural area, and the rezoning request is accompanied by this amendment to the 2025 Plan that would designate this property for commercial use.

The 2025 Plan identifies two criteria that must be examined before a land use change is approved.

1. ***There has been a change in circumstances resulting from development of properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest.*** Immediately east of this request is a City owned fire station, zoned Institutional. Across the street on the south side of Alameda Drive is an existing commercial convenience store with fuel pumps.

2. ***There is a determination that the proposed change would not result in adverse land use or adverse traffic impacts to surrounding properties or the vicinity.*** The general policy for commercial designations in the rural area is to allow commercial nodes to establish if they can maintain a three-mile separation from other commercial nodes. There is existing commercial across the street and this use would increase the size of this existing commercial node. There are commercial uses located almost three miles east of this location at 108th Avenue NE. There is another commercial use located west almost three miles, close to 36th Avenue NE. The fire station is to the east. With the rural growth in the eastern portion of Norman it is reasonable that a commercial use could be supported for this property. There is one access point onto Alameda Drive which has a good sight distance at this location. The proposed retail use does not generate an excessive amount of traffic. The store will generate between 142 and 285 vehicles per day depending on the population density.

STAFF RECOMMENDATION: Staff supports this request for commercial designation.

City of Norman Predevelopment **June 28, 2012**

Applicant	Norman DOP VII, LLC
Location	North side of Alameda Drive across from Oliphant Avenue approximately 1,000 feet east of 72nd Avenue NE
Case Number	PD 12-24
Time	6:30-7:00 PM

Attendee	Stakeholder	Address	Phone
Bob Gage	Applicant Representative	9010 Overlook Blvd. Brentwood, Tennessee 73027	615-519-8202
Jeffrey Carlson	Neighbor	7615 E. Alameda Drive Norman, OK	579-0958
Dana Purser	Neighbor	200 72nd Avenue NE	550-2337
Debbie & Larry Busking	Neighbor	7500 Alameda	447-8392
Tim & Kim Sherbon	Neighbor	7751 Alameda St.	366-8162
Robyn Pendleton	Neighbor	131 E. Chestnut Rd.	360-8613
Ken Danner	City Staff – Public Works Department		366-5458
Jane Hudson	City Staff – Planning Department		366-5344

Application Summary Consideration of a commercial development on approximately 7.20 acres. The applicant is requesting a rezoning from A-2, Rural Agricultural to CR, Rural Commercial and a change to the Norman 2025 Land Use and Transportation Plan from Country Residential to Commercial.

Applicant's Opportunity The proposed project located on Alameda Drive would consist of a single, 9,100 square foot, retail building. The impacts to the neighboring properties would be minimal, with detention provided and all setbacks met. The project will be designed to meet any screening/landscaping requirements set by the City. The lighting will be non-intrusive and will adhere to the City requirements as well. With the exception of some exterior and interior standard security lights the lights will be turned off at the close of business. The business does not foresee a generation in an extreme amount of traffic. Similar sized stores for this particular retailer generates between 142-285 vehicles per day, depending on population density.

Neighbors Comments/Questions What does the owner have planned for the rear section of the parel? I see there is nothing proposed on the site plan.

Response At this time the owner has no plans for that area. The owner does not intend to develop that area for another business.

Neighbors Comments/Questions Why did you select this area? You can drive five miles in any direction and find another discount store.

Response With the traffic and the population study this location appeared to work for the owner. There are approximately 3,000 cars per day traveling past this area.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

SEPTEMBER 13, 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 13th day of September 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions at least twenty-four hours prior to the beginning of the meeting.

Vice Chairman Chris Lewis called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

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

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Leah Messner, Asst. City Attorney Jeff Bryant, City Attorney Rick Hoffstatter, GIS Analyst Terry Floyd, Development Coordinator Scott Sturtz, City Engineer

* * *

Vice Chairman Lewis noted the request for postponement submitted by the applicant for Item 11, OSOI Tecumseh Development, L.L.C. and NE Development, L.L.C. (R-1213-36, O-1213-11, and PP-1213-4).

Curtis McCarty moved to postpone Item Nos. 11a, 11b and 11c until the October 11, 2012 Planning Commission meeting. Tom Knotts seconded the motion.

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

Item No. 12, being:
CONSIDERATION OF A REQUEST SUBMITTED BY NORMAN DOP VII, L.L.C.

12A. RESOLUTION NO. R-1213-37 – NORMAN DOP VII, L.L.C. REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-1213-4) FROM COUNTRY RESIDENTIAL DESIGNATION TO COMMERCIAL DESIGNATION FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF ALAMEDA DRIVE APPROXIMATELY ¼ MILE EAST OF 72ND AVENUE N.E.

ITEMS SUBMITTED FOR THE RECORD:
1. 2025 Map
2. Staff Report
3. Pre-Development Summary – 6/28/12

12B. ORDINANCE NO. O-1213-12 – NORMAN DOP VII, L.L.C. REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, TO CR, RURAL COMMERCIAL DISTRICT, FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF ALAMEDA DRIVE APPROXIMATELY ¼ MILE EAST OF 72ND AVENUE N.E.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report

12C. PP-1213-5 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY NORMAN DOP VII, L.L.C. (CORNERSTONE REGIONAL SURVEYING, L.L.C.) FOR DOLLAR GENERAL ALAMEDA ADDITION, FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF ALAMEDA DRIVE APPROXIMATELY ¼ MILE EAST OF 72ND AVENUE N.E.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Preliminary Site Plan
6. Greenbelt Enhancement Statement
7. Greenbelt Commission Summary

PRESENTATION BY STAFF:
1. Ms. Hudson – The first request is for a Land Use Plan amendment to go from Country Residential to Commercial Designation. The land use across the street is commercial, with institutional to the east, which is the fire station. They are currently zoned A-2; they're requesting the Rural Commercial District. They are purchasing the entire area, but the front section is the only area that they will be utilizing for their store. The site is completely undeveloped. The fire station is on the east side. Across the street there is currently a gas station and convenience store. Staff supports this request for both the Land Use and the rezoning. The applicant is here to answer any questions.

2. Mr. Knotts – Do you want to talk about the objections that have been raised about traffic – not numbers, but just the sight line. I drove to the location and drove around. It was a little difficult to see exactly what was being objected to, but I'm very familiar with problems with sight line and I'd just like to hear some comments about that.

3. Mr. Danner – The Traffic Division reviewed this and their statement was there was not a sight distance problem. I think that report is on page 12c-5. He said no negative traffic impacts are anticipated and also based on the location adequate sight distance will be available at the proposed site across the intersection with Alameda Drive.

4. Ms. Pailes – Is the driveway across from Oliphant Avenue? Is that where the main entrance is at? I kind of think so, but I'm not sure.

5. Mr. Danner – Yes. It could not line up to the drive approach. It has to be Oliphant, if you look at 12c-1. It will be lining up to Oliphant Street.

PRESENTATION BY THE APPLICANT:
None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Jim Gasaway moved to recommend adoption of Resolution No. R-1213-37, Ordinance No. O-1213-12, and approval of the Preliminary Plat for DOLLAR GENERAL ALAMEDA ADDITION to the City Council. Dave Boeck seconded the motion.

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

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

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1213-37, Ordinance No. O-1213-12, and recommend approval of the Preliminary Plat for DOLLAR GENERAL ALAMEDA 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: O-1213-12

File ID:	O-1213-12	**Type:**	Ordinance	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 61	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	08/16/2012
File Name:	O-1213-12 Alameda Dollar General Rezoning			**Final Action:**	

Title: ORDINANCE NO. O-1213-12: 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 SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 9 NORTH, RANGE 1 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE CR, RURAL 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 NORTH SIDE OF ALAMEDA DRIVE APPROXIMATELY ONE-FOURTH MILE EAST OF 72ND AVENUE N.E.)

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-12 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-12 upon Final Reading as a whole.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 61

Attachments: Text File Dollar General, O-1213-12 Dollar General, Dollar General Rezone Location, Staff Report Dollar General Store.doc, 9-13-12 PC Minutes - Dollar General

Project Manager: Jane Hudson, Principal Planner

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	09/13/2012	Recommended for Adoption at a subsequent City Council Meeting	City Council			Pass
	Action Text: Recommended for Adoption at a subsequent City Council Meeting to the City Council						
1	Planning Commission	09/13/2012					
1	City Council	10/09/2012	Introduced and adopted on First Reading by title only				Pass
	Action Text: Introduced and adopted on First Reading by title only						

Text of Legislative File O-1213-12

Body

BACKGROUND: The applicant has submitted a rezoning request for CR, Rural Commercial District, for a 2.02 acre tract of land on the north side of Alameda Drive approximately one-quarter mile east of 72nd Avenue NE. The applicant has proposed to develop a 9,100 square foot retail Dollar General Store. This location will utilize a private well, an engineered holding facility for the fire protection and a private sewage disposal system. Two lots are currently proposed for this development. The rezoning request applies to the south lot. If approved, the south lot will be rezoned CR while the north lot remains A-2. The intention is for the north lot to be sold to an adjacent property owner with a Certificate of Survey to be filed which will combine the lot to the north of the proposed development and the property of the adjacent property owner.

DISCUSSION:

RURAL COMMERCIAL DISTRICT: The primary purpose for CR, Rural Commercial District, is to create a district intended for the conduct of retail trade and to provide personal services to meet the regular needs and convenience of rural residents. It is anticipated that this district will be the predominately used commercial district in rural Norman. It is intended, but not required, that this zoning district be located at the intersections of improved section line roads.

OPEN SPACE: There are no open space requirements for this development. However, the development is required to adhere to the setback and landscaping requirements for this zoning district.

PARKING: The parking requirement for this development is 36 parking spaces. Currently, the site plan depicts 36 parking spaces.

IMPACTS: There are no residences located to the north or to the west. The west property boundary of this development is heavily wooded, as is the property to the west of this parcel, creating a buffer between any future residences on the western property. With the fire station located to the east, the closest residence is east of the fire station.

ACCESS: One driveway is proposed onto Alameda Drive, which has a good sight distance at this

location. The site is large enough to function without an alley.

SITE PLAN: The CR zoning district imposes large building setback requirements, which the applicant has met. The site plan provides building setbacks, proposed building locations, parking areas, and landscaping locations. Like all new commercial buildings, this project will follow the requirements of the commercial outdoor lighting standards.

PARKS BOARD: No parkland dedication is needed for commercial development.

PUBLIC WORKS: Final approval of an acceptable sewage disposal system will accompany the final plat for this development. The Public Works Department supports the accompanying preliminary plat. The proposed retail use does not generate an extreme amount of traffic. Similar sized stores for this particular retailer generates between 142 and 285 vehicles per day, depending on the population growth in the area.

RECOMMENDATION: This development offers a smaller scale retail alternative of the larger big box stores to rural residents. Since the location is next to the fire station this creates an acceptable use of this property. Staff supports this request for rezoning to place this 2.02 acres in the CR, Rural Commercial District. At their meeting of September 13, 2012, The Planning Commission, by a vote of 7-0, recommended adoption of this ordinance.

O-1213-12

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 SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 9 NORTH, RANGE 1 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE CR, RURAL 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 NORTH SIDE OF ALAMEDA DRIVE APPROXIMATELY ONE-FOURTH MILE EAST OF 72ND AVENUE N.E.)

§ 1. WHEREAS, Norman DOP VII, L.L.C., the owner of the hereinafter described property, has made application to have said property placed in the CR, Rural 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 CR, Rural Commercial District, and to have the same removed from the A-2, Rural Agricultural District, to wit:

A tract of land lying in a portion of the SE/4 of the SW/4 of Section 29, T9N, R1W of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows:

COMMENCING at the NE/C of the SE/4 of the SW/4 of said Section 29;
THENCE South 89°44'57" West a distance of 822.94 feet;
THENCE South 00°24'20" East a distance of 435.34 feet;
THENCE South 89°44'57" West a distance of 276.00 feet;
THENCE South 00°24'20" East a distance of 64.37 feet for a POINT OF BEGINNING
THENCE continuing South 00°24'20" East a distance of 364.68 feet to a point on the Old State Highway No. 9 Northerly right-of-way;
THENCE following said Northerly right-of-way line, along a non-tangent curve to the right having a radius of 5679.58 feet, an arc length of 230.92 feet, a chord bearing of South 67°46'03" West and chord length of 230.90 feet to the West line of the SE/4 of the SW/4;

THENCE North 00°38'51" West along said West line a distance of 450.11 feet;
THENCE North 89°28'53" East a distance of 216.25 to the POINT OF BEGINNING;

Encompassing 87,935 square feet (2.02 acres), more of 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

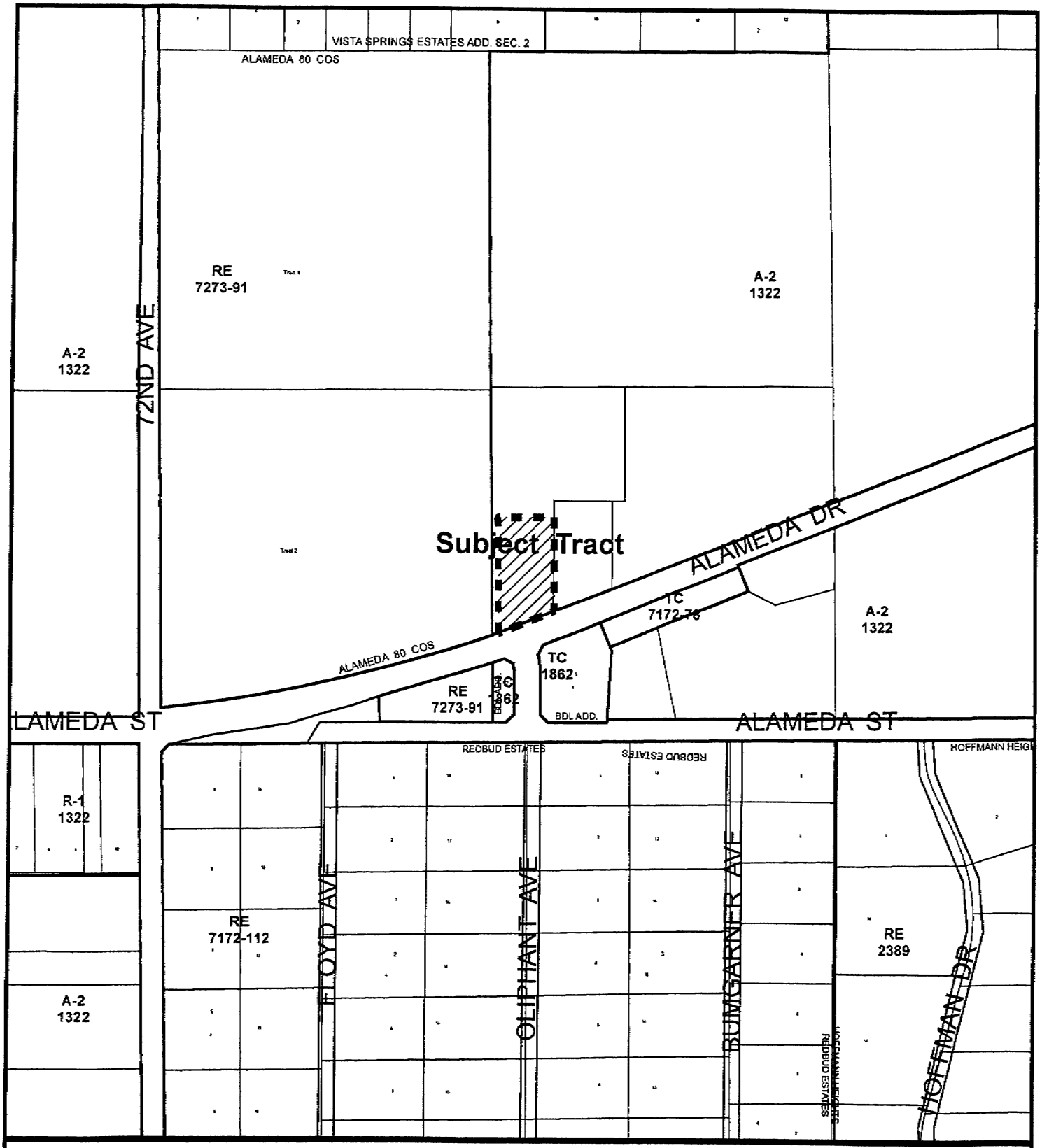
NOT ADOPTED this _____day of

_____, 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.

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August 20, 2012

0 250 500 Ft.

Subject Tract

Zoning

61-3

ORDINANCE NO. O-1213-12 ITEM NO. 12b

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Norman DOP VII, L.L.C.
REQUESTED ACTION	Rezoning to CR, Rural Commercial District
EXISTING ZONING	A-2, Rural Agricultural District
SURROUNDING ZONING	North: A-2, Rural Agricultural District East: A-2, Rural Agricultural District South: TC, Tourist Commercial West: RE, Residential Estates
LOCATION	North side of Alameda Drive approximately ¼ mile east of 72nd Avenue N.E.
SIZE	2.02 Acres
PURPOSE	Dollar General Store
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Vacant East: Fire Station South: Convenience Store (With Fuel Pumps) West: Vacant
LAND USE PLAN DESIGNATION	Country Residential

SYNOPSIS: The applicant has submitted a rezoning request for CR, Rural Commercial designation for a 2.02 acre tract of land on the north side of Alameda Drive and one-quarter mile east of 72nd Avenue NE. The applicant has proposed to develop a 9,100 square foot retail Dollar General Store. This location will utilize a private well, an engineered holding facility for the fire protection and a private sewage disposal system. Two lots are currently proposed for this development. The rezoning request applies to the south lot. If approved, the south lot will be rezoned CR while the north lot remains A-2. The intention is for the north lot to be sold to an adjacent property owner with a Certificate of Survey to be filed which will contain the lot to the north of the proposed development and the property of the adjacent property owner.

ANALYSIS:

RURAL COMMERCIAL DISTRICT: The primary purpose for CR, Rural Commercial Districts is to create a district intended for the conduct of retail trade and to provide personal services to meet the regular needs and convenience of rural residents. It is anticipated that this district will be the predominately used commercial district in rural Norman. It is intended that this zoning district be located at the intersections of improved section line roads, but not required.

OPEN SPACE: There are no open space requirements for this development. However, the development is required to adhere to the setback and landscaping requirements for this zoning.

PARKING: The parking requirement for a development of this size is 36 parking spaces. Currently, the site plan depicts 36 parking spaces.

IMPACTS: There are no residences located to the north or to the west. The west property boundary of this development is heavily wooded as is the property to the west of this parcel, creating a buffer between any future residences on the western property. With the fire station located to the east, the closest residence is east of the fire station.

ACCESS: One driveway is proposed onto Alameda Drive, which has a good sight distance at this location. The site is large enough to function without an alley.

SITE PLAN: The CR zoning district imposes large building setback requirements, which the applicant has met. The site plan provides building setbacks, proposed building locations, parking areas and landscaping locations. Like all new commercial buildings, this project will follow the requirements of the commercial outdoor lighting standards.

OTHER AGENCY COMMENTS:

PARKS BOARD: No parkland dedication is needed for commercial development.

PUBLIC WORKS: Final approval of an acceptable sewage disposal system will accompany the final plat for this development. The Public Works Department supports the accompanying preliminary plat. The proposed retail use does not generate an extreme amount of traffic. Similar sized stores for this particular retailer generates between 142 and 285 vehicles per day depending on the population density.

STAFF RECOMMENDATION: This development offers a smaller scale retail alternative of the larger big box stores to rural residents. Since the location is next to the fire station this creates an acceptable use of this property. Staff supports this request for rezoning to place this 2.02 acres in the CR, Rural Commercial District.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

SEPTEMBER 13, 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 13th day of September 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions at least twenty-four hours prior to the beginning of the meeting.

Vice Chairman Chris Lewis called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

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

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Leah Messner, Asst. City Attorney Jeff Bryant, City Attorney Rick Hoffstatter, GIS Analyst Terry Floyd, Development Coordinator Scott Sturtz, City Engineer

* * *

Vice Chairman Lewis noted the request for postponement submitted by the applicant for Item 11, OSOI Tecumseh Development, L.L.C. and NE Development, L.L.C. (R-1213-36, O-1213-11, and PP-1213-4).

Curtis McCarty moved to postpone Item Nos. 11a, 11b and 11c until the October 11, 2012 Planning Commission meeting. Tom Knotts seconded the motion.

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

Item No. 12, being:
CONSIDERATION OF A REQUEST SUBMITTED BY NORMAN DOP VII, L.L.C.

12A. RESOLUTION NO. R-1213-37 – NORMAN DOP VII, L.L.C. REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-1213-4) FROM COUNTRY RESIDENTIAL DESIGNATION TO COMMERCIAL DESIGNATION FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF ALAMEDA DRIVE APPROXIMATELY ¼ MILE EAST OF 72ND AVENUE N.E.

ITEMS SUBMITTED FOR THE RECORD:
1. 2025 Map
2. Staff Report
3. Pre-Development Summary – 6/28/12

12B. ORDINANCE NO. O-1213-12 – NORMAN DOP VII, L.L.C. REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, TO CR, RURAL COMMERCIAL DISTRICT, FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF ALAMEDA DRIVE APPROXIMATELY ¼ MILE EAST OF 72ND AVENUE N.E.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report

12C. PP-1213-5 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY NORMAN DOP VII, L.L.C. (CORNERSTONE REGIONAL SURVEYING, L.L.C.) FOR DOLLAR GENERAL ALAMEDA ADDITION, FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF ALAMEDA DRIVE APPROXIMATELY ¼ MILE EAST OF 72ND AVENUE N.E.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Preliminary Site Plan
6. Greenbelt Enhancement Statement
7. Greenbelt Commission Summary

PRESENTATION BY STAFF:
1. Ms. Hudson – The first request is for a Land Use Plan amendment to go from Country Residential to Commercial Designation. The land use across the street is commercial, with institutional to the east, which is the fire station. They are currently zoned A-2; they're requesting the Rural Commercial District. They are purchasing the entire area, but the front section is the only area that they will be utilizing for their store. The site is completely undeveloped. The fire station is on the east side. Across the street there is currently a gas station and convenience store. Staff supports this request for both the Land Use and the rezoning. The applicant is here to answer any questions.

2. Mr. Knotts – Do you want to talk about the objections that have been raised about traffic – not numbers, but just the sight line. I drove to the location and drove around. It was a little difficult to see exactly what was being objected to, but I'm very familiar with problems with sight line and I'd just like to hear some comments about that.

3. Mr. Danner – The Traffic Division reviewed this and their statement was there was not a sight distance problem. I think that report is on page 12c-5. He said no negative traffic impacts are anticipated and also based on the location adequate sight distance will be available at the proposed site across the intersection with Alameda Drive.

4. Ms. Pailes – Is the driveway across from Oliphant Avenue? Is that where the main entrance is at? I kind of think so, but I'm not sure.

5. Mr. Danner – Yes. It could not line up to the drive approach. It has to be Oliphant, if you look at 12c-1. It will be lining up to Oliphant Street.

PRESENTATION BY THE APPLICANT:
None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Jim Gasaway moved to recommend adoption of Resolution No. R-1213-37, Ordinance No. O-1213-12, and approval of the Preliminary Plat for DOLLAR GENERAL ALAMEDA ADDITION to the City Council. Dave Boeck seconded the motion.

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

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

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1213-37, Ordinance No. O-1213-12, and recommend approval of the Preliminary Plat for DOLLAR GENERAL ALAMEDA 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-1213-5

File ID:	PP-1213-5	**Type:**	Preliminary Plat	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 62	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	08/16/2012
File Name:	Dollar General Alameda Prelim Plat			**Final Action:**	

Title: CONSIDERATION OF A PRELIMINARY PLAT FOR DOLLAR GENERAL ALAMEDA ADDITION. (GENERALLY LOCATED ON THE NORTH SIDE OF ALAMEDA DRIVE APPROXIMATELY ONE-FOURTH MILE EAST OF 72ND AVENUE N.E.)

ACTION NEEDED: Motion to approve or reject the preliminary plat for Dollar General Alameda Addition.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 62

Attachments: Text File Prelim Dollar, Attachment A.pdf, DollarGeneral Location Map, Dollar General Preliminary Plat, Dollar General Site Plan, Dollar General PPlat Staff Rpt, Dollar General Transportation Impacts, Dollar General GES, GBC 12-20_Norman _Alameda_ DOP VII for Dollar General_Comments to PC, 9-13-12 PC Minutes - Dollar General

Project Manager: Ken Danner, Subdivision Manager

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	09/13/2012	Recommended for Adoption at a subsequent City Council Meeting	City Council			Pass
	Action Text:	Recommended for Adoption at a subsequent City Council Meeting to the City Council					
1	Planning Commission	09/13/2012					

Text of Legislative File PP-1213-5

Body

BACKGROUND: This item is a preliminary plat for Dollar General Alameda Addition and is generally located on the north side of Alameda Drive and one-quarter of a mile east of 72nd Avenue NE. The property consists of 7.27 acres for two lots. Lot 1 consists of 2.02 acres, and Lot 2 consists of 5.25 acres. Private sanitary sewer systems will serve the two lots.

Planning Commission, at its meeting of September 13, 2012, recommended to City Council the amending of the NORMAN 2025 Land Use and Transportation Plan from Country Residential Designation to Commercial Designation. Also, Planning Commission recommended to City Council that a portion of this property be placed in CR, Rural Commercial and removed from A-2, Rural Agricultural Designation. At its same meeting, Planning Commission recommended to City Council the approval of the preliminary plat for Dollar General Alameda Addition.

DISCUSSION: The proposed development will feature the development of a 7,200 square foot stand alone discount store. As such, the development is expected to generate 100 trips per day and 36 PM peak hour trips. The trip generation potential for this development is well below the threshold for when a traffic impact study is required. Traffic capacities on nearby arterial roadways exceed the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated. See Attachment A.

Access to the proposed development will be on the north side of Alameda Drive directly opposite the new Oliphant Avenue approach to Alameda Drive and immediately west of Fire Station 6. A site visit was conducted on Friday, August 17, 2012, to determine if sufficient sight distance exists at the proposed site access location. With a 50 mph posted speed on Alameda Drive, the available sight distance at the proposed intersection with Alameda Drive should be equal to or greater than 590 feet. Based upon the observations during the sight visit, adequate sight distance will be available at the proposed site access intersection with Alameda Drive.
Public improvements for this property consist of the following:

1. Streets. Alameda Drive is existing. With the final platting, a ten foot (10') wide paved shoulder will be installed.

2. Sanitary Sewer. This property will utilize a private sanitary sewer system for Lot 1. Its approval will be subject to City of Norman and State Department of Environmental Quality Standards.

3. Drainage. A privately maintained detention facility will be utilized for Lot 1. No development is proposed for Lot 2.

4. Fire Protection. The City of Norman Fire Department, located east of the property, will provide fire protection for the facility. The store will utilize a facility for storage in order to provide fire protection. This will be a privately maintained facility.

5. Public Dedications. All rights-of-way and easements will be dedicated to the City.

STAFF RECOMMENDATIONS: Currently, the owner is going through the rezoning/platting

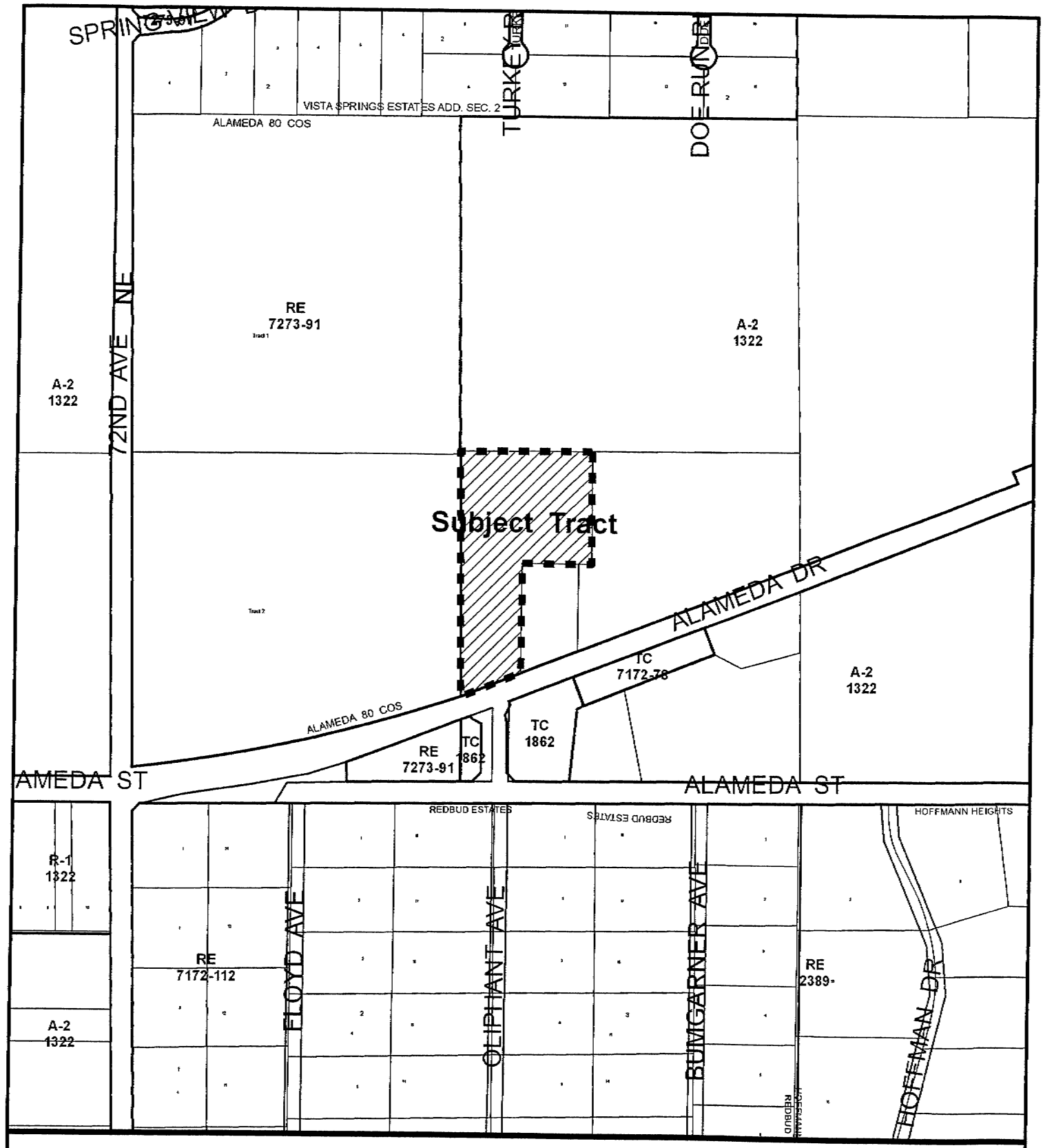
process in order to construct a Dollar General store on Lot 1. The preliminary plat indicates how Lot 2 could be developed, however, the plans for Lot 2 is to sell the property to an adjacent property owner that will incorporate into his ownership by means of a certificate of survey at the time of final platting of the store.

Staff recommends approval of the preliminary plat for the Dollar General Alameda Addition subject to the approval of the Land Use Plan Change and Ordinance No. O-1213-12.

ATTACHMENT A

PRELIMINARY PLAT
DOLLAR GENERAL ALAMEDA ADDITION

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)
Alameda Drive	2	2,268	100	2,368	17,100	13.26	13.85



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

June 6, 2012

0 250 500 Ft.

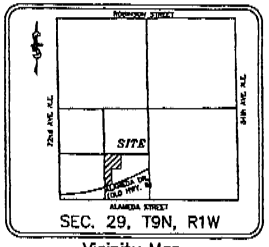
Subject Tract

Zoning

DOLLAR GENERAL ALAMEDA

a PRELIMINARY PLAT

located in the SE/4 of the SW/4 of Section 29
Township 9 North, Range 1 West
Norman, Cleveland County, Oklahoma



SEC. 29, T9N, R1W

Vicinity Map
Not To Scale

Zoning Information

Property is currently zoned Agricultural, proposed zoning "CR" Rural Commerical and is subject to the following:

FRONT SETBACK:	50 FEET
REAR SETBACK:	50 FEET
SIDE SETBACKS:	25 FEET
BULK RESTRICTIONS:	N/A
HEIGHT RESTRICTIONS:	N/A
PARKING RESTRICTIONS:	1 PER 200 SQ. FT. RETAIL SPACE

ALL QUESTIONS CONCERNING ZONING OR SITE RESTRICTION SHOULD BE DIRECTED TO:

JANE HUDSON
405-366-5344

Miscellaneous Notes

(A) The bearings shown hereon are based upon the Oklahoma South Zone State Plane Coordinate System & City of Norman GIS Mapping project. Pt. No. 174, N:651913.59, E:2182788.51

(B) This survey does not reflect any easements, rights-of-way or other instruments of record except those reflected in the title commitment.

(C) Underground utilities are shown by above ground markings provided by others.

(D) There is no evidence of subject site being used as a solid waste dump or sanitary land fill.

(E) There is no evidence of subject site being used as a burial ground or cemetery.

(F) Vertical Datum: Benchmark No. 2, per BDL Addition Final Plat, "x" cut on the West nose of island approximately 15' South of Alameda Dr. & 125' East of Oliphant Ave. ELEVATION 1175.00

(G) The property has direct access to Alameda Drive (Old Highway No. 9), a public right-of-way, creating no strips, gaps or gores.

(H) The tract shown on this survey is one and the same as that tract named on the purchase contract as property tax ID No. R00668105.

(I) The site address is unknown.

Utility Information

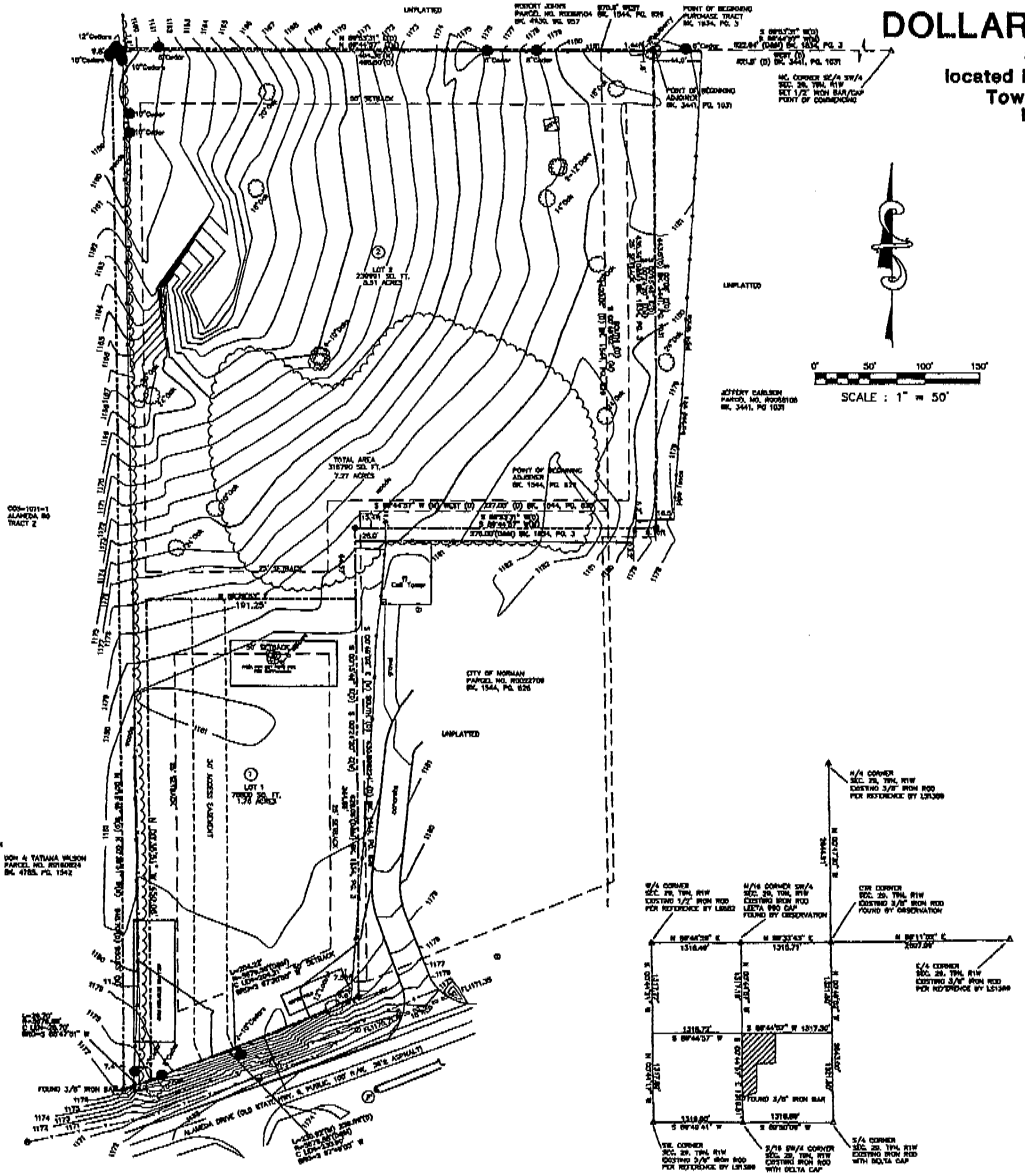
Utilities located by Oklahoma One-Call. Private lines may not be located. NOT ALL UTILITIES WERE MARKED AT THE TIME OF THE SURVEY.

UTILITY COMPANIES

USIC/OKC/NORMAN
NCA/N/OKLAHOMA ELEC CO-OP
CITY OF NORMAN
USIC/OGE
USIC/AT&T

Flood Note

No portion of the Property lies within a Special Flood Hazard Area, as described on the Flood Insurance Rate Map for the community in which the Property is located. This Property lies within Flood Zone "X" according to Flood Insurance Rate Map, Community Number 400177 C 0305 H, effective date September 26, 2008. Zone "X" equals, areas determined to be outside the 0.2% annual chance floodplain.



Boundary Description

Union Baptist Association
Deed Book 1934, Page 3

Part of SE/4, SW/4, Section 29, T9N, R1W, Cleveland County, Oklahoma, more particularly described as follows: Commencing at the NE Corner of SE/4 SW/4 of said Section, Thence S. 89°53'31" W., 612.84' to the true point of beginning; Thence S. 0°19'49" E., a distance of 436.54'; Thence S. 89°53'31" W., a distance of 275.00'; Thence S. 0°19'49" E., a distance of 428.09' to a point on State Highway No. 9 (NW); Thence along said NW'ly on a curve to the right having a radius of 8979.99' a distance of 224.99'; Thence N. 0°19'49" W., a distance of 845.70'; Thence N. 89°53'31" E. a distance of 499.87' to the point of beginning, Containe 7.26 acres more of less.

LESS AND EXCEPT all interest in and to the oil, gas and other minerals previously conveyed; and subject to all easements and rights-of-way and restrictive covenants of record.

AS-SURVEYED DESCRIPTIONS (written by R. Gary Walker, LS 1443, April 30, 2012)

A tract of land located in a portion of the Southeast Quarter of the Southwest Quarter (SE/4 SW/4) Section Twenty-nine (29), Township Nine (9) North, Range One (1) West, Cleveland County, Oklahoma, more particularly described as follows: Commencing at the Northeast corner of the Southeast Quarter of the Southwest Quarter (NE/C SE/4 SW/4) of said Section 29;
Thence South 89°44'03" West (S. 89°53'31" W.-deed), a distance of 622.84 feet to the Point of Beginning;
Thence South 00°39'20" East (S. 0°19'49" E.-deed), a distance of 436.54 feet;
Thence South 89°16'31" West (S. 89°53'31" W.-deed), a distance of 275.00 feet;
Thence South 00°34'20" East (S. 0°19'49" E.-deed), a distance of 428.09 feet to a point on the Old State Highway No. 9 Northerly right-of-way; Thence following said Northerly right-of-way line, along a non-tangent curve to the right having a radius of 8979.99 feet, an arc length 250.02 feet (236.09'-deed), a chord bearing of South 07°48'02" West and chord length of 250.00 feet to the West line of the Southeast Quarter of the Southwest Quarter;
Thence North 00°39'51" West (N. 0°19'49" W.-deed), along said West line, a distance of 850.89 feet (845.70'-deed) to the North line of the Southeast Quarter of the Southwest Quarter;
Thence North 89°44'03" East (N. 89°53'31" E.-deed), along said North line, a distance of 494.36 feet (499.87'-deed) to the Point Of Beginning.

Legend of Symbols & Abbreviations

○	Existing 1/2" Iron Rod, Origin Unknown Unless Otherwise Noted	(M)	Measured Dimension
●	Set 1/2" Iron Rod/Cap Unless Otherwise Noted	(D)	Deed Dimension
◆	Existing Mag Nail	RCP	Reinforced Concrete Pipe
△	Section Corner	CMP	Corrugated Metal Pipe
	Boundary Line	WM	Water Meter
	Setback Line	GW	Guy Wire
	Easement Line	GM	Gas Meter
	Overhead Electric	TP	Telephone Riser Box
	Water Line	SMH	Sanitary Sewer Manhole
	Buried Telephone Line	SCO	Sanitary Sewer Cleanout
	Gas Line	WV	Water Valve
	Sanitary Sewer Line	Bush	
	Fence	Stump	
	Electric Meter	Tree (as labeled)	
	Fire Hydrant	Gas Vlvb	
	Water Valve	Bollard	
	Light Pole	Power Pole	
	Yard Hydrant	Mailbox	
	Sign	Climate Control Unit	

OWNER OF RECORD
Union Baptist Association
1837 Eskridge Ave.
Norman, OK 73069

SURVEYOR
GBT Realty Corp.
9010 Overlook Blvd.
Brentwood, TN 37027

ENGINEER
Graham, Smith and Pumpus
1400 Nashville City Center
511 Union St.
Nashville, TN 37916-1733

SURVEYOR
Cornerstone Regional Surveying, LLC
1921 N. Penn Ave.
Independence, KS 67301

CORNERSTONE REGIONAL SURVEYING, L.L.C.
1921 N. Penn 67301
Independence, KS 67301
Phone: 620-331-5787
Certificate of Authority #3212
Expires June 30, 2012

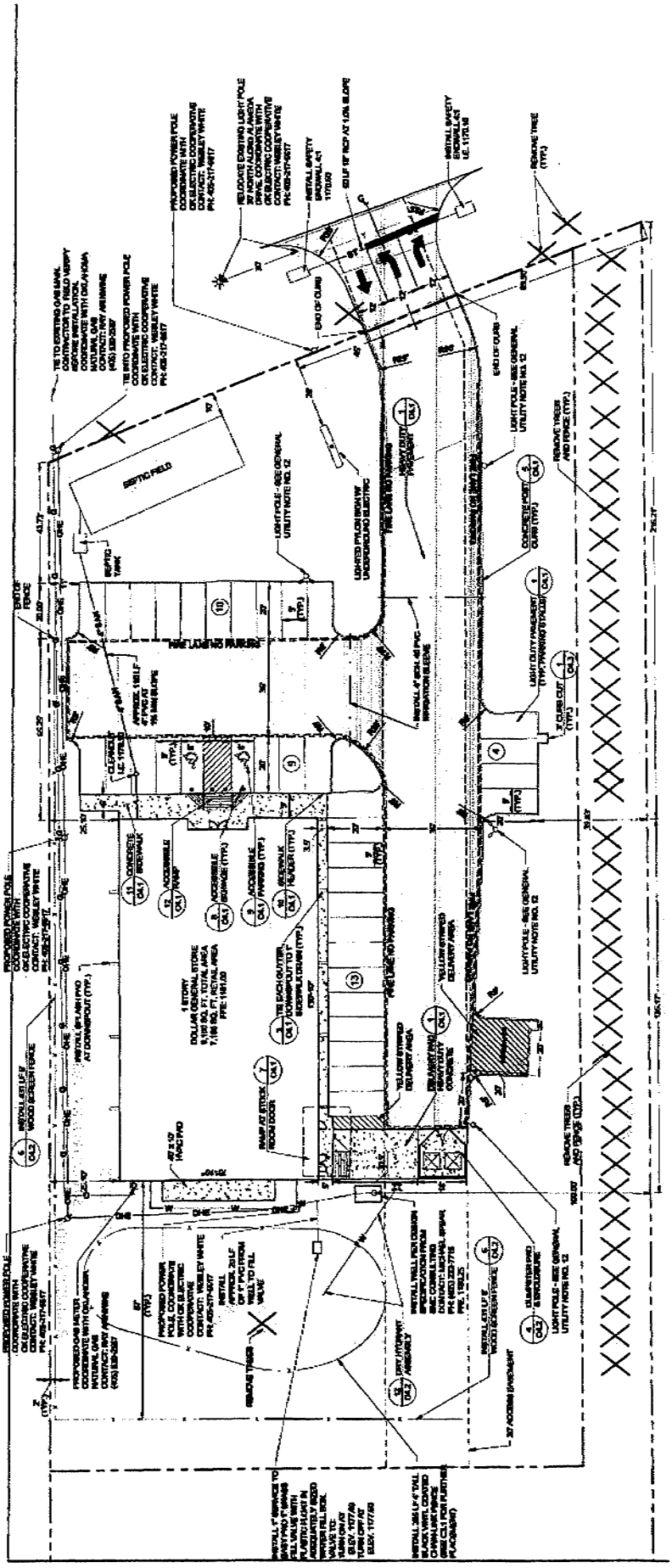
DRAWN BY: DLB	JOB NO: 1-12040SPLAT	
DESIGNED BY: RGW	DRAWING:	
	DATE: 5/27/12	

PREPARED FOR:
GBT REALTY CORP.

PRELIMINARY PLAT DOLLAR GENERAL ALAMEDA
in a portion of the SE/4 of the SW/4 of
SECTION 29, TOWNSHIP 9 NORTH, RANGE 1 WEST
NORMAN, CLEVELAND COUNTY, OKLAHOMA

DOLLAR GENERAL ALAMEDA

PRELIMINARY SITE PLAN



PRELIMINARY PLAT ITEM NO. 12c

ITEM: Consideration of a Preliminary Plat for DOLLAR GENERAL ALAMEDA ADDITION.

LOCATION: Generally located on the north side of Alameda Drive approximately one-quarter of a mile east of 72nd Avenue NE.

INFORMATION:

1. Owner: Union Baptist Association
2. Applicant. Norman DOP VII, LLC.
3. Engineer. Gresham, Smith and Partners Land Planning and Design Services
4. Surveyor. Cornerstone Regional Surveying, PLLC

HISTORY:

1. October 30, 1961. Planning Commission recommended to City Council that this property be placed in A-2, Rural Agricultural District.
2. December 12, 1961. City Council adopted Ordinance No. 1322 placing this property in the A-2, Rural Agricultural District.
3. September 13, 2012. Planning Commission is scheduled to consider a request to amend the NORMAN 2025 Land Use and Transportation from Country Residential Designation to Commercial Designation.
4. September 13, 2012. Planning Commission is scheduled to consider a request to place this property in the CR, Rural Commercial, and remove it from A-2 zoning classification.

IMPROVEMENT PROGRAM:

1. Fire Protection. Fire protection will be provided by the Norman Fire Department. The developer has proposed a holding facility fed by a water well to assist the Fire Department.

2. Permanent Markers. Permanent markers will be installed prior to filing of the final plat.

3. Sanitary Sewers. A private septic system will be installed in accordance with City and Department of Environmental Quality standards.

4. Sidewalks. Sidewalks are not required.

5. Streets. A ten foot (10') width paved shoulder will be installed as part of the public improvements with the final plat.

6. Water. A water well will be installed in accordance with City and State Department of Environmental Quality Standards.

PUBLIC DEDICATIONS:

1. Easements. All required easements will be dedicated to the City on the final plat.

2. Rights-of-Way. Existing street right-of-way is adequate.

SUPPLEMENTAL MATERIAL: Copies of a location map, site plan and preliminary plat are included the Agenda Book.

STAFF COMMENTS AND RECOMMENDATION: Since the preliminary plat is an increment to the rezoning, Staff recommends approval of the preliminary plat subject to approvals of the Land Use Plan change and CR zoning.

ACTION NEEDED: Recommend approval or disapproval of the preliminary plat for Dollar General Alameda Addition to the City Council.

ACTION TAKEN:_____

CITY OF NORMAN
Development Review Form
Transportation Impacts

DATE: August 20, 2012 **STAFF REVIEW BY:** David R. Riesland, P.E.
City Traffic Engineer

PROJECT NAME: Dollar General Alameda **PROJECT TYPE:** Commercial
Owner: Union Baptist Association
Developer's Engineer: Cornerstone Regional Survey
Developer's Traffic Engineer: None

SURROUNDING ENVIRONMENT (Streets, Developments)
Residential developments surround the project location with two exceptions. Commercial is located across Alameda Drive, and institutional use (a fire station) exists on the north side of Alameda Drive to the east of the site.

ALLOWABLE ACCESS:
Proposed access opposite Oliphant Avenue is in accordance with Section 4018 of the City's Engineering Design Criteria.

EXISTING STREET CHARACTERISTICS (Lanes, Speed Limits, Sight Distance, Medians)
Alameda Drive: 2 lanes (existing) / 2 lanes (future). Speed Limit - 50 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	100	50	50
A.M. Peak Hour	8	5	3
P.M. Peak Hour	36	18	18

TRANSPORTATION IMPACT STUDY REQUIRED? **YES** ☐ **NO** ■

RECOMMENDATION: **APPROVAL** ■ **DENIAL** ☐ **N/A** ☐ **STIPULATIONS** ☐

Recommendations for Approval refer only to the transportation impact and do not constitute an endorsement from City Staff.

The proposed development will feature the development of a 7,200 square foot stand alone discount store. As such, the development is expected to generate 100 trips per day and 36 PM peak hour trips. The trip generation potential for this development is well below the threshold for when a traffic impact study is required. Traffic capacities on nearby arterial roadways exceed the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated.

Access to the proposed development will be on the north side of Alameda Drive directly opposite the new Oliphant Avenue approach to Alameda Drive and immediately west of Fire Station 6. A site visit was conducted on Friday, August 17, 2012, to determine if sufficient sight distance exists at the proposed site access location. With a 50 mph posted speed on Alameda Drive, the available sight distance at the proposed intersection with Alameda Drive should be equal to or greater than 590 feet. Based upon the observations during the sight visit, adequate sight distance will be available at the proposed site access intersection with Alameda Drive.

Pre-Development Case No. PD12-24 Greenbelt Case No._____

Date: 6-28-12

NORMAN GREENBELT ENHANCEMENT STATEMENT

The Norman City Council established the Norman Greenbelt Commission and charged the group with reviewing proposed developments in order to increase the preservation of beneficial green spaces and to identify trail system opportunities in new developments where appropriate. This Greenbelt Enhancement Statement was developed to aid the Commission in assessing new developments to insure that green space and trail opportunities are included, whenever possible.

As part of your application and submittal for a Pre-Development Meeting, the City of Norman ordinances require that you complete this Greenbelt Enhancement Statement to address the Greenbelt Commission's review and leave it with City of Norman staff at the same time you submit the required information for a Pre-Development Meeting.

Attached are copies of the three (3) applicable sections of the adopted Greenbelt Ordinance, Sections 4-2023A, 4-2026 and 4-2028, these guidelines will be your reference while completing this Enhancement Statement, please see pages 4-8.

At the time you submit your application for a Pre-Development Meeting, you will be provided with the date of the Pre-Development Meeting and the date of the next Greenbelt Commission Meeting. You are urged to attend the Greenbelt Commission Meeting where you will be given an opportunity to present information, discuss your proposed development, and to answer questions the Greenbelt Commission might have regarding your submittal. Based upon the review and discussion at the Greenbelt Commission Meeting, the Greenbelt Commission will make comments and recommendations about your proposal. Those comments and recommendations will be recorded and provided to you after the meeting minutes have been prepared. The comments and recommendations will also be forwarded to the Planning Commission and City Council as part of their agenda packets whenever you make an application to them for consideration of your proposed development. Should you have any questions about this process or any of the below questions, please feel free to contact the City of Norman Greenbelt Commission staff at 405-366-5322.

Greenbelt Enhancement Statement for Proposed Developments

Applicant Name: NORMAN (ALAMEDA) DOR VII, LLC Date: 6/4/2012

Contact Person: Austin Rogers Telephone/Fax/Email: 615-370-0670

Name of Development Dollar General Area (Acres) 7.2

General Location Alameda Dr., Norman, OK

Type of Development (please check) Residential___ Commercial ✓ Industrial___ Other___

1. Briefly explain the kind of development, types of buildings/uses, or character of your proposal.

   9100 S.F Retail business

2. Does your proposed development or project incorporate open space(s)?
   Yes ✓ No ____

   Please check what type(s) of open space is proposed within your development:

Park:	____ Yes ✓ No	____ Public ____ Private
Open Space:	✓ Yes ____ No	____ Public ✓ Private
Detention Pond:	✓ Yes ____ No	____ Public ✓ Private
Parking Lot Landscape:	✓ Yes ____ No	____ Public ____ Private
Floodplain/Creek:	____ Yes ✓ No	____ Public ____ Private

   Other _____

   If the above noted areas are accessible via some other arrangement please explain.

3. Does the open space for this development include some kind of trail or path that meets the definitions contained in 4-2023A of the attached guidelines? (Indicate all that are applicable.)

Public Sidewalks (4-5' wide)	____ Yes	✓ No
Natural Trails (compacted earth 8-10' wide)	____ Yes	✓ No
Parkway Trails (durable surface 6-8' wide)	____ Yes	✓ No
Neighborhood Trails (durable or paved, 6-10' wide)	____ Yes	✓ No
Community Wide Trails (paved, 10-12' wide)	____ Yes	✓ No
Specialized Trails (equestrian, water, etc)	____ Yes	✓ No

   Other _____

4. Identify schools, recreational areas (parks, playgrounds), commercial sites, or other public open spaces within ½ mile of your proposed development. (If there are no such areas within the ½ mile radius please state such and skip question 5.)

   N/A

5. Projects in close proximity to schools, recreational areas (parks, playgrounds), commercial sites, and residential neighborhoods should, ideally, allow connection points promoting non-motorized transportation between key areas. Please describe how the proposed development plan accommodates those using alternative transportation, such as walkers and bicyclists? Examples include sidewalks connecting key areas, designated bike paths, and bike parking. (If there is no such connectivity please state such.)

6. Please check, from the following (or make a list), the geographical and/or environmental factors in your development that might offer opportunities for greenbelts and trails, per the attached guidelines.

Storm water channels ____
Detention ponds ✓
Floodplains____
Stream bank/Riparian corridors____
Utility Easements____
Abandoned/Active RR corridors____
Other_____

How will your development incorporate those elements noted into greenbelts and trails?

7. If, after reviewing the above questions, you feel like your proposed development or project has no opportunities to add to nor detract from the City of Norman Greenbelt System, please explain briefly below. (Any comments you feel will help the Commission understand your intent to develop the area.)

We have a rather large open space on the lot to be developed, however said location does NOT appear to be NEAR the NORMAN GREENBELT System.

Signature of Applicant or Contact Person: _____

GREENBELT COMMISSION COMMENTS AND SUGGESTIONS ABOUT PROPOSED DEVELOPMENT AS SUBMITTED FOR PLANNING COMMISSION AND CITY COUNCIL CONSIDERATION (MAY ATTACH AS SEPARATE SHEET):

VOTE BY COMMISSION: _____

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

SEPTEMBER 13, 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 13th day of September 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions at least twenty-four hours prior to the beginning of the meeting.

Vice Chairman Chris Lewis called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

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

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Leah Messner, Asst. City Attorney Jeff Bryant, City Attorney Rick Hoffstatter, GIS Analyst Terry Floyd, Development Coordinator Scott Sturtz, City Engineer

* * *

Vice Chairman Lewis noted the request for postponement submitted by the applicant for Item 11, OSOI Tecumseh Development, L.L.C. and NE Development, L.L.C. (R-1213-36, O-1213-11, and PP-1213-4).

Curtis McCarty moved to postpone Item Nos. 11a, 11b and 11c until the October 11, 2012 Planning Commission meeting. Tom Knotts seconded the motion.

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

Item No. 12, being:
CONSIDERATION OF A REQUEST SUBMITTED BY NORMAN DOP VII, L.L.C.

12A. RESOLUTION NO. R-1213-37 – NORMAN DOP VII, L.L.C. REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-1213-4) FROM COUNTRY RESIDENTIAL DESIGNATION TO COMMERCIAL DESIGNATION FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF ALAMEDA DRIVE APPROXIMATELY ¼ MILE EAST OF 72ND AVENUE N.E.

ITEMS SUBMITTED FOR THE RECORD:
1. 2025 Map
2. Staff Report
3. Pre-Development Summary – 6/28/12

12B. ORDINANCE NO. O-1213-12 – NORMAN DOP VII, L.L.C. REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, TO CR, RURAL COMMERCIAL DISTRICT, FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF ALAMEDA DRIVE APPROXIMATELY ¼ MILE EAST OF 72ND AVENUE N.E.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report

12C. PP-1213-5 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY NORMAN DOP VII, L.L.C. (CORNERSTONE REGIONAL SURVEYING, L.L.C.) FOR DOLLAR GENERAL ALAMEDA ADDITION, FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF ALAMEDA DRIVE APPROXIMATELY ¼ MILE EAST OF 72ND AVENUE N.E.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Preliminary Site Plan
6. Greenbelt Enhancement Statement
7. Greenbelt Commission Summary

PRESENTATION BY STAFF:
1. Ms. Hudson – The first request is for a Land Use Plan amendment to go from Country Residential to Commercial Designation. The land use across the street is commercial, with institutional to the east, which is the fire station. They are currently zoned A-2; they're requesting the Rural Commercial District. They are purchasing the entire area, but the front section is the only area that they will be utilizing for their store. The site is completely undeveloped. The fire station is on the east side. Across the street there is currently a gas station and convenience store. Staff supports this request for both the Land Use and the rezoning. The applicant is here to answer any questions.

2. Mr. Knotts – Do you want to talk about the objections that have been raised about traffic – not numbers, but just the sight line. I drove to the location and drove around. It was a little difficult to see exactly what was being objected to, but I'm very familiar with problems with sight line and I'd just like to hear some comments about that.

3. Mr. Danner – The Traffic Division reviewed this and their statement was there was not a sight distance problem. I think that report is on page 12c-5. He said no negative traffic impacts are anticipated and also based on the location adequate sight distance will be available at the proposed site across the intersection with Alameda Drive.

4. Ms. Pailes – Is the driveway across from Oliphant Avenue? Is that where the main entrance is at? I kind of think so, but I'm not sure.

5. Mr. Danner – Yes. It could not line up to the drive approach. It has to be Oliphant, if you look at 12c-1. It will be lining up to Oliphant Street.

PRESENTATION BY THE APPLICANT:
None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Jim Gasaway moved to recommend adoption of Resolution No. R-1213-37, Ordinance No. O-1213-12, and approval of the Preliminary Plat for DOLLAR GENERAL ALAMEDA ADDITION to the City Council. Dave Boeck seconded the motion.

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

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

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1213-37, Ordinance No. O-1213-12, and recommend approval of the Preliminary Plat for DOLLAR GENERAL ALAMEDA ADDITION to the City Council, passed by a vote of 7-0.

* * *

GBC 12-20

Applicant: Norman (Alameda) DOP VII, LLC for Dollar General
Location: Generally located on the north side of Alameda Drive approximately 1,300 feet east of 72nd Avenue NE.
Proposal: Land Use Plan Amendment and Rezoning for Commercial

Greenbelt Commission Final Comments - GBC 12-20
Meeting of June 18, 2012

The Greenbelt Commission was unable to convene their meeting on June 18, 2012 due to a lack of a quorum; therefore, no comments are forwarded.

City of Norman, OK

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

Master

File Number: O-1213-13

File ID:	O-1213-13	**Type:**	Ordinance	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 63	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	08/16/2012
File Name:	O-1213-13 O-1213-13 Absentee Shawnee Setback Amend			**Final Action:**	

Title: ORDINANCE NO. O-1213-13: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE PROVISIONS OF ORDINANCE NO. 1862 SO AS TO ESTABLISH A REVISED SETBACK REQUIREMENT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE NORTH SIDE OF LITTLE AXE DRIVE APPROXIMATELY 775 FEET EAST OF 156TH AVENUE N.E.)

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-13 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-13 upon Final Reading as a whole.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 63

Attachments: Text File Absentee Shawnee, O-1213-13 Absentee, Absentee Shawnee Location Map, Absentee Shawnee Daycare Staff Rpt, 9-13-12 PC Minutes - Absentee Shawnee Daycare

Project Manager: Jane Hudson, Principal Planner

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	09/13/2012	Recommended for Adoption at a subsequent City Council Meeting	City Council	Pass
	Action Text:	Recommended for Adoption at a subsequent City Council Meeting to the City Council			
1	Planning Commission	09/13/2012			
1	City Council	10/09/2012	Introduced and adopted on First Reading by title only		Pass
	Action Text:	Introduced and adopted on First Reading by title only			

Text of Legislative File O-1213-13

Body

BACKGROUND: This is a request for an amendment to the setback requirement of an existing zoning Ordinance, No. 1862. In February, 1966 this ordinance established a 185-foot building setback line from the section line road in existence at that time. The submitted proposal at that time was an intense retail development with a proposed sporting goods store, lodge, tourist retail store, and cafe. The intent was to keep these uses as far from Highway No. 9 as possible. As a result, the 185-foot building setback was imposed.

DISCUSSION: The applicant, Absentee Shawnee Tribe of Oklahoma, recently improved the land which includes the Absentee Shawnee Tribe Health Center located on the property. That development removed the direct access from Highway No. 9 and created a cul-de-sac on what was previously E. Robinson St./Little Axe Drive where the connection to the section line road previously existed. As a result of the removal of the connection with Highway No. 9 and the type of development that has occurred and is proposed, there is no need for the setback to remain in place. The standard 50-foot setback requirement is proposed in its place. The 185-foot setback would run through the side of the proposed daycare facility as it is proposed, creating an issue for the applicant.

RECOMMENDATION: The 185-foot setback is no longer needed and the standard 50-foot setback is appropriate. Staff supports this request and recommends approval of Ordinance No. O-1213-13. At their meeting of September 13, 2012, the Planning Commission, by a vote of 7-0, recommended adoption of this ordinance.

O-1213-13

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE PROVISIONS OF ORDINANCE NO. 1862 SO AS TO ESTABLISH A REVISED SETBACK REQUIREMENT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE NORTH SIDE OF LITTLE AXE DRIVE APPROXIMATELY 775 FEET EAST OF 156TH AVENUE N.E.)

§ 1. WHEREAS, Absentee Shawnee Tribe of Oklahoma Daycare, the owner of the hereinafter described property, has made application to revise the setback requirements approved by Ordinance No. 1862; 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 amendment; 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 amendment.

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

§ 4. That Section 4.V.a of Ordinance No. 1862 of the Code of the City of Norman, Oklahoma, is hereby amended so revise the setback requirements from 185 feet to 50 feet for the south property line for property described as follows:

A part of the E/2 of the SW/4 of Section 21, T9N, R1E of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows:

Commencing at the SE/C of said E/2, SW/4;
THENCE North 00°39'15" West along the east line of said E/2, SW/4, a distance of 95.00 feet to the POINT OF BEGINNING;
THENCE South 89°44'15" West parallel with the south line of said E/2, SW/4, a distance of 659.67 feet;
THENCE South 00°14'20" East a distance of 45.00 feet;
THENCE South 89°44'15" West parallel with the south line of said E/2, SW/4, a distance of 662.13 feet to a point on the west line of the E/2, SW/4, 50.00 feet North 00°38'30" West of the SW/C of said E/2, SW/4;
THENCE North 00°38'30" West along the west line of said E/2, SW/4, a distance of 610.00 feet;
THENCE North 89°44'15" East a distance of 1322.00 feet to a point of the east line of said E/2, SW/4;
THENCE South 00°39'15" East along the east line of said E/2, SW/4, a distance of 565.00 feet to the POINT OF BEGINNING

Said tract contains 776,746.82 square feet or 17.82 acres of land, 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.

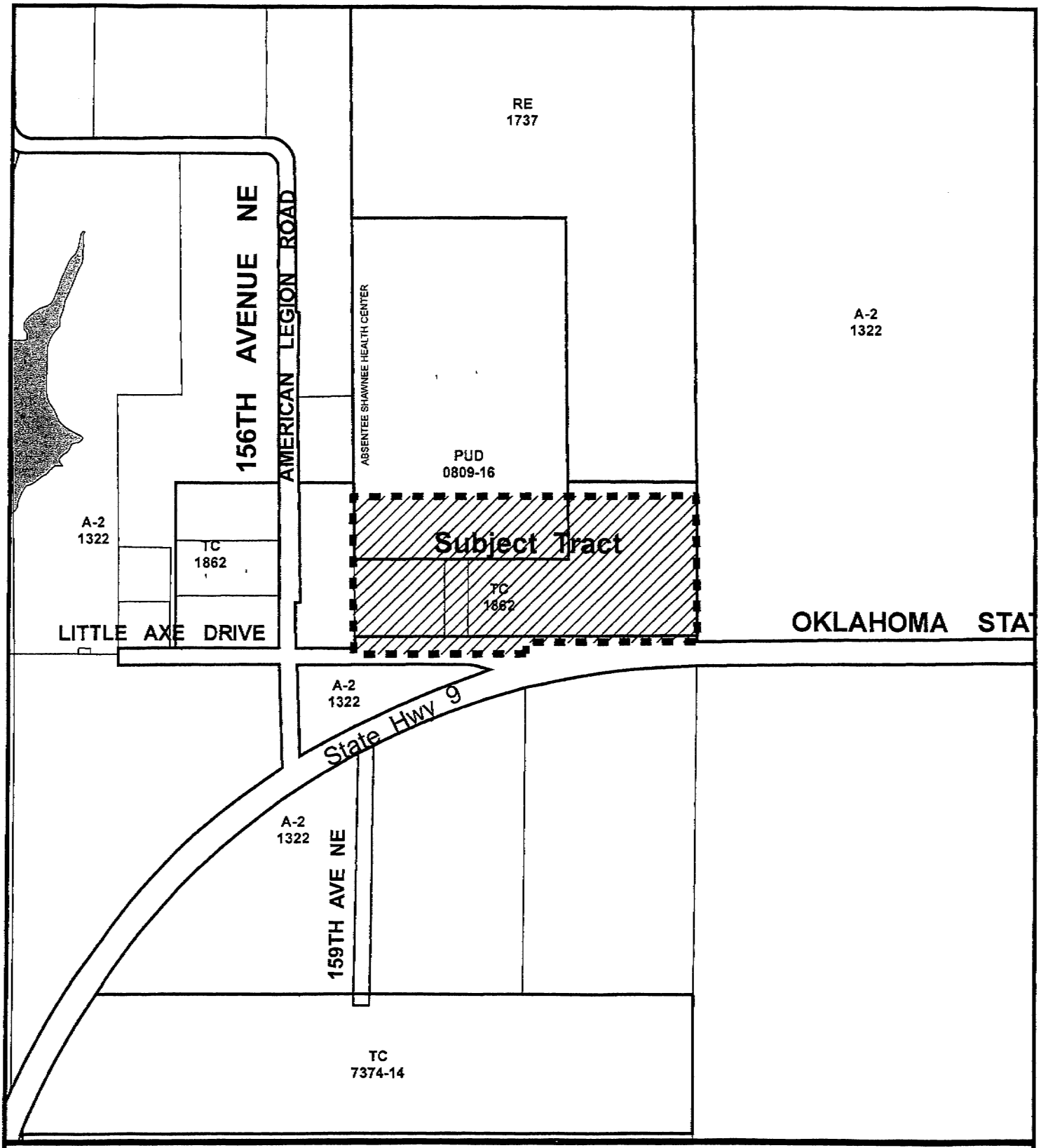
_____
Mayor

ATTEST:

_____
City Clerk

NOT ADOPTED this _____day of _____, 2012.

_____
Mayor



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.

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August 20, 2012

0 250 500 Ft.

Subject Tract

Zoning

O-1213-13 ITEM NO. 13a

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Absentee Shawnee Tribe of Oklahoma Daycare
REQUESTED ACTION	Amendment of the 185' setback line established by Ordinance No. 1862 (February 1966)
EXISTING ZONING	TC, Tourist Commercial District
SURROUNDING ZONING	North: PUD, Planned Unit Development East: TC, Tourist Commercial South: A-2, Rural Agricultural District West: TC, Tourist Commercial
LOCATION	North side of Little Axe Drive approximately 775' east of 156th Avenue N.E.
SIZE	2.5 Acres
PURPOSE	Daycare Facility
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Institutional East: Vacant South: Casino/Restaurant West: Vacant
2025 LAND USE PLAN DESIGNATION	Commercial

SYNOPSIS: This is a request for an amendment to the setback requirement of an existing zoning ordinance, No. 1862. In February, 1966 this ordinance established a 185-foot building setback line from the section line road in existence at that time. The submitted proposal at that time was an intense retail development with a proposed sporting good store, lodge, tourist retail store and cafe. The intent was to keep these uses as far from Highway No. 9 as possible. As a result, the 185-foot building setback was imposed. The applicant, Absentee Shawnee Tribe of Oklahoma, has recently improved the land which includes the Absentee Shawnee Tribe Health Center located on the property. This development removed the direct access from Highway No. 9 and created a cul-de-sac on what was previously E. Robinson

St./Little Axe Drive where the connection to the section line road previously existed. As a result of the removal of the connection with Highway No. 9 and the type of development that has occurred and is proposed, there is no need for the setback to remain in place. The standard 50-foot setback requirement is proposed in its place. The 185-foot setback would run through the side of the proposed daycare facility as it is proposed, creating an issue for the applicant.

STAFF RECOMMENDATION: The 185-foot setback is no longer needed and the standard 50-foot setback is appropriate. Staff supports this request and recommends approval of Ordinance No. O-1213-13.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

SEPTEMBER 13, 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 13th day of September 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions at least twenty-four hours prior to the beginning of the meeting.

Vice Chairman Chris Lewis called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

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

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Leah Messner, Asst. City Attorney Jeff Bryant, City Attorney Rick Hoffstatter, GIS Analyst Terry Floyd, Development Coordinator Scott Sturtz, City Engineer

* * *

Vice Chairman Lewis noted the request for postponement submitted by the applicant for Item 11, OSOI Tecumseh Development, L.L.C. and NE Development, L.L.C. (R-1213-36, O-1213-11, and PP-1213-4).

Curtis McCarty moved to postpone Item Nos. 11a, 11b and 11c until the October 11, 2012 Planning Commission meeting. Tom Knotts seconded the motion.

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

Item No. 13, being:
CONSIDERATION OF A REQUEST SUBMITTED BY ABSENTEE SHAWNEE TRIBE OF OKLAHOMA

13A. ORDINANCE NO. O-1213-13 – ABSENTEE SHAWNEE TRIBE OF OKLAHOMA DAYCARE REQUESTS AMENDMENT OF THE 185' SETBACK LINE ESTABLISHED IN ORDINANCE NO. 1862 TO ACCOMMODATE DEVELOPMENT OF A DAY CARE FACILITY GENERALLY LOCATED ON THE NORTH SIDE OF LITTLE AXE DRIVE AND APPROXIMATELY 775' EAST OF 156TH AVENUE N.E.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report

13B. PP-1213-6 – CONSIDERATION OF A REVISED PRELIMINARY PLAT SUBMITTED BY ABSENTEE SHAWNEE TRIBE OF OKLAHOMA DAYCARE (CARDINAL ENGINEERING) FOR ABSENTEE SHAWNEE HEALTH CENTER ADDITION, FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF LITTLE AXE DRIVE AND APPROXIMATELY 775' EAST OF 156TH AVENUE N.E.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Site Plan
6. Pre-Development Summary – 7/26/12
7. Greenbelt Enhancement Statement
8. Greenbelt Commission Summary

PRESENTATION BY STAFF:
1. Mr. Danner – The request is for an amendment to a 185' setback requirement that was established in 1966. It was a condition with an ordinance for this property. The original proposal was very intense retail businesses relating to Lake Thunderbird. Since that time, of course, Absentee Shawnee Tribe has purchased the property and has put in a health center. Now their proposal is to put in a daycare center. The 185' rule would go through the middle of the proposed daycare center. I think the intent back at that time was to try to put the businesses as far back from Highway 9 as possible. With that intense activity no longer proposed, staff does not see an opposition to carry the standard 50' setback requirement of the TC ordinances. That's what their proposal is – to go from 185' to 50'.

2. Mr. McCarty – Would there ever be a chance that the highway would be widened and that would affect their building?

3. Mr. Danner – No. Because Little Axe Drive separates Highway 9 and this property. In fact, Little Axe Drive has a cul-de-sac now, which the Absentee Shawnee Tribe constructed and did the disconnect that used to be at Highway 9, which was very dangerous if anyone remembers that connection. That's another point that we feel like there is less likelihood of an encroachment of the highway or this property relating to Highway 9. Conditions and changes have been made.

PRESENTATION BY THE APPLICANT:
None

AUDIENCE PARTICIPATION:
None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Jim Gasaway moved to recommend adoption of Ordinance No. O-1213-13 and the approval of the Revised Preliminary Plat for ABSENTEE SHAWNEE HEALTH CENTER ADDITION 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, Cindy Gordon, Tom Knotts, Curtis McCarty, Roberta Pailes, Chris Lewis
NAYES	None
ABSENT	Diana Hartley, Andy Sherrer

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-1213-13 and approval of the Revised Preliminary Plat for ABSENTEE SHAWNEE HEALTH CENTER 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-1213-6

File ID:	PP-1213-6	**Type:**	Preliminary Plat	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 64	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	08/16/2012
File Name:	Absentee Shawnee Daycare Prelim Plat			**Final Action:**	

Title: CONSIDERATION OF A REVISED PRELIMINARY PLAT ABSENTEE SHAWNEE HEALTH CENTER ADDITION, (GENERALLY LOCATED ON THE NORTH SIDE OF LITTLE RIVER DRIVE APPROXIMATELY 775 FEET EAST OF 156TH AVENUE N.E.)

ACTION NEEDED: Motion to approve or reject the preliminary plat for Absentee Shawnee Health Center Addition.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 64

Attachments: Text File Prelim Absentee, Attachment A.pdf, AbsenteeTribe Location Map, Prelim Absentee Shawnee, Site Plan Absentee Shawnee, Absentee Shawnee Plat Staff Rpt, Absentee Shawnee Transportation Impacts, PD 12-26 Absentee Daycare, Absentee Shawnee GES, Absentee Shawnee Greenbelt Comments, 9-13-12 PC Minutes - Absentee Shawnee Daycare

Project Manager: Ken Danner, Subdivision Manager

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	09/13/2012	Recommended for Adoption at a subsequent City Council Meeting	City Council			Pass
	Action Text:	Recommended for Adoption at a subsequent City Council Meeting to the City Council					
1	Planning Commission	09/13/2012					

Text of Legislative File PP-1213-6

body

BACKGROUND: This item is a preliminary plat for Absentee Shawnee Health Center Addition and is generally located approximately 205-feet east and north of the intersection of 156th Avenue NE / American Legion Road and Little River Drive.

This property consist of 47.40 acres. However, at this time, the daycare facility consist of 2.38 acres. As a result, a revised preliminary plat will be required for any additional design for the property in the future.

City Council, at its meeting of February 22, 1966, adopted Ordinance No. 1862 placing this property in TC, Tourist Commercial and removing it from C-2, General Commercial zoning classification. With the rezoning, a 185-foot setback requirement with conditions was placed upon the property.

Planning Commission, at its meeting of September 13, 2012, approved a request to reduce the 185-foot setback to the standard 50-foot setback requirement for TC, Tourist Commercial. At its same meeting, Planning Commission recommended to City Council that the preliminary plat for Absentee Shawnee Health Center Addition be approved.

DISCUSSION: Phase 2 of the Absentee Shawnee Health Center development near the intersection of State Highway 9 and 156th Avenue NE is expected to include 80,393 square feet of commercial space, 280,962 square feet of office space, and an 11,000 square foot day care center. The day care center represents a change in the land uses assumed in the original traffic impact study prepared for this development in 2008. In total, this Phase 2 of the overall development is expected to generate approximately 7,417 trips per day and 857 trips during the PM peak hour. The traffic capacity on the affected roadways exceeds the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated on these facilities. See Attachment A.

Because of the development's size and traffic generation potential, the applicant was required to update a previous traffic impact analysis for the site. The study update was completed by Traffic Engineering Consultants, Inc., and was submitted in August, 2012.

The change in land use from commercial to day care center actually increases the number of trips to be generated slightly. However, the change does not impact the recommendations from the original study. That is, that the intersection of State Highway 9 with 156th Avenue NE will require signalization sometime prior to full build-out of Phase 2. As Phase 2 progresses, this intersection should be monitored closely to determine when signal warrant volumes are close to being met in order that the new traffic signal can be designed, bid, and constructed. In accordance with the filing of Phase 1 in 2008, traffic signal impact fees are to be collected from the developer prior to the filing of any final plat. The amount will be calculated on the basis of peak hour trips generated by the final plat at a rate of $146.92 per PM peak hour trip. Based upon the 137 PM peak hour trips to be generated by the day care facility, a total of $20,128.04 should be collected with the filing of the final plat for the day care facility.

Public improvements for this property consist of the following:

1. Paving. Little River Drive has been constructed from 156th Avenue NE / American Legion Road terminated with a cul-de-sac at the east boundary of the project disconnecting Little River Drive with State Highway No. 9.

2. Sanitary Sewer. This property will utilize private sanitary sewer system. The current proposal is to install a privately maintained lift station and pump to an off plat lagoon south of State Highway No. 9.

3. Drainage. Storm water runoff will be conveyed to proposed privately-maintained detention facilities.

4. Fire Protection. Water wells will be utilized for domestic water.

5. Public Dedications. All rights-of-way and easements will be dedicated to the City with final platting.

6. Traffic Signal and Intersection Improvements. The applicant will be responsible for a portion of the cost of the improvements identified in the Traffic Impact Study for the signalization of the State Highway No. 9 and 156th Avenue NE / American Legion Road intersection. Their $42,900 proportional share, estimated on the basis of the development's contribution to the increased traffic, will be collected through a traffic impact fee assessed with each final plat using a $146.92 per p.m. peak hour trip fee. This equates to $20,128.04 to be collected with the filing of the final plat for the day care facility.

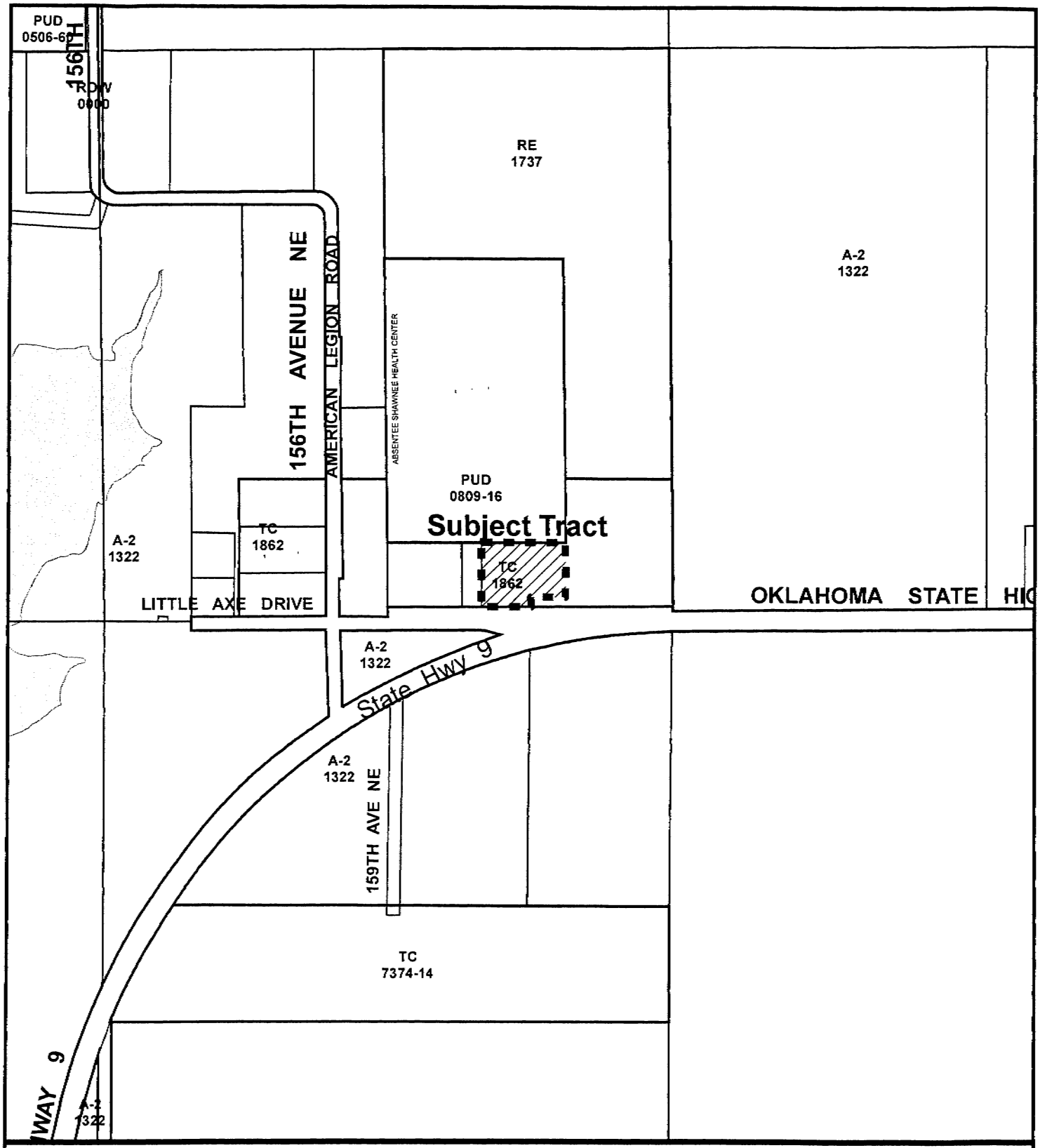
STAFF RECOMMENDATION: Based on the above information, staff recommends approval of the preliminary plat for the Absentee Shawnee Health Center Addition.

ATTACHMENT A

PRELIMINARY PLAT
ABSENTEE SHAWNEE HEALTH CENTER ADDITION

STREET	NO. OF LANES	PROPOSED DEVELOPMENT (Veh/day)	EXISTING TRAFFIC (Veh/day)	TOTAL PROJECTED TRAFFIC (Veh/day)	ROADWAY CAPACITY L.O.S. "E"	% CAPACITY USED (EXISTING)	% CAPACITY USED (PROJECTED)
State Highway 9	2	5,934	7,100	13,034	17,100	41.52	76.22
156th Avenue NE	2	7,417	2,322	9,739	17,100	13.58	56.95

* Does not consider the future increase in capacity that will result from ODOT widening project



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.

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September 4, 2012

0 300 600 Ft.

Subject Tract

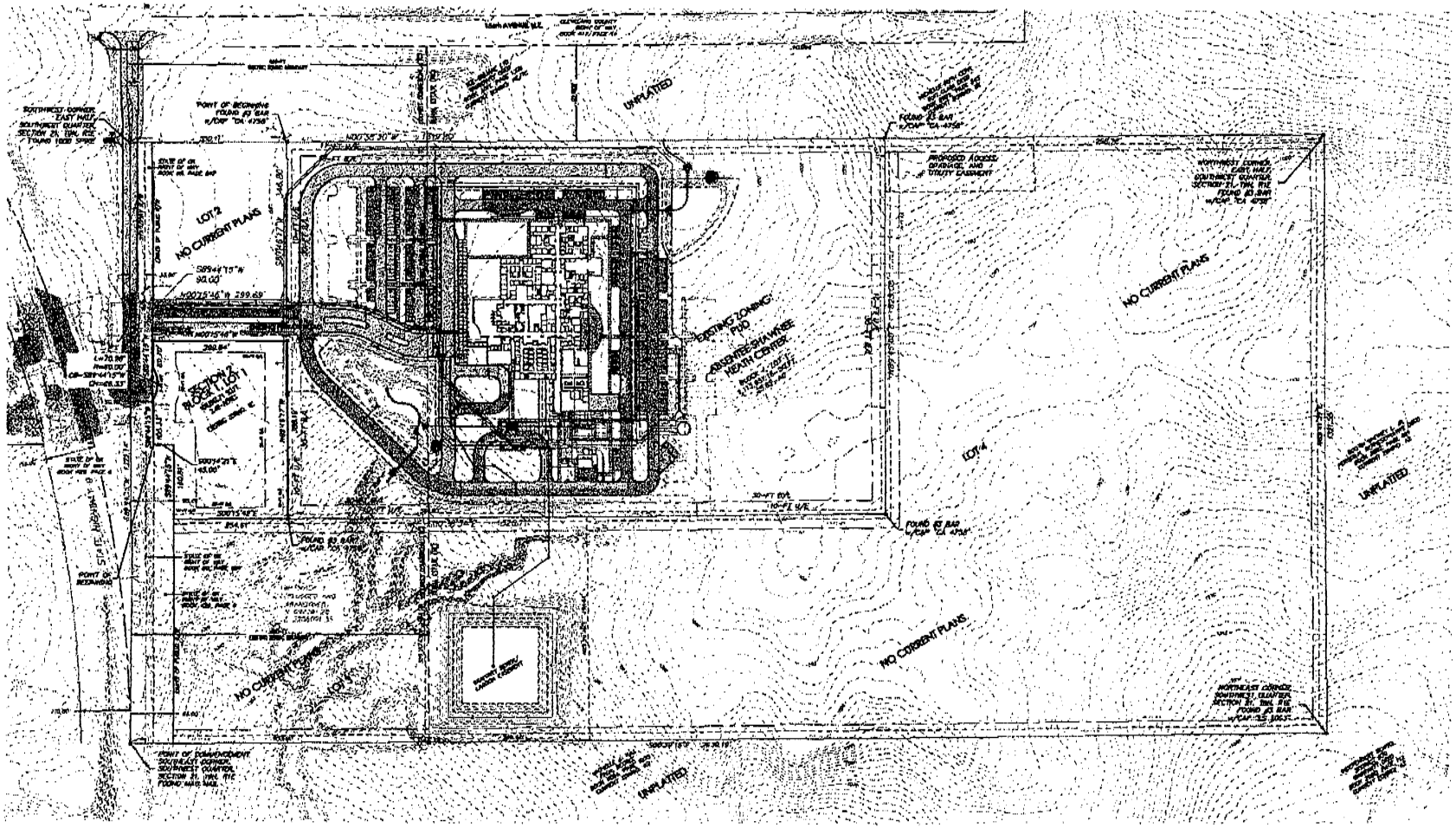
Zoning

64-2

PRELIMINARY PLAT FOR

ABSENTEE SHAWNEE HEALTH CENTER

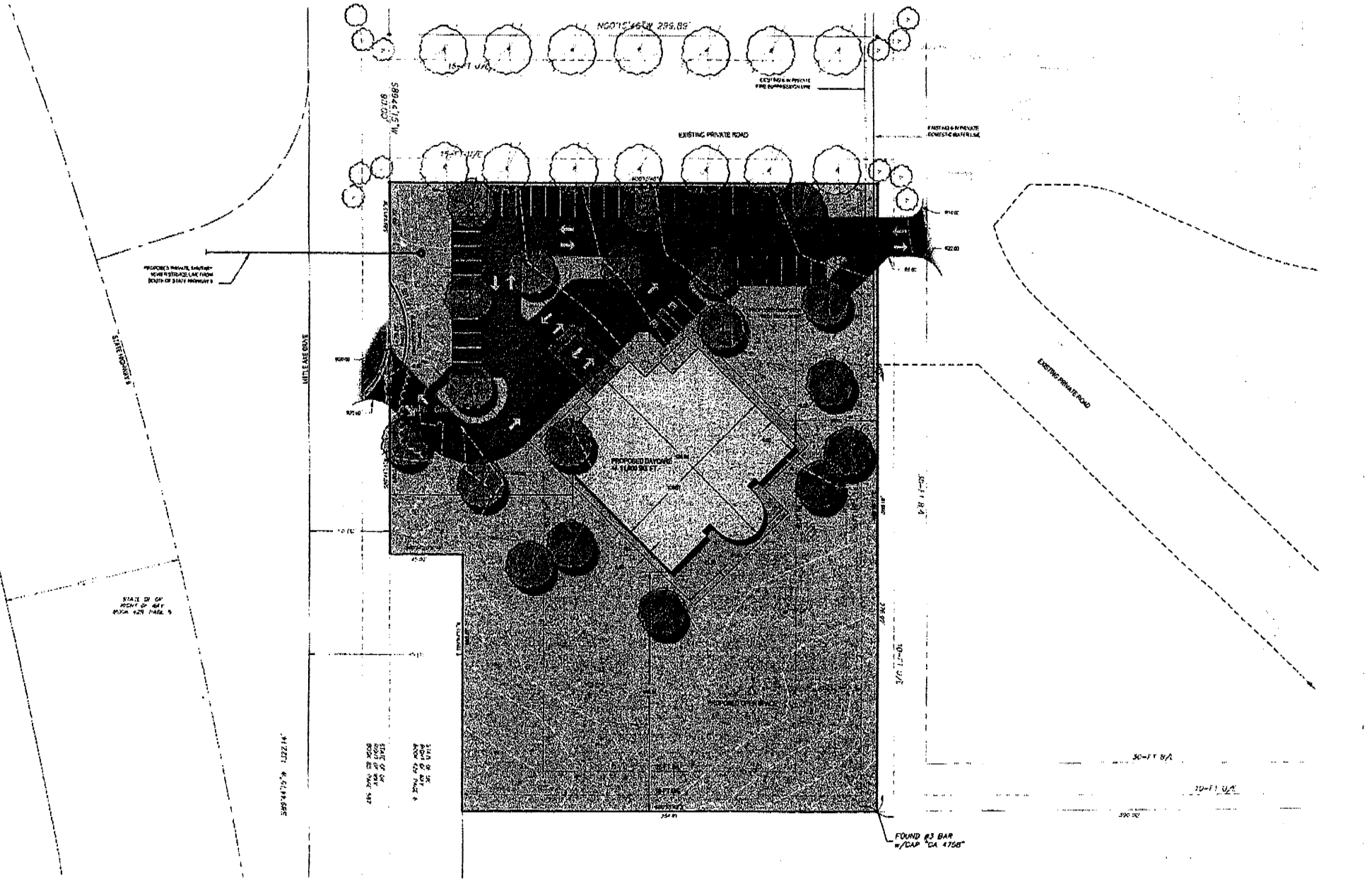
THE E/2 OF THE SW/4, SECTION 21, TOWNSHIP 9 NORTH, RANGE 1 EAST OF THE I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA



SITE PLAN FOR

ABSENTEE SHAWNEE HEALTH CENTER

THE E/2 OF THE SW/4, SECTION 21, TOWNSHIP 9 NORTH, RANGE 1 EAST OF THE I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA



REVISED PRELIMINARY PLAT ITEM NO. 13b

STAFF REPORT

ITEM: CONSIDERATION OF A REVISED PRELIMINARY PLAT FOR ABSENTEE SHAWNEE HEALTH CENTER ADDITION.

LOCATION: Generally located 205-feet east and north of the intersection of 156th Avenue NE/American Legion Road and Little Axe Drive.

INFORMATION:

1. Owner. Absentee Shawnee Tribe of Oklahoma
2. Developer. Absentee Shawnee Tribe of Oklahoma
3. Engineer. Cardinal Engineering, Inc.

HISTORY:

1. October 30, 1961. Planning Commission recommended to City Council that this property be placed in A-2 zoning classification.
2. December 12, 1961. City Council adopted Ordinance No. 1322 placing this property in A-2 zoning classification.
3. December 15, 1964. Planning Commission recommended to City Council that a portion of this property be placed in RE and removed from A-2 zoning classification.
4. January 12, 1965. City Council adopted Ordinance No. 1737 placing a portion of this property in RE, Residential Estates and removing it from A-2 zoning classification.
5. May 11, 1965. City Council adopted Ordinance No. 1776 placing a portion of this property in C-2, Commercial and removing it from A-2, Rural Agricultural zoning classification.
6. February 22, 1966. City council adopted Ordinance No. 1862 placing a portion of this property in the TC, Tourist Commercial with a condition of a 185-foot building set back line from Robinson Street/Little Axe Drive and removing it from C-2, General Commercial zoning classification.

7. October 9, 2008. Planning Commission, on a vote of 7-0, recommended to City Council, the amending of the NORMAN 2025 Land Use and Transportation Plan to designate a portion of this property as Institutional and remove it from Commercial and Residential Designation.

8. October 9, 2008. Planning Commission, on a vote of 7-0, recommended to City Council placing a portion of this property in a PUD, Planned Unit Development and remove it from R-E and TC zoning classification.

9. October 9, 2008. Planning Commission, on a vote of 7-0, recommended to City Council that the preliminary plat for Absentee Shawnee Health Center Addition, a Planned Unit Development, be approved.

10. December 9, 2008. City Council amended the NORMAN 2025 Land Use and Transportation Plan to designate a portion of this property as Institutional and remove from Commercial and Residential designation.

11. December 9, 2008. City Council adopted Ordinance No. O-0809-16 placing a portion of this property in the PUD, Planned Unit Development, and removing it from RE and TC, zoning classification.

12. December 9, 2008. City Council approved the preliminary plat for Absentee Shawnee Health Center Addition, a Planned Unit Development.

13. September 13, 2012. The applicant has made a request to amend a 185' setback requirement established with Ordinance No. 1862 for a proposed daycare center.

IMPROVEMENT PROGRAM:

1. Fire Protection and Water Mains. Domestic and Fire Suppression service have been installed by utilizing on-site private water wells. Water supply will utilize storage facilities to serve for water pressure and fire protection

2. Sanitary Sewers. A privately-maintained sanitary sewer system is proposed. The owners are in the process of purchasing additional property south of State Highway No. 9 east of their existing lagoons. A privately maintained lift station would be utilized to pump wastewater south of State Highway No. 9 to the proposed lagoons. These improvements, though private, will be subject to state and city standards and approvals.

3. Streets. Street improvements have been constructed. Little Axe Drive was constructed as a cul-de-sac and is no longer connected to State Highway No. 9.

PUBLIC DEDICATIONS:

1. Easements. All required easements will be dedicated to the City on the final plat.

2. Rights-of-Way. Street rights-of-way will be dedicated to the City on the final plat.

SUPPLEMENTAL MATERIAL: Copies of a location map, site plan and revised preliminary plat are included in the Agenda Book.

STAFF COMMENTS AND RECOMMENDATION: The purpose of the revised preliminary plat is to show details for the property that will be utilized for the Daycare Center lot. The remainder of the preliminary plat has not been designed and currently the owners do not have plans in those vacant areas. As a result, a revised preliminary plat will have to be resubmitted when use and design takes place. Staff recommends approval of the revised preliminary plat for Absentee Shawnee Health Center Addition.

ACTION NEEDED: Recommend approval or disapproval of the revised preliminary plat for Absentee Shawnee Health Center Addition.

ACTION TAKEN:_____

CITY OF NORMAN
Development Review Form
Transportation Impacts

DATE: August 30, 2012 **STAFF REVIEW BY:** David R. Riesland, P.E.
City Traffic Engineer

PROJECT NAME: Absentee Shawnee Health Center **PROJECT TYPE:** Commercial/Office/Day Care

Owner: Absentee Shawnee Tribe of Oklahoma
Developer's Engineer: Cardinal Engineering
Developer's Traffic Engineer: TEC

SURROUNDING ENVIRONMENT (Streets, Developments)
Country residential surrounds the development to the north, east and south with some park space to the west and some commercial to the south. State Highway 9 is the main east/west roadway, and 156th Avenue NE is the main north/south roadway.

ALLOWABLE ACCESS:
Proposed access complies with Section 4018 of the City's Engineering Design Criteria.

EXISTING STREET CHARACTERISTICS (Lanes, Speed Limits, Sight Distance, Medians)
State Highway 9: 2 lanes (existing and future). Speed Limit - 65 mph. No sight distance problems. No medians.
156th Avenue NE: 2 lanes (existing and future). Speed Limit - 50 mph. No sight distance problems. No medians.

ACCESS MANAGEMENT CODE COMPLIANCE: **YES** ☐ **NO** ■
Proposed number and location of access points for the development will comply with Section 4018 of the City's Engineering Design Criteria.

TRIP GENERATION

Time Period	Total	In	Out
Weekday	7,417	3,708	3,709
A.M. Peak Hour	653	520	133
P.M. Peak Hour	857	217	640

TRANSPORTATION IMPACT STUDY REQUIRED? **YES** ■ **NO** ☐

Traffic Impact Study prepared by Traffic Engineering Consultants, Inc. of Oklahoma City, Oklahoma.

RECOMMENDATION: **APPROVAL** ■ **DENIAL** ☐ **N/A** ☐ **STIPULATIONS** ☐

Recommendations for Approval refer only to the transportation impact and do not constitute an endorsement from City Staff.

Phase 2 of the Absentee Shawnee Health Center development near the intersection of State Highway 9 and 156th Avenue NE is expected to include 80,393 square feet of commercial space, 280,962 square feet of office space, and an 11,000 square foot day care center. The day care center represents a change in the land uses assumed in the original traffic impact study prepared for this development in 2008. In total, this Phase 2 of the overall development is expected to generate approximately 7,417 trips per day and 857 trips during the PM peak hour. The traffic capacity on the affected roadways exceeds the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated on these facilities.

The change in land use from commercial to day care center actually increases the number of trips to be generated slightly. However, the change does not impact the recommendations from the original study. That is, that the intersection of State Highway 9 with 156th Avenue NE will require signalization sometime prior to full build-out of Phase 2. As Phase 2 progresses, this intersection should be monitored closely to determine when signal warrant volumes are close to being met in order that the new traffic signal can be designed, bid, and constructed.

City of Norman Predevelopment **July 26, 2012**

Applicant	Absentee Shawnee Tribe Daycare Facility
Location	Generally located Little Axe Drive and 156th Avenue NE
Case Number	PD 12-26
Time	6:30-6:30 PM

Attendee	Stakeholder	Address	Phone
Nate Clair	Applicant Engineer	1015 N Broadway Ave., Ste. 300 OKC 73102	405-842-1066
Rick Short	Applicant	2025 S. Gordon Cooper Shanee OK 74801	405-275-4030
Ken Danner	City Staff – Public Works Department		366-5458
Jane Hudson	City Staff – Planning Department		366-5344

Application Summary The Absentee Shawnee Tribe is proposing a 2.5 acre development consisting of an 11,000 square foot building (.25 acres) to provide daycare services, 39 paved parking spaces (.55 acres), sidewalk (.12 acres), and landscaping (.23 acres). The remainder of the site, 1.35 acres, will remain undisturbed and be used for open space.

No others attended the meeting.

Pre-Development Case No. PD 12-26 **Greenbelt Case No.**_____
Date: 07.09.2012

NORMAN GREENBELT ENHANCEMENT STATEMENT

The Norman City Council established the Norman Greenbelt Commission and charged the group with reviewing proposed developments in order to increase the preservation of beneficial green spaces and to identify trail system opportunities in new developments where appropriate. This Greenbelt Enhancement Statement was developed to aid the Commission in assessing new developments to insure that green space and trail opportunities are included, whenever possible.

As part of your application and submittal for a Pre-Development Meeting, the City of Norman ordinances require that you complete this Greenbelt Enhancement Statement to address the Greenbelt Commission's review and leave it with City of Norman staff at the same time you submit the required information for a Pre-Development Meeting.

Attached are copies of the three (3) applicable sections of the adopted Greenbelt Ordinance, Sections 4-2023A, 4-2026 and 4-2028, these guidelines will be your reference while completing this Enhancement Statement, please see pages 4-8.

At the time you submit your application for a Pre-Development Meeting, you will be provided with the date of the Pre-Development Meeting and the date of the next Greenbelt Commission Meeting. You are urged to attend the Greenbelt Commission Meeting where you will be given an opportunity to present information, discuss your proposed development, and to answer questions the Greenbelt Commission might have regarding your submittal. Based upon the review and discussion at the Greenbelt Commission Meeting, the Greenbelt Commission will make comments and recommendations about your proposal. Those comments and recommendations will be recorded and provided to you after the meeting minutes have been prepared. The comments and recommendations will also be forwarded to the Planning Commission and City Council as part of their agenda packets whenever you make an application to them for consideration of your proposed development.

Should you have any questions about this process or any of the below questions, please feel free to contact the City of Norman Greenbelt Commission staff at 405-366-5322.

Greenbelt Enhancement Statement for Proposed Developments

Applicant Name: **Absentee Shawnee Tribe** Date: **07.09.2012**

Contact Person: **Mr. Ken Jones (AS Tribe) / Jason Cotton, P.E. (Cardinal Engineering)**

Telephone/Fax/Email: **Owner - 405.214-4235 (P) 405.878.4701 (F) kenj@astribe.com**

Engineer - 405.842.1066 (P) 405.843.4687 (F) jasonc@cardinalengineers.com

Name of Development **AS Tribe Daycare** Area **2.5-acres**

General Location **775-ft east of the intersection of E. Robinson Road/Little Axe Drive and 156th Avenue NE (north side of road)**

Type of Development (please check) Residential _____ Commercial _x_ Industrial_____ Other_____

1. How does your proposed development or project incorporate open space(s)? Are those open spaces accessible to the general public, only to the future owners of property within the proposed development, or some other arrangement? Please explain.

   The majority of the subject tract has been proposed as open space (1.35 acres). The open space proposed within the subject tract is anticipated to only be accessible to the Owner of the property.

2. Does (do) the open space(s) for this development include some kind of trail or path? Indicate all that are applicable.

	For access only	Within open space
Sidewalks		
Other paved surface trail		
Unpaved Trail		
Direct Access from lots		

   No trails or paths proposed as a part of the project.

3. Identify the public open space(s), such as a parks or trails, within ½ mile of your proposed development. Explain how the proposed development will connect to that area via a trail, sidewalk, or other means.

   No public open spaces are within ½-mile of the subject tract.

4. Please provide a short description for each type of proposed trail, if any. The description should include information about anticipated users, connectivity, accessibility to area residents, accessibility by the general public, and other information which you believe would be helpful for the Commission to understand your development's compliance with the Guidelines for Evaluating Greenbelt Enhancement Statements in Sec. 4-2028 of the Greenbelt Commission Ordinance.

   No trails or paths proposed as a part of the project.

5. Projects in close proximity to schools, recreational areas (parks, playgrounds), commercial sites, and residential neighborhoods should, ideally, allow connection points promoting non-motorized transportation between key areas. Please describe how the proposed development plan accommodates those using alternative transportation, such as walkers and bicyclists? Examples include sidewalks connecting key areas, designated bike paths, and bike parking.

   Little Axe Elementary, Middle and High schools, and Little Axe Athletic Complex are located within one mile of the site to the east on 168th Avenue NE. However, the only pedestrian route available would be on Highway 9 and is not desirable.

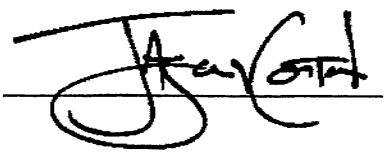
6. Please circle, from the following (or make a list) of geographical and/or environmental factors in your development that might offer opportunities for greenbelts and trails. These may include: **storm water channels, detention ponds, floodplains, stream bank/ riparian corridors, utility easements, abandoned or active railroad corridors.** How will your development incorporate those elements into greenbelts and trails?

   Scope of project includes leaving 1.35 acres of the site undisturbed as open space and the potential for construction of trails.

7. If after answering the above questions you feel like your proposed development or project has no opportunities to add to nor detract from the City of Norman Greenbelt System, please explain briefly.

   Project does not appear to off any significant opportunities in terms of connectivity to other, neighboring properties or pedestrian destinations.

8. Other comments:

Signature of Applicant or Contact Person: 

GREENBELT COMMISSION COMMENTS AND SUGGESTIONS ABOUT PROPOSED DEVELOPMENT AS SUBMITTED FOR PLANNING COMMISSION AND CITY COUNCIL CONSIDERATION (MAY ATTACH AS SEPARATE SHEET):

VOTE BY COMMISSION

GBC 12-21

Applicant: Absentee Shawnee Tribe
Location: Generally located 775 feet east of the intersection of Little Axe Drive and 156th Avenue NE (north side of road)
Proposal: Preliminary Plat

Greenbelt Commission Final Comments - GBC 12-21
Meeting of July 16, 2012

The Greenbelt Commission approved the application unanimously with no additional comments or references to the Greenbelt Ordinance criteria.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

SEPTEMBER 13, 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 13th day of September 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions at least twenty-four hours prior to the beginning of the meeting.

Vice Chairman Chris Lewis called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

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

A quorum was present.

STAFF MEMBERS PRESENT	Susan Connors, Director, Planning & Community Development Jane Hudson, Principal Planner Ken Danner, Subdivision Development Manager Roné Tromble, Recording Secretary Leah Messner, Asst. City Attorney Jeff Bryant, City Attorney Rick Hoffstatter, GIS Analyst Terry Floyd, Development Coordinator Scott Sturtz, City Engineer

* * *

Vice Chairman Lewis noted the request for postponement submitted by the applicant for Item 11, OSOI Tecumseh Development, L.L.C. and NE Development, L.L.C. (R-1213-36, O-1213-11, and PP-1213-4).

Curtis McCarty moved to postpone Item Nos. 11a, 11b and 11c until the October 11, 2012 Planning Commission meeting. Tom Knotts seconded the motion.

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

Item No. 13, being:
CONSIDERATION OF A REQUEST SUBMITTED BY ABSENTEE SHAWNEE TRIBE OF OKLAHOMA

13A. ORDINANCE NO. O-1213-13 – ABSENTEE SHAWNEE TRIBE OF OKLAHOMA DAYCARE REQUESTS AMENDMENT OF THE 185' SETBACK LINE ESTABLISHED IN ORDINANCE NO. 1862 TO ACCOMMODATE DEVELOPMENT OF A DAY CARE FACILITY GENERALLY LOCATED ON THE NORTH SIDE OF LITTLE AXE DRIVE AND APPROXIMATELY 775' EAST OF 156TH AVENUE N.E.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report

13B. PP-1213-6 – CONSIDERATION OF A REVISED PRELIMINARY PLAT SUBMITTED BY ABSENTEE SHAWNEE TRIBE OF OKLAHOMA DAYCARE (CARDINAL ENGINEERING) FOR ABSENTEE SHAWNEE HEALTH CENTER ADDITION, FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF LITTLE AXE DRIVE AND APPROXIMATELY 775' EAST OF 156TH AVENUE N.E.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Site Plan
6. Pre-Development Summary – 7/26/12
7. Greenbelt Enhancement Statement
8. Greenbelt Commission Summary

PRESENTATION BY STAFF:
1. Mr. Danner – The request is for an amendment to a 185' setback requirement that was established in 1966. It was a condition with an ordinance for this property. The original proposal was very intense retail businesses relating to Lake Thunderbird. Since that time, of course, Absentee Shawnee Tribe has purchased the property and has put in a health center. Now their proposal is to put in a daycare center. The 185' rule would go through the middle of the proposed daycare center. I think the intent back at that time was to try to put the businesses as far back from Highway 9 as possible. With that intense activity no longer proposed, staff does not see an opposition to carry the standard 50' setback requirement of the TC ordinances. That's what their proposal is – to go from 185' to 50'.

2. Mr. McCarty – Would there ever be a chance that the highway would be widened and that would affect their building?

3. Mr. Danner – No. Because Little Axe Drive separates Highway 9 and this property. In fact, Little Axe Drive has a cul-de-sac now, which the Absentee Shawnee Tribe constructed and did the disconnect that used to be at Highway 9, which was very dangerous if anyone remembers that connection. That's another point that we feel like there is less likelihood of an encroachment of the highway or this property relating to Highway 9. Conditions and changes have been made.

PRESENTATION BY THE APPLICANT:
None

AUDIENCE PARTICIPATION:
None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Jim Gasaway moved to recommend adoption of Ordinance No. O-1213-13 and the approval of the Revised Preliminary Plat for ABSENTEE SHAWNEE HEALTH CENTER ADDITION 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, Cindy Gordon, Tom Knotts, Curtis McCarty, Roberta Pailes, Chris Lewis
NAYES	None
ABSENT	Diana Hartley, Andy Sherrer

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-1213-13 and approval of the Revised Preliminary Plat for ABSENTEE SHAWNEE HEALTH CENTER 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-1213-61

File ID:	R-1213-61	**Type:**	Resolution	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 65	**In Control:**	City Council
Department:	Finance Department	**Cost:**		**File Created:**	10/18/2012
File Name:	NMA Financing for Downtown Parking Lot			**Final Action:**	

Title: RESOLUTION NO. R-1213-61: A RESOLUTION OF THE NORMAN MUNICIPAL AUTHORITY APPROVING AND AUTHORIZING A LOAN FROM REPUBLIC BANK AND TRUST IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF $150,000; APPROVING THE ISSUANCE OF A PROMISSORY NOTE IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF $150,000, SECURED BY A PLEDGE OF REVENUES COLLECTED FROM METERED PARKING WITHIN THE GRAY STREET PARKING FACILITY; AUTHORIZING EXECUTION OF NECESSARY DOCUMENTS; AND WAIVING COMPETITIVE BIDDING.

ACTION NEEDED: Acting as the Norman Municipal Authority, motion to adopt or reject Resolution R-1213-61.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 65

Attachments: Ltr-Parking Lot, R-1213-61 Resolution for Parking Lot

Project Manager: Anthony Francisco, Director of Finance

Entered by: jayme.rowe@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-1213-61

Body

BACKGROUND: In 2003, The City of Norman hired Carter & Burgess, Inc. to conduct a parking survey for the Downtown and Campus Corner areas. The purpose of the study was to identify a parking strategy for these high traffic areas to ensure responsible development. Carter & Burgess ultimately determined that there was a shortage of parking during peak periods on typical weekdays

and that the parking shortage would increase with planned development. They recommended increasing parking supply and increasing metered rates. In order to increase parking supply, Carter & Burgess recommended developing a surface parking lot on Gray Street between Peters and Crawford Streets to serve the downtown area.

This surface lot, hereinafter referred to as the "Gray Street Parking Facility", was completed in January 2007, and, upon completion, it had 104 parking spaces that were available to the public. Now, the City of Norman facility maintenance building has been removed from the property, and the number of spots has increased to 147.

In 2011, the City of Norman parking service officers conducted a traffic count at the Gray Street Parking Facility in order to gauge usage. From December 1, 2011 to December 15, 2011, vehicles parked in the lot were counted at 9:00 am, 12:00 pm, and 3:00 pm each day. According to this survey, on average, 60% of the lot is full by 9:00 am, 90% of the lot is full by 12:00 pm, and 94% of the lot is full by 3:00 pm. Of these percentages, long-term parkers account for almost half of the total count.

On January 25, 2012, staff presented an update on the Gray Street Parking Facility to the City Council Planning and Transportation Committee. At that meeting, the Committee directed City Staff to move forward with changes in management of the Gray Street Parking Facility and strict enforcement of the two-hour maximum in the lot and along Main Street.

City Council, at its meeting of February 28, 2012, postponed Resolution No. R-1112-112 to allow the City Council Planning and Transportation Committee to receive additional input from the Downtowners Association regarding the Gray Street Parking Facility. The Community Planning and Transportation Committee met on March 28, 2012, and additional input was received. A demonstration of the proposed parking system was held on April 4, 2012. Staff met with representatives from the Downtowners Association on April 20, 2012 and April 25, 2012 to finalize plans for the parking lot.

At the City Council meeting on May 8, 2012, City Council approved Resolution R-1112-112 directing the City Manager (or his designee) to initiate the Request for Proposal process for design and equipping of the Gray Street Parking Facility and to manage the Gray Street Parking Facility in order to continue to balance the needs of employees and customers of downtown area businesses. The Planning Department moved forward with soliciting bids to raise the building on Peters to allow for the Parking lot expansion. The Public Works Department has moved forward with installing the pavement, and requested bids or proposals for the provision and installation of meters for the downtown parking lot. It is anticipated that a contract with Duncan Technologies, the low bidder on the Gray Street Parking Facility meters and equipment, will be on the Council's Agenda for the October 23, 2012 meeting for consideration.

Funding and financing of the Parking Meter purchase and installation was discussed at the October 17, 2012 Finance Committee meeting. This item is coming forward based on the consensus of Finance Committee members to finance the project with a loan from Republic Bank made to the Norman Municipal Authority to be paid from revenues from the parking meters. Resolutions R-1213-61 (for Authority) and R-1213-66 (for City) authorize the execution of documents to

effectuate this financing arrangement

DISCUSSION: Initial discussions on the funding of the improvements to the Gray Street Parking Facility by the Downtowners Association and Republic Bank and Trust involved the possibility of creating a private trust, similar to the one created for the sale of the property upon which the Gray Street Parking Facility is located. The new private trust would formalize the relationship between the City of Norman, the Downtowners Association, and Republic Bank and Trust. In accordance with those initial discussions, the Downtowners Association and Republic Bank provided a letter of intent to initially fund the improvements. That letter is included with this agenda item. The Public Works Department initially estimated that the cost of purchasing and installing the improvements would be approximately $100,000; however, bids came back significantly higher (the low bid is $140,386.50). Republic Bank and Trust remains agreeable to initially fund this higher amount and to allow the City to repay that amount without interest or fees over an indefinite term from the Gray Street Parking Facility revenues.

Because City revenues (parking facility receipts) will be pledged to repay the construction costs over more than one City fiscal year, this arrangement requires a debt financing. Although the City cannot commit to the payment of revenues beyond a fiscal year, Oklahoma public trust statutes allow municipal public trusts to accomplish this result. Norman has at least three public trusts with indenture language broad enough to provide for this financing: the Norman Municipal Authority; the Norman Tax Increment Finance Authority; and the Norman Economic Development Authority. Resolution R-1213-61 will be drafted for the October 23rd Agenda, with the City Council acting as the public trust trustees, to pledge revenues from meter collections in the Gray Street Parking Facility as security for a note issued by Republic Bank in an amount not to exceed $150,000. Such future revenues, less an annual amount for operations and maintenance of the Gray Street Parking Facility in an amount not to exceed $5,000 annually, shall be collected and remitted periodically to the lender until the note is satisfied. Normally public debt issuances are submitted through a competitive bid process. However, in this instance, since Republic Bank and Trust has worked closely with the Downtowners Association and is offering an interest free note with no defined repayment date, R-1213-61 waives competitive bidding on the sale of the note and authorizes sale of that note to Republic Bank and Trust on that basis.

Although, there were initial discussions about forming a private trust to secure a loan from Republic Bank and Trust that would then contract with the specified City public trust (the "Authority"), Republic Bank and Trust is willing to simplify the process by loaning the money for the improvements directly to the City of Norman without involving a third entity. The City of Norman, through the Authority, will be the entity administering the operation of the Gray Street Parking Facility. In this way, the process is more streamlined, and a private trust becomes unnecessary.

It should also be noted that the Bid item from Public Works also contains an appropriation from Capital fund balance to make sure funding is appropriated at the time the contract with Duncan Technologies is awarded. After Council authorizes the financing arrangement with Republic Bank and the loan documents are completed, then the proceeds from the loan will be used to reimburse the Capital fund balance.

In determining which of Norman's Public Trusts to use for this financing, the Finance Committee

recommended using the Norman Municipal Authority (NMA) as the financing tool. Although the Finance Committee did note that the Downtown Parking Lot Parking Meter purchase and installation project would not likely be the type of project referred to the Economic Development Advisory Board (EDAB), the consensus of the Finance Committee was to use NMA because the EDAB had not yet been constituted. In accordance with the Finance Committee's recommendation, Resolution R-1213-61 was prepared using NMA as the financing vehicle for this Project.

RECOMMENDATION: Based upon the above and foregoing discussion, it is the staff recommendation that the Downtown Parking Lot meter construction and installation project be funded through a financing arrangement offered by Republic Bank making available up to $150,000 at zero percent (0%) interest on a flexible term that will allow the balance of the loan to be paid from revenues that will be collected over time from the parking meters to be installed. Resolutions R-1213-61 (for Authority) and R-1213-66 (for City) authorize the execution of documents to effectuate this financing arrangement.

Staff will be available to answer additional questions or concerns.

R-1213-61

Resolution

A RESOLUTION OF THE NORMAN MUNICIPAL AUTHORITY APPROVING AND AUTHORIZING A LOAN FROM REPUBLIC BANK AND TRUST IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF $150,000; APPROVING THE ISSUANCE OF A PROMISSORY NOTE IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF $150,000, SECURED BY A PLEDGE OF REVENUES COLLECTED FROM METERED PARKING WITHIN THE GRAY STREET PARKING FACILITY; AUTHORIZING EXECUTION OF NECESSARY DOCUMENTS; AND WAIVING COMPETITIVE BIDDING.

WHEREAS, the City of Norman owns a public parking lot on the south side of Gray Street between Peters Avenue and Crawford Avenue (the "Gray Street Parking Facility"); and

WHEREAS, The Gray Street Parking Facility is part of the Trust Estate of the Norman Municipal Authority pursuant to the Norman Municipal Authority Trust Indenture; and

WHEREAS, the Norman Municipal Authority wants to encourage economic growth in the downtown area by installing a metered parking system to balance the parking needs of downtown area businesses with providing parking for customers and visitors to the downtown area and parking for employees of downtown area businesses; and

WHEREAS, the Norman Downtowners Association and Republic Bank and Trust have worked with the City of Norman to develop a strategy for operation and management of the Gray Street Parking Facility that will aid the stimulation of economic growth within the downtown area; and

WHEREAS, Republic Bank and Trust has agreed to initially fund the cost of equipping the Gray Street Parking Facility and has agreed to allow the City of Norman to repay that amount with revenues from the Gray Street Parking Facility without interest or fees over an unlimited term.

WHEREAS, it is appropriate and desirable to pledge future revenues from the Gray Street Parking Facility in order to achieve the economic development objectives of the Norman Municipal Authority Trust Indenture.

NOW, THEREFORE, BE IT RESOLVED by the Trustees of the Norman Municipal Authority as follows:

SECTION 1. To authorize incurring an indebtedness by the issuance of a note, in an amount not to exceed $150,000, with a maturity date of not later than November 1, 2022, for the purpose of financing the purchase and installation of metering equipment for the Gray Street Parking Facility. Said note shall bear no interest.

SECTION 2. That competitive bidding on the sale of said note is waived, and the note is authorized to be sold to Republic Bank and Trust, as purchaser, at a price of par.

SECTION 3. To pledge future revenues, in an amount not to exceed $150,000, collected from meters within the Gray Street Parking Facility as security for said note and to accept a leasehold interest in the Gray Street Parking Facility to effectuate said pledge. Such future revenues, less an annual amount for operations and maintenance of the Gray Street Parking Facility in an amount not to exceed $5,000, shall be collected and remitted quarterly to Republic Bank and Trust until the note is satisfied.

SECTION 4. The officers, managers, and attorneys for the Authority are authorized and directed to take such actions and execute such documents as they may be necessary or appropriate to evidence this concurrence.

PASSED AND APPROVED THIS ____ DAY OF OCTOBER, 2012.

NORMAN MUNICIPAL AUTHORITY

(SEAL)

By: _____
Name:
Title: Chairperson

ATTEST:

By: _____
Name:
Title: Secretary

City of Norman, OK

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

Master

File Number: R-1213-66

File ID:	R-1213-66	**Type:**	Resolution	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 66	**In Control:**	City Council
Department:	Finance Department	**Cost:**		**File Created:**	10/18/2012
File Name:	City of Norman Financing for Downtown Parking Lot			**Final Action:**	

Title: RESOLUTION NO. R-1213-66: A RESOLUTION OF THE CITY OF NORMAN APPROVING ACTION TAKEN BY THE NORMAN MUNICIPAL AUTHORITY AUTHORIZING ISSUANCE, SALE, AND DELIVERY OF A PROMISSORY NOTE TO REPUBLIC BANK AND TRUST FOR THE DEVELOPMENT OF A METERED PARKING SYSTEM IN THE GRAY STREET PARKING FACILITY.

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1213-66.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 66

Attachments: Ltr-Parking Lot, Companion Resolution for Parking Lot

Project Manager: Anthony Francisco, Director of Finance

Entered by: jayme.rowe@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	10/23/2012					

Text of Legislative File R-1213-66

Body

BACKGROUND: In 2003, The City of Norman hired Carter & Burgess, Inc. to conduct a parking survey for the Downtown and Campus Corner areas. The purpose of the study was to identify a parking strategy for these high traffic areas to ensure responsible development. Carter & Burgess ultimately determined that there was a shortage of parking during peak periods on typical weekdays and that the parking shortage would increase with planned development. They recommended increasing parking supply and increasing metered rates. In order to increase parking supply, Carter & Burgess recommended developing a surface parking lot on Gray Street between Peters and Crawford

Streets to serve the downtown area.

This surface lot, hereinafter referred to as the "Gray Street Parking Facility", was completed in January 2007, and, upon completion, it had 104 parking spaces that were available to the public. Now, the City of Norman facility maintenance building has been removed from the property, and the number of spots has increased to 147.

In 2011, the City of Norman parking service officers conducted a traffic count at the Gray Street Parking Facility in order to gauge usage. From December 1, 2011 to December 15, 2011, vehicles parked in the lot were counted at 9:00 am, 12:00 pm, and 3:00 pm each day. According to this survey, on average, 60% of the lot is full by 9:00 am, 90% of the lot is full by 12:00 pm, and 94% of the lot is full by 3:00 pm. Of these percentages, long-term parkers account for almost half of the total count.

On January 25, 2012, staff presented an update on the Gray Street Parking Facility to the City Council Planning and Transportation Committee. At that meeting, the Committee directed City Staff to move forward with changes in management of the Gray Street Parking Facility and strict enforcement of the two-hour maximum in the lot and along Main Street.

City Council, at its meeting of February 28, 2012, postponed Resolution No. R-1112-112 to allow the City Council Planning and Transportation Committee to receive additional input from the Downtowners Association regarding the Gray Street Parking Facility. The Community Planning and Transportation Committee met on March 28, 2012, and additional input was received. A demonstration of the proposed parking system was held on April 4, 2012. Staff met with representatives from the Downtowners Association on April 20, 2012 and April 25, 2012 to finalize plans for the parking lot.

At the City Council meeting on May 8, 2012, City Council approved Resolution R-1112-112 directing the City Manager (or his designee) to initiate the Request for Proposal process for design and equipping of the Gray Street Parking Facility and to manage the Gray Street Parking Facility in order to continue to balance the needs of employees and customers of downtown area businesses. The Planning Department moved forward with soliciting bids to raise the building on Peters to allow for the Parking lot expansion. The Public Works Department has moved forward with installing the pavement, and requested bids or proposals for the provision and installation of meters for the downtown parking lot. It is anticipated that a contract with Duncan Technologies, the low bidder on the Gray Street Parking Facility meters and equipment, will be on the Council's Agenda for the October 23, 2012 meeting for consideration.

Funding and financing of the Parking Meter purchase and installation was discussed at the October 17, 2012 Finance Committee meeting. This item is coming forward based on the consensus of Finance Committee members to finance the project with a loan from Republic Bank made to the Norman Municipal Authority to be paid from revenues from the parking meters. Resolutions R-1213-61 (for Authority) and R-1213-66 (for City) authorize the execution of documents to effectuate this financing arrangement.

DISCUSSION: Initial discussions on the funding of the improvements to the Gray Street Parking

Facility by the Downtowners Association and Republic Bank and Trust involved the possibility of creating a private trust, similar to the one created for the sale of the property upon which the Gray Street Parking Facility is located. The new private trust would formalize the relationship between the City of Norman, the Downtowners Association, and Republic Bank and Trust. In accordance with those initial discussions, the Downtowners Association and Republic Bank provided a letter of intent to initially fund the improvements. That letter is included in the previous agenda item. The Public Works Department initially estimated that the cost of purchasing and installing the improvements would be approximately $100,000; however, bids came back significantly higher (the low bid is $140,386.50). Republic Bank and Trust remains agreeable to initially fund this higher amount and to allow the City to repay that amount without interest or fees over an indefinite term from the Gray Street Parking Facility revenues.

Because City revenues (parking facility receipts) will be pledged to repay the construction costs over more than one City fiscal year, this arrangement requires a debt financing. Although the City cannot commit to the payment of revenues beyond a fiscal year, Oklahoma public trust statutes allow municipal public trusts to accomplish this result. Norman has at least three public trusts with indenture language broad enough to provide for this financing: the Norman Municipal Authority; the Norman Tax Increment Finance Authority; and the Norman Economic Development Authority. Resolution R-1213-61 is for the October 23rd Agenda, with the City Council acting as the public trust trustees, to pledge revenues from meter collections in the Gray Street Parking Facility as security for a note issued by Republic Bank in an amount not to exceed $150,000. Such future revenues, less an annual amount for operations and maintenance of the Gray Street Parking Facility in an amount not to exceed $5,000 annually, shall be collected and remitted periodically to the lender until the note is satisfied. Normally public debt issuances are submitted through a competitive bid process. However, in this instance, since Republic Bank and Trust has worked closely with the Downtowners Association and is offering an interest free note with no defined repayment date, R-1213-61 waives competitive bidding on the sale of the note and authorizes sale of that note to Republic Bank and Trust on that basis.

Although, there were initial discussions about forming a private trust to secure a loan from Republic Bank and Trust that would then contract with the specified City public trust (the "Authority"), Republic Bank and Trust is willing to simplify the process by loaning the money for the improvements directly to the City of Norman without involving a third entity. The City of Norman, through the Authority, will be the entity administering the operation of the Gray Street Parking Facility. In this way, the process is more streamlined, and a private trust becomes unnecessary.

It should also be noted that the Bid item from Public Works also contains an appropriation from Capital fund balance to make sure funding is appropriated at the time the contract with Duncan Technologies is awarded. After Council authorizes the financing arrangement with Republic Bank and the loan documents are completed, then the proceeds from the loan will be used to reimburse the Capital fund balance.

In determining which of Norman's Public Trusts to use for this financing, the Finance Committee recommended using the Norman Municipal Authority (NMA) as the financing tool. Although the Finance Committee did note that the Downtown Parking Lot Parking Meter purchase and installation project would not likely be the type of project referred to the Economic Development Advisory Board

(EDAB), the consensus of the Finance Committee was to use NMA because the EDAB had not yet been constituted. In accordance with the Finance Committee's recommendation, Resolution R-1213-61 was prepared using NMA as the financing vehicle for this Project.

RECOMMENDATION: Based upon the above and foregoing discussion, it is the staff recommendation that the Downtown Parking Lot meter construction and installation project be funded through a financing arrangement offered by Republic Bank making available up to $150,000 at zero percent (0%) interest on a flexible term that will allow the balance of the loan to be paid from revenues that will be collected over time from the parking meters to be installed. Resolutions R-1213-61 (for Authority) and R-1213-66 (for City) authorize the execution of documents to effectuate this financing arrangement.

Staff will be available to answer additional questions or concerns.

R-1213-66

Resolution

A RESOLUTION OF THE CITY OF NORMAN APPROVING ACTION TAKEN BY THE NORMAN MUNICIPAL AUTHORITY AUTHORIZING ISSUANCE, SALE, AND DELIVERY OF A PROMISSORY NOTE TO REPUBLIC BANK AND TRUST FOR THE DEVELOPMENT OF A METERED PARKING SYSTEM IN THE GRAY STREET PARKING FACILITY.

WHEREAS, The Norman Municipal Authority ("Authority") did, by its Resolution adopted October 23, 2012, authorize the issuance, sale, and delivery of a note to Republic Bank and Trust for the development of a metered parking system in the Gray Street Parking Facility; and

WHEREAS, The City Council of the City of Norman, Oklahoma ("City") hereby determines that the actions taken by the Authority should be authorized and approved; and

WHEREAS, the City hereby determines that such other action necessary or attendant to the accomplishment of the referenced financing should be considered by the City Council of the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Norman as follows:

SECTION 1. That the issuance, sale, and delivery of the Norman Municipal Authority note to Republic Bank and Trust in the principal amount of $150,000 all as approved by said Authority on October 23, 2012, be and hereby is authorized, approved, and ratified.

SECTION 2. That all actions heretofore taken by the Authority in connection with the issuance, sale, and delivery of the note and all other aspects of the transaction, including a lease agreement to effectuate said transaction, be and are hereby authorized, approved, and ratified; including that competitive bidding on the sale of said note be waived, and the Authority be authorized to sell the note to Republic Bank and Trust, as purchaser, at a price of par.

SECTION 3. That the Mayor or Vice Mayor and City Clerk or Deputy City Clerk be and hereby are authorized and empowered to execute and deliver for an on behalf of the City any and all other documents or instruments reasonably necessary to accomplish the issuance, sale, and delivery of the note and all other aspects of the transaction.

PASSED AND APPROVED THIS ____ DAY OF OCTOBER, 2012.

CITY COUNCIL OF THE CITY OF NORMAN

(SEAL)

By: _____
Name:
Title: Mayor

ATTEST:

By: _____
Name:
Title: Secretary

City of Norman, OK

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

Master

File Number: R-1213-64

File ID:	R-1213-64	**Type:**	Resolution	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 67	**In Control:**	City Council
Department:	Legal Department	**Cost:**		**File Created:**	10/18/2012
File Name:	NEDC Financing			**Final Action:**	

Title: RESOLUTION NO. R-1213-64: A RESOLUTION OF THE NORMAN TAX INCREMENT FINANCE AUTHORITY APPROVING CONCURRENCE IN AGREEMENT OF THE NORMAN ECONOMIC DEVELOPMENT COALITION TO FINANCE THE ACQUISITION OF PROPERTY FOR ECONOMIC DEVELOPMENT PURPOSES, WITHIN THE UNIVERSITY NORTH PARK ECONOMIC DEVELOPMENT PROJECT.

ACTION NEEDED: Acting as the Norman Tax Increment Finance Authority, motion to adopt or reject Resolution No. R-1213-64.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 67

Attachments: Resolution No. R-1213-64

Project Manager: Kathryn Walker, Assistant City Attorney

Entered by: kathryn.walker@normanok.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File R-1213-64

Body

BACKGROUND: Council approved the University North Park (UNP) Tax Increment Finance District (TIF) Project Plan (Ordinance O-0506-66) on May 23, 2006. The Project Plan authorized public improvements within the TIF, including Traffic and Roadway Improvements, a Hotel Conference Center, a retail-based Lifestyle Center, Legacy Park, and an Economic Development component that would foster special employment opportunities in Norman.

The Economic Development component of the UNP TIF outlined in the Project Plan provides for up to $8.25 million in funding to foster special employment opportunities. The Master Development

Agreement (Contract K-0607-44) further refined this focus by identifying sixty (60) acres of land that could be purchased by the Norman Economic Development Coalition (NEDC) at discounted prices in an effort to provide incentive tools for attracting future employers to Norman that meet the criteria of the Oklahoma Quality Jobs Act. Under the Master Development Agreement, another forty (40) acres at market prices is also available to be purchased for the same purpose.

A final plat was approved by City Council in April of 2008 for the development of the University North Park Corporate Center, consisting of twenty-eight (28) acres of land that contained six lots for development of high-quality office space to be utilized by future employers. A revised final plat for the University North Park Corporate Center was approved by City Council in June 2010 that increased the size of the development to thirty (30) acres. Under current City development regulations, because the infrastructure was not installed within two years of approval of the final plat for University North Park Corporate Center Section 1, it expired in June 2012. The final plat for University North Park Corporate Center Section 1, has been resubmitted in identical form as was previously approved, has been reapproved by Planning Commission, and is on Council's agenda for October 23, 2012 along with the final plat for University North Park Corporate Center Section 2. The Section 2 final plat includes the second thirty acres available for purchase by NEDC at a reduced price under prior UNP TIF Development Agreements and is currently being planned for a potential employer to Norman that will operate an advanced manufacturing center.

In 2010, Council approved Resolution R-1011-39 concurring in NEDC's purchase of the thirty (30) acres contained in the plat for University North Park Corporate Center Section 1 and providing UNP TIF Economic Development revenues as credit enhancement for a loan from Republic Bank (the "Lender") to NEDC to purchase the land. The TIF Economic Development revenues were provided because NEDC did not have sufficient available revenues to pay interest on the loan. The TIF revenue approved in 2010 was for the lesser of $800,000 or the amount of UNP TIF Economic Development Revenues that accumulated between the first financing in June of 2009 and the fiscal year ending June 30, 2011. TIF revenues have been used since that time to make semi-annual interest payments on the NEDC loan, and can be credited toward principal repayment on the loan should NEDC not be able to achieve the anticipated lot sales or develop the property over the next three years (NEDC is obligated to repay the principal in three years). If NEDC makes sales of its UNP Corporate Center land before the loan principal becomes due and payable, proceeds of those land sales will repay the UNP TIF's security funding.

DISCUSSION: Resolution R-1213-64 is similar in structure to the 2010 Resolution as it provides necessary credit enhancement for the purchase of the land contained in the UNP Corporate Center Section 2 final plat planned for an advanced manufacturing center. This land is available from University North Park, LLC (a subsidiary of the University of Oklahoma Foundation) to NEDC at a discounted rate of $1.25 per square foot. The Lender and NEDC have agreed to combine the existing loan for the first 30 acres with the loan for the purchase of the second 30 acres, and to extend the principal repayment period for an additional three (3) years. The additional UNP TIF Economic Development Revenues that are proposed to be made available to provide repayment security for the second NEDC land purchase within University North Park is in an amount not to exceed the total of the remaining Economic Development Revenues made available for the purchase of the first 30 acres (as set forth in Resolution No. R-1011-39), plus the Economic Development Revenues collected between July 1, 2011 and December 31, 2012 (approximately $475,000 + $695,000). As has been the

case with the 2010 NEDC loan, TIF Economic Development revenues will be held by a Trustee and used to make semi-annual interest payments or credited toward loan principal repayment. If NEDC achieves the anticipated lot sales and repays the loan principal to the Lender from the lot sale proceeds, any remaining TIF Economic Development revenue will be repaid from the Trustee to the City's UNP TIF Fund and made available for other approved TIF projects.

STAFF RECOMMENDATION: Staff recommends approval of Resolution No. R-1213-64.

Resolution

R-1213-64

Resolution

A RESOLUTION OF THE NORMAN TAX INCREMENT TAX AUTHORITY APPROVING CONCURRENCE IN AGREEMENT OF THE NORMAN ECONOMIC DEVELOPMENT COALITION TO FINANCE THE ACQUISITION OF PROPERTY FOR ECONOMIC DEVELOPMENT PURPOSES, WITHIN THE UNIVERSITY NORTH PARK ECONOMIC DEVELOPMENT PROJECT.

WHEREAS, the City of Norman (the "City"), by Ordinance No. O-0506-66, adopted May 23, 2006, as amended by Ordinance No. O-0809-8, adopted August 26, 2008 (the "TIF Ordinance"), pursuant to the Oklahoma Local Development Act, Title 62, Oklahoma Statutes, Section 851, *et seq.*, adopted and approved the Norman University North Park Project Plan, as amended (the "Project Plan") and the project therein described (the "Project"); and

WHEREAS, the Project supports achievement of the City's economic development and redevelopment objectives for the Project area, including reversal of urban stagnation, creation of a catalyst for expanding employment, attraction of major investment, preservation and enhancement of the tax base, and facilitation of investment, development and economic growth otherwise difficult, unlikely or impossible without the Project; and

WHEREAS, the City, as authorized in the Project Plan, has designated the Norman Economic Development Coalition ("NEDC") to undertake the financing for construction and development in support of the economic development activities and objectives of the Project; and

WHEREAS, the Norman Tax Increment Finance Authority (the "Authority") has heretofore approved the University North Park Economic Development Agreement dated September 21, 2010 (the "Agreement"); and

WHEREAS, pursuant to the Agreement, each economic development agreement entered into by the NEDC is subject to concurrence by the Authority; and

WHEREAS, the Authority approved Resolution No. R-1011-39 on September 21, 2010 pledging economic development tax increments collected and apportioned from Norman Increment District No. 2 between July 1, 2010 and June 30, 2011 by NEDC as security for purchasing thirty (30) acres of land in University North Park ("UNP") on which the UNP Corporate Center is to be located; and

WHEREAS, NEDC is prepared to purchase additional acreage of land in UNP for the purpose of developing a site for an industrial or manufacturing center and the Lender is willing to combine the 2010 financing for the initial thirty acres with the purchase of this additional acreage; and

WHEREAS, it is appropriate and desirable to concur in the proposed financing of the acquisition of property by NEDC in order to achieve the economic development objectives of the Project Plan.

NOW, THEREFORE, BE IT RESOLVED by the Trustees of the Norman Tax Increment Finance Authority as follows:

SECTION 1. The proposed financing for the acquisition of property by the Norman Economic Development Coalition for economic development purposes is hereby approved in an amount not to exceed $1.25 per square foot, subject to the provisions of Section 2 below.

SECTION 2. The pledge of apportioned economic development tax increments by the Norman Economic Development Coalition as security for the financing of the acquisition of property is authorized and shall not exceed the aggregate of economic development sales tax increments collected and apportioned from Norman Increment District No. 2, City of Norman, beginning on July 1, 2010 through the end of June 30, 2011 as security for purchasing thirty (30) acres of land in University North Park ("UNP") on which the UNP Corporate Center is to be located, the balance of which is currently on deposit with the Lender, AND the aggregate of economic development sales tax increments collected and apportioned from Norman Increment District No. 2, City of Norman, beginning July 1, 2011 and through the end of the current calendar year, December 31, 2012.

SECTION 3. The officers, managers, and attorneys for the Authority are authorized and directed to take such actions and execute such documents as they may be necessary or appropriate to evidence this concurrence.

PASSED AND APPROVED THIS ____ DAY OF OCTOBER, 2012.

NORMAN TAX INCREMENT FINANCE AUTHORITY

(SEAL)

By: _____
Name:
Title: Chairperson

ATTEST:

By: _____
Name:
Title: Secretary

City of Norman, OK

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

Master

File Number: O-1213-16

File ID:	O-1213-16	**Type:**	Ordinance	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 68	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**		**File Created:**	10/04/2012
File Name:	O-1213-16 Time for City Council			**Final Action:**	

Title: ORDINANCE NO. O-1213-16: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE I, SECTION 2-104 OF CHAPTER 2 OF THE CODE OF THE CITY OF NORMAN BY AMENDING THE TIME FOR CITY COUNCIL MEETINGS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-16 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-16 upon Final Reading as a whole.

ACTION TAKEN: _____

Notes:

Agenda Date: 10/23/2012

Agenda Number: 68

Attachments: Text File O-1213-16, O-1213-16 Changing Time for CC Mtg, O-1213-16 annotated

Project Manager: Brenda Hall City Clerk

Entered by: Ellen.Usry@NormanOK.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	10/09/2012	Introduced and adopted on First Reading by title only				Pass

Action Text: A motion was made by Council Member Kovach, seconded by Council Member Griffith, that this Ordinance be Introduced and adopted on First Reading by title only . The motion carried by the following vote:

Text of Legislative File O-1213-16

Body

BACKGROUND: City Council, in its Annual Retreat on August 18, 2012, identified City Council meeting procedures and processes as an area for further Council discussion with the goal of conducting more productive Council meetings. Council continued that discussion in its conferences on September 4 and September 11, 2012. Council discussed specific rules and procedures relative to speakers signing up prior to the meeting; time limits for speakers; utilizing a portion of the pre-meeting conference to answer questions relative to items included on the consent docket; and changing the time for the pre-meeting conference and regular meeting. Staff was directed to prepare the appropriate documentation adopting the rules and procedures Council identified for further discussion.

DISCUSSION: City Council met in study session on October 2, 2012, to review the draft resolution and ordinance and after further discussion asked staff to continue to work on modifications to the procedures outlined in the resolution, but directed staff to move forward with the ordinance changing the Council meeting time. Ordinance No. O-1213-16 amends Section 2-104 of Chapter 2 of the Code of Ordinance adjusting the City Council meeting time from 6:30 p.m. to 6:00 p.m. If adopted the ordinance would become effective 30 days after adoption on Final Reading.

Ordinance No. O-1213-16 is submitted for Council's consideration.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING ARTICLE I, SECTION 2-104 OF CHAPTER 2 OF THE CODE OF THE CITY OF NORMAN BY AMENDING THE TIME FOR CITY COUNCIL MEETINGS; PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That Section 2-104 of Article I of Chapter 2 of the Code of the City of Norman shall be amended to read as follows:

Sec. 2-104. Council Meetings: Classifications, place, time, continuances.

(a) The City Council shall meet in regular session the second and fourth Tuesday of each month:
   (1) At 6:00 p.m., unless otherwise announced or delegated by the Council;
   (2) Except that when such Tuesday shall fall upon a day designated as a mandatory City holiday, or on the eve of such a holiday, the meeting shall be held at the same time on a day as designated by City Council Resolution.

(b) Except when otherwise designated by City Council resolution, all Council meetings shall be at the Norman Municipal Building, located at 201 West Gray, Norman, Oklahoma.

* * *

§ 2. 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, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this _____ day

of _____, 2012.

_____
Cindy Rosenthal, Mayor

NOT ADOPTED this _____ day

of _____, 2012.

_____
Cindy Rosenthal, Mayor

ATTEST:

_____
Brenda Hall, City Clerk

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING ARTICLE I, SECTION 2-104 OF CHAPTER 2 OF THE CODE OF THE CITY OF NORMAN BY AMENDING THE TIME FOR CITY COUNCIL MEETINGS; PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That Section 2-104 of Article I of Chapter 2 of the Code of the City of Norman shall be amended to read as follows:

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   (1) At ~~6:30~~ 6:00 p.m., unless otherwise announced or delegated by the Council;
   (2) Except that when such Tuesday shall fall upon a day designated as a mandatory City holiday, or on the eve of such a holiday, the meeting shall be held at the same time on a day as designated by City Council Resolution.

(b) Except when otherwise designated by City Council resolution, all Council meetings shall be at the Norman Municipal Building, located at 201 West Gray, Norman, Oklahoma.

* * *

§ 2. 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, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this _____ day

of _____, 2012.

_____
Cindy Rosenthal, Mayor

NOT ADOPTED this _____ day

of _____, 2012.

_____
Cindy Rosenthal, Mayor

ATTEST:

_____
Brenda Hall, City Clerk

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. 69	**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: 10/23/2012

Agenda Number: 69

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: 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	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	05/22/2012	Postponed		10/23/2012	10/23/2012
	Action Text: Postponed					
1	City Council	05/22/2012				

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:

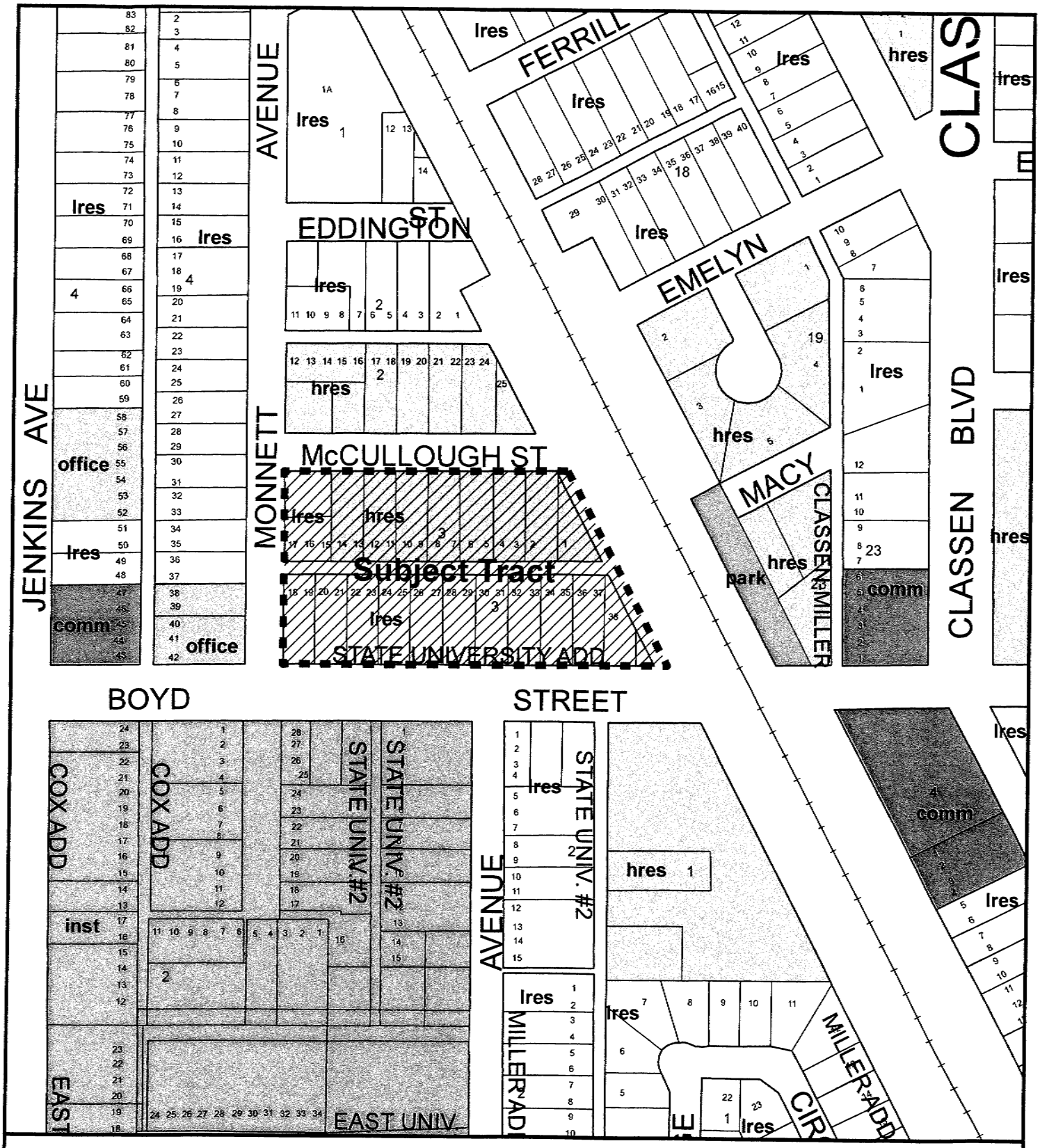
§ 4. That the Council of the City of Norman recognizes the need to control the future growth of the City of Norman; and, that after due consideration, has determined that the requested amendment is compatible with the adopted NORMAN 2025 Land Use and Transportation Plan and does hereby approve the requested 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
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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

* * *

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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