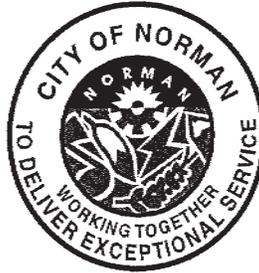


# City of Norman, OK

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



## Meeting Agenda

**Tuesday, June 25, 2013**

**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****3 GID-1213-85 APPROVAL OF THE MINUTES AS FOLLOWS:**

CITY COUNCIL FINANCE COMMITTEE MINUTES OF MAY 15, 2013  
CITY COUNCIL STUDY SESSION MINUTES OF JUNE 4, 2013  
CITY COUNCIL BUSINESS AND COMMUNITY AFFAIRS COMMITTEE MINUTES OF  
JUNE 6, 2013  
CITY COUNCIL SPECIAL SESSION MINUTES OF JUNE 11, 2013  
CITY COUNCIL CONFERENCE MINUTES OF JUNE 11, 2013  
CITY COUNCIL MINUTES OF JUNE 11, 2013  
NORMAN UTILITIES AUTHORITY MINUTES OF JUNE 11, 2013  
NORMAN MUNICIPAL AUTHORITY MINUTES OF JUNE 11, 2013  
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF JUNE 11, 2013

**Attachments:** Text File

May 15 Finance Committee minutes

June 4 SS minutes

June 6 BACA minutes

June 11 Special Session minutes

June 11 CC minutes

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

*ACTION TAKEN:* \_\_\_\_\_

**Awards and Presentations****4 P-1213-27 PROCLAMATION NO. P-1213-27: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF JULY, 2013, AS AMERICANS WITH DISABILITIES MONTH IN THE CITY OF NORMAN.****Attachments:** Americans with Disabilities Month

*ACTION NEEDED: Motion to acknowledge receipt of Proclamation No. P-1213-27 proclaiming the month of July, 2013, as Americans with Disabilities Month in the City of Norman and direct the filing thereof.*

*ACTION TAKEN:* \_\_\_\_\_

**5 Consent Docket**

*Consent Docket*

*This item is placed on the agenda so that the City Council, by unanimous consent, can designate those routine agenda items that they wish to be approved or acknowledged by one motion. If any item proposed does not meet with approval of all Councilmembers, that item will be heard in regular order. Staff recommends that Item 6 through Item 29 be placed on the consent docket.*

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

*ACTION TAKEN: \_\_\_\_\_*

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

*ACTION TAKEN: \_\_\_\_\_*

**First Reading Zoning Ordinance**

**6 O-1213-50**

CONSIDERATION OF ORDINANCE NO. O-1213-50 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING THE SOUTH TWENTY (20) FEET OF THE FIFTY (50) FOOT RIGHT-OF-WAY ADJACENT TO LOT 14, BLOCK 6 OF PICKARD ACRES ADDITION AND CLOSING A PORTION OF THE TWENTY (20) FOOT SANITARY SEWER EASEMENT WITHIN LOT 13 AND 14, BLOCK 6, PICKARD ACRES ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

**Attachments:** Text File

O-1213-50

Location Map-Pickard Addn.pdf

Staff Report - Pickard Acres ROW-UE

Plat - Pickard Acres

*ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1213-50 upon First Reading by title.*

*ACTION TAKEN: \_\_\_\_\_*

- 7      O-1213-51      CONSIDERATION OF ORDINANCE NO. O-1213-51 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 LOT TWO (2), BLOCK ONE (1), NORTHRIDGE INDUSTRIAL PARK SECTION 4, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE O-1, OFFICE INSTITUTIONAL DISTRICT WITH SPECIAL USE FOR A HIGH IMPACT INSTITUTIONAL USE, AND REMOVE THE SAME FROM THE I-1, LIGHT INDUSTRIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (3530 MACDONNELL DRIVE)

**Attachments:**    Text File  
                           O-1213-51  
                           Location Map  
                           COYSCO Special Use Staff Rpt  
                           Coysco Site Plan  
                           Pre-Development Summary

*ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1213-51 upon First Reading by title.*

*ACTION TAKEN:* \_\_\_\_\_

#### **Report/Communication**

- 8      RPT-1213-6      SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S  
        6                    INVESTMENT REPORT AS OF MAY 31, 2013, AND DIRECTING THE FILING  
                           THEREOF.

**Attachments:**    Text File  
                           Finance Director's Report May 2013

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

*ACTION TAKEN:* \_\_\_\_\_

- 9      RPT-1213-6      SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY  
        8                    DEPARTMENTAL REPORTS FOR THE MONTH OF MAY, 2013, AND DIRECTING  
                           THE FILING THEREOF.

**Attachments:**    Text File  
                           Monthly Report May 2013

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

*ACTION TAKEN:* \_\_\_\_\_

#### **Bid/Request for Proposal**

- 10      K-1213-138      CONSIDERATION OF BID NO. 1213-66, CONTRACT NO. K-1213-138 BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND CENTRAL CONTRACTING SERVICES IN THE AMOUNT OF \$337,394; PERFORMANCE BOND NO. B-1213-61; STATUTORY BOND NO. B-1213-62, AND MAINTENANCE BOND NO. MB-1213-56 FOR THE TECUMSEH INTERCEPTOR PROJECT AND BUDGET TRANSFER.

**Attachments:**    Text File

K-1213-138 Bid Summary.pdf

K-1213-138

Perf B-1213-61

Stat B-1213-62

MB-1213-56

TecumsehInterceptorMap.pdf

*ACTION NEEDED: Acting as the Norman Utilities Authority, motion to accept or reject all bids meeting specifications; and, if accepted, award the bid in the amount of \$337,394 to Central Contracting Services, Inc., as the lowest and best bidder meeting specifications; approve Contract No. K-1213-138 and the performance, statutory, and maintenance bonds; authorize the execution of the contract and bonds and the Norman Utilities Authority as part of the contract to pay vendors supplying equipment and materials for the Sewer Maintenance Project FYE 2011; direct the filing of the bonds; and transfer of funds in the amount of \$78,261 from Sewer Excise Tax Fund Balance (322-0000-253.00-00) to Project WW0262, Tecumseh Interceptor, Construction (322-9048-432.61-01).*

*ACTION TAKEN:* \_\_\_\_\_

- 11      K-1213-210      CONSIDERATION OF REQUEST FOR PROPOSAL RFP-1213-88 AND CONTRACT K-1213-210 WITH AHI FACILITY SERVICES, INC., TO PROVIDE CUSTODIAL SERVICES FOR THE MUNICIPAL COMPLEX AND THE NORMAN PUBLIC LIBRARY EFFECTIVE JULY 1, 2013.

**Attachments:**    Text File

Summary of Proposals for Custodial Services

K-1213-210 - AHI

Exhibit "A" Pricing Schedule

Exhibit "A" Matrix for Frequency of Cleaning.docx

AHI Certificate of Insurance

*ACTION NEEDED: Motion to accept or reject Request for Proposal No. RFP-1213-88 to provide custodial services for the Municipal Complex and Norman Public Library effective July 1, 2013; and, if accepted, approve Contract No. K-1213-210 with AHI Facility Services, Inc., and authorize the execution thereof.*

*ACTION TAKEN:* \_\_\_\_\_

- 12      BID-1213-90      CONSIDERATION AND AWARDING OF BID NO. 1213-90 FOR THE PURCHASE OF COPPER METER YOKES FOR WATER METERS, HDPE METER BOXES WITH CAST IRON LIDS, AND WATER LINE REPAIR CLAMPS FOR THE LINE MAINTENANCE DIVISION.

**Attachments:**    [Text File](#)

[Bid tab - AMR cold water meters 2013](#)

*ACTION NEEDED: Acting as the Norman Utilities Authority, motion to accept or reject all bids meeting specifications; and, if accepted, award the bid to Badger Meter, Inc., as the lowest and best bidder meeting specifications.*

ACTION TAKEN: \_\_\_\_\_

### **Easement**

- 13      E-1213-24      EASEMENT NO. E-1213-24: CONSIDERATION OF A PERMANENT SANITARY SEWER EASEMENT DONATED BY HERITAGE FINE HOMES, L.L.C., AND ANTHONY K. MIRZAI FOR THE SOUTHEAST BISHOP INTERCEPTOR PROJECT.

**Attachments:**    [Text File](#)

[E-1213-24](#)

[Exhibit A E-1213-24](#)

[Agenda - Mirzaie \(StJames\) Easement Map](#)

[SE Bishop Interceptor Map](#)

*ACTION NEEDED: Motion to accept or reject Easement No. E-1213-24; and, if accepted, direct the filing thereof with the Cleveland County Clerk.*

ACTION TAKEN: \_\_\_\_\_

- 14      E-1213-25      TEMPORARY EASEMENT NO. E-1213-25: A TEMPORARY CONSTRUCTION EASEMENT DONATED BY HERITAGE FINE HOMES, L.L.C., AND ANTHONY K. MIRZAI FOR THE SOUTHEAST BISHOP INTERCEPTOR PROJECT.

**Attachments:**    [Text File](#)

[E-1213-25](#)

[Legal description](#)

[Location map](#)

*ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1213-25; and, if accepted, direct the filing thereof with the City Clerk.*

ACTION TAKEN: \_\_\_\_\_

### **Authorization to Purchase**

- 15 GID-1213-14  
0 AUTHORIZATION TO PURCHASE TWO FIRE APPARATUS FROM CONRAD FIRE EQUIPMENT IN THE AMOUNT OF \$1,038,060 UTILIZING THE HOUSTON GALVESTON AREA CONTRACT (HGAC).

**Attachments:** [Text File](#)

[Norman Sky Boom Component List 6-20-2013](#)

[Norman Engine Component List 6-20-2013](#)

*ACTION NEEDED: Motion to approve or reject the purchase of two fire apparatus from Conrad Fire Equipment in the amount of \$1,038,060 utilizing the Houston Galveston Area Contract.*

*ACTION TAKEN:* \_\_\_\_\_

### **Permits**

- 16 GID-1213-12  
8 SUBMISSION OF SEWER LINE PERMIT NO. SL000014130220 ISSUED BY THE STATE OF OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ) FOR THE TECUMSEH INTERCEPTOR PROJECT.

**Attachments:** [Text File](#)

[K-1213-128 ODEQ Permit.pdf](#)

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

*ACTION TAKEN:* \_\_\_\_\_

### **Development, Deferrals & Variances**

- 17 GID-1213-77 CONSIDERATION OF APPROVAL OF A REVOCABLE UTILITY INSTALLATION PERMIT FOR CASCADE ADDITION TO INSTALL IRRIGATION DISTRIBUTION SYSTEMS IN PUBLIC RIGHTS-OF-WAY.

**Attachments:** [Text File](#)

[Cascade Revocable Utility Installation Permit Application](#)

[Map.pdf](#)

[ATT Letter of No Objection](#)

[Cox Letter of No Objection](#)

[ONG Letter of No Objection](#)

[OGE Letter of No Objection](#)

[OEC Letter of No Objection](#)

[Cascade Water Lines SS PowerPoint](#)

*ACTION NEEDED: Motion to approve or reject a Revocable Utility Installation Permit for Cascade Homeowners Association to install irrigation distribution systems in the public rights-of-way.*

*ACTION TAKEN:* \_\_\_\_\_

### **Limited License**

- 18 LL-1213-12 LIMITED LICENSE NO. LL-1213-12: LIMITED LICENSE TO PLACE NINE (9) "DESIGNATE NORMAN" GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE UNITED WAY OF NORMAN.

**Attachments:** Text File  
Letter of Request United Way  
Application United Way  
List of Locations  
United Way - Commuter Banners

*ACTION NEEDED: Motion to approve or reject Limited License No. LL-1213-12 to place nine (9) "DESIGNATE NORMAN" ground banners within the public rights-of-way pursuant to a request from the United Way of Norman; and, if approved, authorize the issuance thereof.*

ACTION TAKEN: \_\_\_\_\_

### Acceptance of Funds

- 19 GID-1213-13 CONSIDERATION OF ACCEPTANCE OF REIMBURSEMENT OF FUNDS IN THE AMOUNT OF \$1,220.74 ELIGIBLE UNDER THE FIRE MUTUAL AID ASSISTANCE GRANT (FMAG) PROGRAM FOR MUTUAL AID ASSISTANCE BY THE NORMAN FIRE DEPARTMENT TO A WILD FIRE IN CANADIAN COUNTY, OKLAHOMA, DR-2941.

5

**Attachments:** Text File  
FMAG DR-2941 - Canadian County

*ACTION NEEDED: Motion to accept or reject reimbursement of funds in the amount of \$1,220.74 from Canadian County eligible under the FMAG Program for Mutual Aid Assistance by the Norman Fire Department to a wild fire in Cache, Oklahoma; and, if accepted, increase Other Agency Reimbursements (010-0000-366.12-39) by \$1,220.74.*

ACTION TAKEN: \_\_\_\_\_

- 20 GID-1213-14 CONSIDERATION OF ACCEPTANCE OF ADDITIONAL GRANT FUNDS IN THE AMOUNT OF \$24,964.19 AS PART OF AN OKLAHOMA OFFICE OF HOMELAND SECURITY GRANT TO BE USED BY THE FIRE DEPARTMENT TO PURCHASE ADDITIONAL EDUCATIONAL MATERIALS TO DISTRIBUTE TO THE PUBLIC, SAFETY CLOTHING FOR VOLUNTEERS, AND EQUIPMENT AND TEMPORARY LABOR TO ASSIST WITH THE VOLUNTEER PROGRAM AND ADOPT RESOLUTION R-1213-153 APPROPRIATING FUNDS.

5

**Attachments:** Text File  
Grant Supplemental Funds  
R-1213-153

*ACTION NEEDED: Motion to accept or reject additional grant funds in the amount of \$24,964.19 from the Oklahoma Department of Homeland Security to be used to purchase additional educational materials, safety clothing for volunteers, and equipment and temporary labor to assist with the Volunteer Program; and, if accepted, adopt Resolution No. R-1213-153 appropriating said funds.*

ACTION TAKEN: \_\_\_\_\_

**Contract**

- 21      K-1213-177-      CONSIDERATION OF FINAL ACCEPTANCE OF CONTRACT NO. K-1213-177 BY  
FINAL                      AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CMP REPAIR L.L.C.,  
FOR THE SOUTH SHILOH STORM SEWER REHABILITATION PROJECT.

**Attachments:**    Text File

Location map

Final Costs

*ACTION NEEDED: Motion to accept or reject the project.*

*ACTION TAKEN: \_\_\_\_\_*

- 22      K-1213-205      CONTRACT NO. K-1213-205:    A CONTRACT BY AND BETWEEN THE NORMAN  
UTILITIES AUTHORITY AND ANA-LAB CORPORATION TO PROVIDE  
PROFESSIONAL ANALYTICAL SERVICES FOR THE INDUSTRIAL AND MUNICIPAL  
WASTEWATER, SLUDGE, AND SOIL MONITORING ;PROGRAMS FOR THE  
NORMAN WATER RECLAMATION FACILITY.

**Attachments:**    Text File

K-1213-205 Ana Lab

Exhibit A K-1213-205 Ana Lab

*ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject  
Contract No. K-1213-205 with Ana-Lab Corporation; and, if approved, authorize the  
execution thereof.*

*ACTION TAKEN: \_\_\_\_\_*

- 23      K-1213-206      CONTRACT NO. K-1213-206:    A CONTRACT BY AND BETWEEN THE NORMAN  
UTILITIES AUTHORITY AND ACCURATE ENVIRONMENTAL LABORATORIES TO  
PROVIDE PROFESSIONAL ANALYTICAL SERVICES FOR THE INDUSTRIAL AND  
MUNICIPAL WASTEWATER, SLUDGE, AND SOIL MONITORING; PROGRAMS FOR  
THE NORMAN WATER RECLAMATION FACILITY.

**Attachments:**    Text File

K-1213-206 Accurate

Exhibit A K-1213-206 Accurate

*ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject  
Contract No. K-1213-206 with Accurate Environmental Laboratories; and, if approved,  
authorize the execution thereof.*

*ACTION TAKEN: \_\_\_\_\_*

- 24     K-1213-207     CONTRACT NO. K-1213-207: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN AND GARVER ENGINEERING L.L.C., IN THE AMOUNT OF \$32,000 TO PROVIDE ENGINEERING SERVICES FOR THE DEVELOPMENT OF TRAFFIC SIGNAL TIMING PLANS FOR THE ROBINSON STREET TRAFFIC SIGNAL INTERCONNECT SYSTEM.

**Attachments:**    Text File

K-1213-207 Contract Documents - Robinson Street Signal Timing

Location Map

Requisition

*ACTION NEEDED: Motion to approve or reject Contract No. K-1213-207 with Garver Engineering, L.L.C., in the amount of \$32,000; and, if approved, authorize the execution thereof.*

*ACTION TAKEN: \_\_\_\_\_*

- 25     K-1213-209     CONTRACT K-1213-209: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN AND DELL MARKETING, L.P., IN THE AMOUNT OF \$47,560 TO CONDUCT AN INFORMATION SYSTEMS (IT) SIMPLIFICATION ENTERPRISE ASSESSMENT.

**Attachments:**    Text File

K-1213-209 Dell Proposal

*ACTION NEEDED: Motion to approve or reject Contract No. K-1213-209 with Dell Marketing, L.P., in the amount of \$47,560; and, if approved, authorize the execution thereof.*

*ACTION TAKEN: \_\_\_\_\_*

#### **WCC Court**

- 26     GID-1213-87     CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF \$41,751.01 REGARDING RYAN LOVELESS VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC 2012-11700 X.

**Attachments:**    Text File

Court Award 6-4-13

Payment Schedule 6-13-13

Requisitions

*ACTION NEEDED: Motion to approve or reject the City Attorney's recommendation; and if approved, authorize compliance with the Workers' Compensation Order and direct payment of claims in the amount of \$41,751.01 which will constitute judgment against the City of Norman.*

*ACTION TAKEN: \_\_\_\_\_*

- 27 GID-1213-86 CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF \$37,145 REGARDING RICHARD HARTLESS VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2012-12849A.

**Attachments:** Text File  
Court Order 6-6-13  
Payment Schedule 6-13-13  
Pr Hartless

*ACTION NEEDED: Motion to approve or reject the City Attorney's recommendation; and if approved, authorize compliance with the Workers' Compensation Order and direct payment of claims in the amount of \$37,145 which will constitute judgment against the City of Norman.*

ACTION TAKEN: \_\_\_\_\_

### Resolution

- 28 R-1213-147 RESOLUTION NO. R-1213-147: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$50,153 FROM THE GENERAL FUND BALANCE FOR THE REPLACEMENT OF UNIT NOS. 1111 AND 1165 FOR THE NORMAN POLICE DEPARTMENT.

**Attachments:** Text File  
R-1213-147

*ACTION NEEDED: Motion to adopt or reject Resolution No. R-1213-147.*

ACTION TAKEN: \_\_\_\_\_

- 29 R-1213-155 RESOLUTION NO. R-1213-155: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$141,162 FROM THE ROOM TAX FUND BALANCE FOR THE WHITTIER AND IRVING RECREATION CENTERS GYM FLOOR REPLACEMENT PROJECT.

**Attachments:** R-1213-155

*ACTION NEEDED: Motion to adopt or reject Resolution No. R-1213-155.*

ACTION TAKEN: \_\_\_\_\_

### Non-Consent Items

- 30 RPT-1213-6 CONSIDERATION OF THE FYE 2014 NORMAN CONVENTION AND VISITORS BUREAU BUDGET WITH DETAILED ANNUAL PLAN OF WORK.

4

**Attachments:** Text File  
FYE 14 NCVB Budget and Descriptions for City Council  
NCVB FYE 14 Budget  
Destination Marketing Plan

*ACTION NEEDED: Motion to approve or reject the FYE 2014 Norman Convention and Visitors Bureau Budget and Annual Plan of Work; and, if approved, direct the filing thereof.*

ACTION TAKEN: \_\_\_\_\_

31      O-1213-47      CONSIDERATION OF ORDINANCE NO. O-1213-47 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER FOUR OF THE CODE OF THE CITY OF NORMAN TO ADD SECTION 4-107 REQUIRING ALL BOARDS, COMMISSIONS, COMMITTEES AND SUB-COMMITTEES TO COMPLY WITH THE OPEN MEETINGS ACT WHEN POSTING MEETING NOTICES AND AGENDAS AND POSTING SAID NOTICES AND AGENDAS ON THE CITY OF NORMAN WEBSITE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

- Attachments:**    Text File Second Reading  
                                  O-1213-47  
                                  O-1213-47 Annotated  
                                  Pert Excerpts April 10 Oversight Minutes  
                                  Pert Excerpts April 30 SS Minutes

*ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-47 upon Second Reading section by section.*

*ACTION TAKEN:* \_\_\_\_\_

*ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-47 upon Final Reading as a whole.*

*ACTION TAKEN:* \_\_\_\_\_

32      O-1213-48      CONSIDERATION OF ORDINANCE NO. O-1213-48 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 21, SECTION 21-404 OF THE CODE OF THE CITY OF NORMAN TO REQUIRE PERMITS FOR DOMESTIC AND INDUSTRIAL WATER WELLS AND SET FORTH CONDITIONS FOR APPROVAL OF SUCH PERMITS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

- Attachments:**    Text File Final Reading  
                                  O-1213-48  
                                  O-1213-48 Annotated  
                                  Oversight Committee Minutes 3-6-13  
                                  Pert excerpt April 30 SS Minutes Water Wells

*ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-48 upon Second Reading section by section.*

*ACTION TAKEN:* \_\_\_\_\_

*ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-48 upon Final Reading as a whole.*

*ACTION TAKEN:* \_\_\_\_\_

- 33      R-1112-129      RESOLUTION NO. R-1112-129: 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-1112-6**, 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 COMMERCIAL DESIGNATION AND REMOVE THE SAME FROM THE HIGH DENSITY RESIDENTIAL DESIGNATION AND OFFICE DESIGNATION. (LOCATED AT 612 ASP AVENUE, 421-427 BUCHANAN AVENUE, 700, 706 AND 710 ASP AVENUE, AND THE ADJACENT LOT TO THE SOUTH)

**Attachments:**      Text File 6-13-13

Developer of Record

NEDC letter on NE Development as agent

R-1112-129 NE Development - 6-13-13

R-1112-129 REV 5-13

Location Map 5-31-13

2025 Staff Report 6-13-13

Location map 9-4-12

2025 Staff Report 9-13-12

Pre-Development Summary July 26, 2012

Pre-Development Summary April 26, 2012

Pre-Development Summary March 22, 2012

7-12-12 PC Minutes - B3 Postpone

8-9-12 PC Minutes - B3

9-13-12 PC Minutes - B3 Devel

6-13-13 PC Minutes Transcript - NE Development

*ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-129, Land Use Plan Amendment No. LUP-1112-6; and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according thereto*

*ACTION TAKEN:* \_\_\_\_\_

*ACTION NEEDED: Motion to amend Resolution No. R-1112-129, Land Use Plan Amendment No. LUP-1112-6, to add 700 and 706 Asp to the list of property under consideration for land use change and amend the legal description of the subject property under consideration.*

*ACTION TAKEN:* \_\_\_\_\_

- 34      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 THIRTY-ONE (31), TOWNSHIP NINE (9) NORTH, RANGE TWO (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 SAME FROM THE C-1, LOCAL COMMERCIAL DISTRICT, THE C-2, GENERAL 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, 700, 706 AND 710 ASP AVENUE, AND THE ADJACENT LOT TO THE SOUTH)

**Attachments:**    Text File NE Development 6-25-13

O-1112-38 NE Development - 6-13-13 Annotated

O-1112-38 - Rev. 6-13-13 Clean Copy

O-1112-38 Attachment A

O-1112-38 NE Development - Rev 5-13.doc

Developer of Record - Asp Avenue

NEDC letter on NE Development as agent

Location Map 5-31-13

7-10-12 Location Map

CC - Asp HD project - Packet Binder - 5-1-13

Rezoning Staff Report 6-13-13

Transportation Impacts (06-18-13)

TIA - Asp Avenue 6-13

Rezone Staff Report

Protest Map 6-19-13

Protest Letter 6-19-13

NE Development Protest Map and Letter 6-13-13

Asp Protests 9-13-12

Asp Supports 9-13-12

Pre-Development Summary - 7-26-12

Pre-Development Summary 4-26-12

Pre-Development Summary 3-22-12

Myth and Fact FINAL

8-9-12 PC Minutes - Asp/Buchanan

9-13-12 PC Minutes - B3 Development

6-13-13 PC Minutes Transcript - NE Development

7-12-12 PC Minutes - Asp/Buchanan

*ACTION NEEDED: Motion to amend the title for Ordinance No. O-1112-38 to add C-2, General Commerical District, to the list of zoning categories being rezoned and add 700 and 706 Asp to the list of property under consideration for rezoning.*

ACTION TAKEN: \_\_\_\_\_

ACTION NEEDED: *Motion to adopt or reject Ordinance No. O-1112-38 upon Second Reading section by section.*

ACTION TAKEN: \_\_\_\_\_

ACTION NEEDED: *Motion to amend Sections 1 and 4 of Ordinance No. O-1112-38 to add C-2, General Commerical District, to the list of property being rezoned and amend the legal description of the subject property under consideration.*

ACTION TAKEN: \_\_\_\_\_

ACTION NEEDED: *Motion to further amend Ordinance No. O-1112-38 to add Section 5 which states, "the site shall be developed in accordance with the "Conditions of Approval: Zoning Application, C-3, Intensive Commercial District, with Special Use for a Mixed Building in which one or more dwelling units may be located on the upper floor(s) provided that the First Floor use is a permitted use in the district" offered by the applicant, labeled as "ATTACHMENT A", and reviewed by the Planning Commission on June 13, 2013."*

ACTION TAKEN: \_\_\_\_\_

ACTION NEEDED: *Motion to adopt or reject Ordinance No. O-1112-38, as amended, upon Final Reading as a whole.*

ACTION TAKEN: \_\_\_\_\_

**35 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.**

**36 Adjournment**



# City of Norman, OK

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

## Master

**File Number: GID-1213-85**

**File ID:** GID-1213-85

**Type:** Minutes

**Status:** Non-Consent Items

**Version:** 1

**Reference:** Item No. 3

**In Control:** City Council

**Department:** City Clerk Department

**Cost:**

**File Created:** 06/13/2013

**File Name:** minutes

**Final Action:**

**Title:** APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL FINANCE COMMITTEE MINUTES OF MAY 15, 2013  
CITY COUNCIL STUDY SESSION MINUTES OF JUNE 4, 2013  
CITY COUNCIL BUSINESS AND COMMUNITY AFFAIRS COMMITTEE MINUTES OF JUNE 6, 2013  
CITY COUNCIL SPECIAL SESSION MINUTES OF JUNE 11, 2013  
CITY COUNCIL CONFERENCE MINUTES OF JUNE 11, 2013  
CITY COUNCIL MINUTES OF JUNE 11, 2013  
NORMAN UTILITIES AUTHORITY MINUTES OF JUNE 11, 2013  
NORMAN MUNICIPAL AUTHORITY MINUTES OF JUNE 11, 2013  
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF JUNE 11, 2013

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

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 3

**Attachments:** Text File, May 15 Finance Committee minutes, June 4 SS minutes, June 6 BACA minutes, June 11 Special Session minutes, June 11 CC minutes

**Project Manager:** Brenda Hall, City Clerk

**Entered by:** Ellen.Usry@mccinnovations.com

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

### Text of Legislative File GID-1213-85

FINANCE COMMITTEE MINUTES  
May 15, 2013

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 15th day of May, 2013, 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 24 hours prior to the beginning of the meeting.

PRESENT: Members Castleberry, Gallagher, Griffith, and Kovach, and Chair Rosenthal

ABSENT: None

OTHERS PRESENT: Linda Lockett, Councilmember  
Greg Jungman, Councilmember  
Steve Lewis, City Manager  
Anthony Francisco, Finance Director  
Suzanne Krohmer, Budget Manager  
Clint Mercer, Municipal Accountant  
Don Williams, Partner, BKD, LLP  
Joel Haaser, Manager, BKD, LLP  
Gala Hicks, Human Resources Director  
Ken Komiske, Utilities Director  
Jeff Bryant, City Attorney  
Shawn O’Leary, Public Works Director  
Jud Foster, Parks & Rec Director  
Susan Conners, Planning & Community Development  
James Fullingim, Fire Chief  
Brenda Hall, City Clerk  
Keith Humphrey, Police Chief  
Ronda Guerrero, Municipal Court Clerk  
Wayne Stenis, Planner II  
Lynn Miller, Councilmember-elect  
Eddie Sims, PSST Chairperson  
Joy Hampton, Transcript Reporter

INTRODUCTION OF BKD, LLP AND DISCUSSION OF FYE 2013 AUDIT

Don Williams, Partner, and Joel Haaser, Manager with BKD, LLP made presentation.

- Focus on Comprehensive Annual Financial Report (CAFR) – City’s financial statements
  - Financial District (TIF)
  - Federal Grants
- Auditing process timeline
  - September – pre-audit meeting with Finance Committee
  - Draft report due 11-20-13 to Finance Committee and meet with committee
  - Final report due 11-27-13 to Council

- Reviewed new GASB Statements #60, #61, #62, and #63
- “Statement of Net Assets” renamed to financial position
- In June/July will meet to update Finance Committee
- “Management Letter” will be submitted

Item(s) submitted for the record:

1. Handout prepared by BKD, LLP outlining plans for the City of Norman FYE 2013 audit.

#### DISCUSSION REGARDING THE FYE 2013 AND FYE 2014 BUDGET AND CAPITAL IMPROVEMENTS PLAN

- McKinley Elementary School (Flood & Cruce) - Traffic pattern changes in the works with the school district.
- School will pay half the cost of project (\$25,000) and City will pay half (\$25,000).
- Kovach – other schools – future improvements around schools.
- Finance Committee recommends putting project back into FYE 14 CIP budget – no amendment necessary.
- Kovach – work on other schools – Lincoln.
- Mayor - Action vs. Information items.
- General Fund balance graph (page 6, item 11).
- Kovach – tend to be better off at year-end.
- Castleberry – too big a variance between Actual and Budget Fund balance.
- \$2.9 million in needed sidewalks projects.
- “Why are we off this much?”
- Francisco – two things that are common in all years contribute to variance between budget projections and actual expenditures.
- Emergency reserve allocation is approximately \$1.4 million hopefully goes unspent most years.
- Don’t try to spend the entire budget – City Manager directed reductions.
- “Use it or lose it” attitude does not exist for Norman budget managers and where budget allocations are not spent, budget projections vary from actual expenditures
- May – main issue is Actual Fund Balance is declining.
- Kovach – if we are over conservative, people lose jobs. Wants to look at ways to build fund balance, wants closer to actual balances budgeted.
- Castleberry – wants to be less conservative with better numbers.
- Mayor – budget with narrower margin.
- #12 – mandated increase in IAFF pension contribution effective November 1, 2013 – approximately 9 months will cost City \$120,000.
- Finance Committee’s direction is to prepare Amendment to FYE 2014 Budget for this amount.
- Kovach – fund balance is savings account.
- #1 – frozen positions in inspections and park maintenance. If we don’t put back in budget, performance will decrease.

- Kovach - agrees with Mayor. Can have mid-year review – perhaps positions can be put back then.
- Finance Committee’s direction is to leave frozen positions out of the FYE 14 budget.
- #2 – can UNP TIF be charged an administrative fee for City personnel services similar to the Room Tax administrative fee – would add \$127,275 to budget.
- Kovach – analysis of actual cost for staff time with UNP TIF.
- Finance Committee proposed to create UNP TIF administrative fee.
- #3 – UNP TIF Transfer Adjustments - Jungman asked if bonded indebtedness can be increased.
- #4 – Additional Room Tax Funds be used – Gallagher – maybe in another year increase administrative fee by 1%.
- #5 – Early Retirement Program and #6 – Storm Water Utility – save for later discussions.
- #7, #8, and #9 – PSST Fund – Mayor asked Anthony Francisco to walk the Committee through this matter.
- Francisco - Police and Fire’s approximate ‘share’ of the Rainy Day Fund is an estimated \$1,031,330 by pro-rata share. This amount would make the Rainy Day Fund whole.
- Legal opinion needed – excess reserve use, this would be appropriate once all obligations have been met.
- Kovach – it is probably the safest place to put the PSST money and is appropriate.
- Castleberry – agrees with Kovach. Thinks it’s appropriate.
- Jungman – other cities Rainy Day Fund policies?
- Francisco - most cities have targeted fund balance.
- Kovach – minimum 6 months for salaries & benefits in PSST reserve/”cushion”. Can we transfer this 6 months savings/excess into the Rainy Day Fund for this?
- Francisco – would be uncomfortable with that – an emergency could wipe out total amount, and would not necessarily be for “public safety” expenditures.
- Gallagher – implies use of PSST funds for Rainy Day Fund – does not agree with this transfer.
- Mayor - Ordinance – City would be in full compliance with this transfer of PSST funds.
- Eddie Sims – PSST Chair, tax was for public safety. Committee in agreement. Make transfer from PSST to General Fund instead of to Rainy Day Fund.
- Kovach – we will have met all the obligations/promises. This is a very prudent way to handle this.
- Mayor – transfer \$600,000 to get to \$2.1 million instead of \$1,031,000.
- Griffith – agrees with Mayor.
- Castleberry - wants entire \$1 million if we are going to do the transfer but make sure this money is spent on public safety.
- Prepare budget amendment at \$1 million level.
- #8 – Emergency Communications subsidy –
- Kovach – can do a one-time subsidy to help depleted General Fund balance.
- Griffith – agrees with subsidy.
- Castleberry – 911 is public safety, on-going cost allocation subsidy should be covered by PSST Fund.

- Prepare amendment with 2 choices: 1) fund full emergency communications operation; 2) fund subsidy portion, based on additional workload caused by extra police and fire personnel funded by PSST.

Items submitted for the record:

1. Memo to Mayor and City Council from Steve Lewis dated May 3, 2013, FYE 2014 Proposed Budget Information Responses

#### SUBMISSION OF THE REVENUE/EXPENDITURE REPORT AS OF APRIL 30, 2013

No discussion on Revenue/Expenditure report.

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 April 30, 2013.

#### SUBMISSION OF THE REPORT ON OPEN POSITIONS

No discussion on Open Positions Report.

Items submitted for the record:

1. City of Norman/Human Resources Department Recruitment and Selection Report dated May 2, 2013.

#### MISCELLANEOUS DISCUSSION

No discussion.

The meeting adjourned at 7:06 pm.

ATTEST:

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City Clerk

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Mayor

CITY COUNCIL STUDY SESSION MINUTES

June 4, 2013

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a study session at 5:35 p.m. in the Municipal Building Conference Room on the 4th day of June, 2013, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

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

ABSENT: Councilmembers Gallagher and Spaulding

Item 1, being:

CONTINUED DISCUSSION REGARDING THE FYE 2013 CITY OF NORMAN BUDGET AND THE FYE 2014 CITY OF NORMAN OPERATING AND CAPITAL BUDGETS.

Mr. Anthony Francisco, Finance Director, said Council directed Staff to make the following amendments to include:

1. General Fund allocations for employer contributions to the Oklahoma Firefighters Pension System be increased by \$107,500, and Public Safety Sales Tax (PSST) allocations be increased by \$10,875;
2. University North Park Tax Increment Finance (UNPTIF) Fund expenditure allocations be increased \$127,275, for an inter-fund transfer to the General Fund to offset administrative costs, and that General Fund inter-fund transfer revenues be increased by \$127,275;
3. As permitted by City Legal opinion, PSST Fund expenditure allocations be increased by \$1,031,330, for an inter-fund transfer to the Net Revenue Stabilization Fund, and that Net Revenue Stabilization Fund inter-fund transfer revenues be increased by \$1,031,330;
4. PSST Fund expenditure allocations be increased by \$339,291, for a one-time inter-fund transfer to the General Fund to offset costs of the emergency communications function.
5. \$1,156,150 of the \$3,708,020 budgeted for the PSST Fund Capital Expenditure allocations be reduced from the FY14 Budget and programmed in FY15 to pay for programmed fire equipment replacements over a two-year period;
6. The Community Development Block Grant (CDBG) expenditures and revenues be reduced by a total of \$37,517, with \$6,679 for the CDBG program and \$30,838 for the HOME program. The reduction in the CDBG funds will reduce the allocation for housing rehab and the reduction in the HOME funds will give us less to utilize to leverage other funding to develop affordable housing; and
7. Grammatical and typographical corrections to the Budget documents, with no financial impact, be made as necessary.

Councilmember Kovach said if Council approves the proposed administrative fee for the UNPTIF, is Council limited to that specific amount should the numbers change, i.e., the formula will be applied to whatever number comes through on the budget, etc., and Mr. Francisco said that is an option Council can choose. Mr. Francisco said Council directed Staff to budget 3%; therefore, Staff applied 3% to the revenues from the UNPTIF. He said if the amount of the actual revenues change at the end of the year an additional appropriation could be presented as an agenda item for Council consideration at that time. Mayor Rosenthal stated any "truing up" transfers and/or appropriations will come at the end of the fiscal year and Mr. Francisco said that is correct.

Mayor Rosenthal asked if Council had additional budget amendment proposals to discuss. Councilmember Castleberry said he would like to discuss a 2% across the board reduction to the budget and/or other ways to close the difference between the Fund balance and Overages and Expenditures. Mayor Rosenthal reminded Council this proposal would be approximately \$490,000 in personnel costs; \$420,000 in supplies, materials, and vendor services; \$86,000 in overtime; \$27,760 in consultant services; and \$27,000 in travel and training. Councilmember Castleberry asked if the overtime allocations could be cut without cutting personnel and Mr. Steve Lewis, City Manager, said cutting the overtime would cut some personnel and impact Staffing by making Staff/services tighter in terms of weekend inspections, overtime during the storm disasters, etc.; however, the emergency reserve could be utilized to cover overtime for storm disasters.

Item 1, continued:

Councilmember Castleberry said he did not want to impact Staffing or services, but felt the City needed to tighten its belt but cutting supplies, materials, vendor and consultant services, travel, and training. He is hopeful once the final numbers are in that the General Fund balance is higher than projected so that those cuts could be put back into the budget as a mid-year supplement. Mayor Rosenthal said she is concerned with cutting the travel and training because the monies are set aside for job requirements such as certifications and recertification. She said it was suggested to have the employee pay for training, but she felt that is not reasonable. Councilmember Castleberry suggested Council could look at each travel and/or training issue on a case by case basis and do a special budget allocation versus pre-approving a lump sum. Councilmember Kovach asked for the dollar amount tied to required training and Mr. Lewis said he did not know the exact figure, but Staff will bring back information on the required and/or non-required amount(s) to the next Council meeting. Councilmember Kovach said he could support removing the travel and training expenditure from the budget; however, he would like to at least have a discussion if there is a certain amount of training that is required in order to determine whether or not the expenditure must be left in the budget.

Councilmember Jungman asked what specific items would be cut if reducing \$420,000 in supplies, material, and vendor services and Mr. Lewis said street sweeping, outside legal assistance, and a reduction in asphalt supplies to name a few. Councilmember Jungman said he did not like the idea of the City foregoing a pavement project because of reduced asphalt supplies. Councilmember Castleberry said if asphalt supplies were needed for a paving project then Staff could request a special budget amendment. Councilmember Kovach said another option is for Council to review budget numbers and, if necessary, add back in those items at the mid-year budget review in January 2014. Councilmember Jungman felt this particular expenditure item could be left in the budget; stating the City Manager could safe-guard the expenditure, making certain the City is not spending the supplies, material, and vendor services on things that are not needed. He felt the outcome is the same; however, the procedure would take fewer steps. Councilmember Castleberry felt the process is not the same because one issue is a pre-approval and one is a subsequent approval.

Councilmember Jungman asked whether or not the City spends all the expenditure simply because it is pre-approved and Mr. Lewis said historically the City has underspent the budget appropriations. He said every budget year the overall efforts are to get closer to the precise budget that is necessary and felt a reduction of this particular expenditure could have an impact and possibly less maintenance on some roads; however, he felt Council will not see drastic service reductions. Mayor Rosenthal asked Mr. Lewis if he was comfortable with eliminating the supplies, materials, and vendor services expenditure and Mr. Lewis said eliminating this expenditure will have a definite impact on items previously requested by Council such as contracting street sweeping; however, Staff can bring back a proposed list of specific service reductions/cuts for Council input. He said over the last two or three years Staff has continued to squeeze a majority of the reductions from the budget, particularly in the materials and vendor services because Staff understands Council wants to keep the personnel providing the services. Mr. Lewis felt this expenditure could be absorbed a little more; however, at some point he felt the solution will be to cut services. Mayor Rosenthal suggested Staff bring back a more itemized list of what supplies, materials, and vendor services actually represents and said while she appreciates the motivation behind the proposal to reduce expenditures, she felt it is Council's job to look at the services in order to respond accordingly.

Councilmember Castleberry felt Council needs to keep in mind that the revised budget is still projecting a \$2.5 million loss, i.e., the City is planning on spending \$2.5 million more than the revenue being brought into the City. He said this will be the seventh consecutive year to do this type of budget planning and will leave the City with \$1.2 million in Fund Balance.

Councilmember Jungman said there is a path to financial stability and felt the budget as written is a stepping stone on that financial stability path. He said additional aspects of the financial stability path will come later and/or some will come very soon; however, cutting asphalt material and/or services out of the budget does not get the City any further down the financial stability path. Councilmember Williams disagreed and felt eliminating \$420,000 from the budget will help the City move further along the financial stability path.

Councilmember Kovach said some cities have incentive programs for their employees to come up with cost saving measures and sometimes people working on the front line(s) have the best idea(s) of how to save money without affecting the job. He felt this issue could be discussed further at a future Finance Committee meeting.

Item 1, continued:

Mr. Francisco provided pro forma fund summaries as they would appear if these amendments (and no others) were approved by Council as well as information related to the Railroad Corridor Quiet Zone capital project discussed at the May 7, 2013, Study Session. Councilmember Kovach said the City could come up with a policy that when/if projects comes in under budget, the under budget funds are transferred in an account that could assist in funding the Railroad Corridor Quiet Zone, as well as other needed capital projects.

Items submitted for the record

1. Memorandum dated May 30, 2013, from Anthony Francisco, Finance Director, to Honorable Mayor and City Councilmembers with proposed General Fund 10, Fund 11 Net Revenue Stabilization Fund (Rainy Day Fund), and Fund 15 Dedicated Public Safety Sales Tax summaries and map of the Railroad Corridor Quiet Zone Capital Project

Item 2, being:

#### UPDATE ON THE UNIVERSITY NORTH PARK TAX INCREMENT FINANCE DISTRICT.

Mr. Jeff Bryant, City Attorney, provided an update on activities in the University North Park Tax Increment Finance District (UNPTIF). He said the Project Plan components include: Conference Center/Cultural Facilities (Rock Creek Overpass), Traffic and Roadway Improvements, Economic Development – Quality Jobs, Lifestyle Center, and Legacy Park.

#### **Hotel Conference Center/Cultural Facilities/Rock Creek Overpass**

The original allocation was \$15 million and had a contingency of \$1.5 million. Mr. Bryant said the Hotel Conference Center opened in October 2008 and the City ended up not spending any of the allocation for the conference center. He said the City formed an agreement with both the developer and John Q. Hammons which allowed \$7.75 million of the original allocation to go towards the Rock Creek Overpass with the remaining \$7.25 allocation for Cultural Facilities. Mr. Bryant said the Rock Creek Overpass Project (bridge and Rock Creek/24<sup>th</sup> Avenue N.W. intersection) opened September 2011 and had a total cost \$12,696,922. He said the Oklahoma Department of Transportation (ODOT) paid \$4,000,000, and Association of Central Oklahoma Governments (ACOG) paid \$2,932,444; therefore, the actual TIF expenditure was \$5,764,478 and the \$2.5 million of the \$8.75 million balance was reallocated to Legacy Park per Development Agreement #5.

#### **Traffic and Roadway Improvements**

The traffic and roadway improvements had an allocation of \$11.55 million and \$5.29 million has been expended leaving a balance of \$6.29 million allocation remaining. Traffic and roadway improvement TIF projects completed through 2011 include:

- Robinson Street and 24<sup>th</sup> Avenue N.W. intersection: \$675,000 expenditure;
- Robinson Street at East I-35 Drive: \$287,742 expenditure;
- Tecumseh Road at Flood Street and 24<sup>th</sup> Avenue N.W.: \$238,973 expenditure;
- Mount Williams and 24<sup>th</sup> Avenue N.W. intersection (substituted for Rock Creek Intersection): \$328,585 expenditure;
- Frontage Road to Conference Center Drive (.6 miles): \$659,305 expenditure was paid from accumulated revenues in June 2008;
- Conference Center Drive and 24<sup>th</sup> Avenue N.W. intersection: \$525,797 expenditure;
- Legacy Park and 24<sup>th</sup> Avenue N.W. intersection: \$722,770 expenditure; and
- Robinson Street and East Interstate Drive (northbound): \$1,851,138 expenditure which originally was \$2.87 million less ACOG funding of \$1.02 million.
- The total updated allocation is \$16,500,000; total actual TIF expenditures is \$5,764,478; and 35% of the Tax Increment Finance (TIF) Projects are 35% utilized and 53% remains for the Cultural Facility.

Item 2, continued:

The remaining traffic and roadway improvement TIF projects are estimated to cost \$6.21 million. Mr. Bryant highlighted the remaining traffic and roadway improvements and said a portion of some of the second priority improvement (\*) are funded through other mechanisms to include:

First Priority

Frontage Road Extension:	\$1,525,000
Design of Robinson Street/West Interstate Drive and Crossroads Boulevard:	<u>\$ 200,000</u>
TOTAL	\$1,725,000

Second Priority

Tecumseh Road/Flood Avenue and *Tecumseh Road/24 <sup>th</sup> Avenue N.W. intersections:	\$ 846,712
*Tecumseh Road/East I-35:	\$ 946,723
*Tecumseh Road/West I-35:	\$ 650,000
Robinson Street/West Interstate Drive and Crossroads Boulevard:	\$1,110,583
Remaining intersection:	<u>\$ 200,000</u>
TOTAL	\$3,754,018

Mayor Rosenthal said she would like to see aesthetic enhancements to the Robinson Street bridge retro-fit and the Tecumseh Road bridge retro-fit included as future TIF projects, stating both bridges are part of the nine bridges over I-35 that are being re-done. She said both bridges are in the TIF District, are currently not in the capital budget, and felt it would be very appropriate to include them in projected figures for the remaining traffic and roadway improvements. Mr. Shawn O’Leary, Director of Public Works, said each bridge would have a \$500,000 cost, stating the design work has already been done for the bridges.

Mr. Bryant said there is only \$50,000 of TIF revenue left for traffic and roadway improvements, but Staff continues to seek ACOG funding and other revenue sources; therefore, there could be a possibility that the TIF funding for traffic and roadway improvements could be used for enhancements. He said if another TIF Project Plan component is finished and TIF revenues are remaining they could be redirected at Council’s discretion for TIF enhancements. Councilmember Kovach said he would support the Mayor’s recommendation for both bridge enhancements, but reminded Council that the longer the City continues to spend more money on TIF projects, the longer it will be before the TIF funding gets diverted to the General Fund.

Mr. Bryant said there is also component of the project plan that provides any expenditure in excess of \$11.55 million for the targeted roadway improvements are actually the responsibility of the developer. He said Council needs to be very cognizant about completing the project plan component(s) for traffic and roadway improvements and any excess may be the developer’s responsibility.

**Economic Development**

An Enterprise Zone in reference to land located in UNP was introduced for economic development and allocated \$8.25 million to help create Quality Jobs. One component of economic development was the opportunity for Norman Economic Development Coalition (NEDC) to buy up to 60 acres of land at a reduced cost. NEDC purchased 30 acres for six (6) building business park on October 15, 2010, and is currently working on purchasing the remaining 30 acres.

Mr. Bryant said another component provides an additional 40 acres to be offered at market value. Councilmember Kovach said there was a condition on the land purchase regarding the timeframe for development before it reverted back to the Foundation and Mr. Bryant said that particular condition is in the purchase agreement and thought it was 10 years but will double check.

Item 2, continued:

Mr. Bryant said the NEDC land purchase had a funding source of 10% TIF sales tax; however, NEDC borrowed money from their own lender and the City used the 10% TIF sales tax as a pledge of economic development portion up to \$800,000 in FYE 2011. Mr. Bryant said the accumulated money will be used as a credit enhancement that will use the funding for interest costs while NEDC works towards getting their first purchaser.

Mr. Bryant said Council did a similar authorization for the second 30 acres that allowed a pledge of accumulated economic development TIF revenues, (approximately \$700,000) through December 2012, which allowed NEDC to combine both notes allowing NEDC to purchase the second 30 acres for an Industrial Park. He said NEDC is also working very aggressively on the financing and received an Economic Development Authority (EDA) grant in the amount of \$2.5 million that will assist in funding some of the Industrial Park infrastructure. Mr. Bryant said NEDC also has a commitment for industrial access money in the amount of \$275,000 and there is the possibility that the Oklahoma Development Finance Authority (ODFA) may offer NEDC flexible financing at low interest rates. He said NEDC did pledge that once the land purchases were made they would reimburse the City for any TIF expenditures that occurred for economic development.

Mr. Bryant said incentive funding includes a debt authorization in the amount of \$8.25 million which was approved in September 2010. He said those notes were issued to NEDC in June 2011 and have draw features to assist the prospects of quality jobs employers, whether office park users or manufacturing projects. No debt has incurred but it is ready in case a potential quality jobs employer is ready to move forward.

#### **Retail Development**

Mr. Bryant said the focus for retail development includes facilitating the creation of a retail environment that will be a regional draw for retail customers coming to Norman and designed to complement retail stores that are located outside the UNPTIF Project Area. He said there are two phases to the retail development: west side of 24<sup>th</sup> Avenue N.W. – Power Center (Target) and east side of 24<sup>th</sup> Avenue N.W. – Lifestyle Center.

Phase I retail development (west side of 24<sup>th</sup> Avenue N.W.) already includes several restaurants and retail stores such as Logan's Roadhouse, Cheddars, Qdoba, Pei Wei, Target, Mathis Brothers, TJ Max, Metrosshoes, Petco, Academy, and Kohl's. Staff said Designer Shoe Warehouse (DSW), Home Goods, and Michael's will be coming soon and Phase I has an investment of approximately \$60 million in real property so far.

Phase II retail development (east side of 24<sup>th</sup> Avenue N.W.) has approximately \$4 million in real property investment to date and includes several restaurants and retail stores to include Zios, Five Guys, Chipotle, GNC, Earth Fruits, Starbucks, Sleep Number, Mattress Firm, and Games Stop. Zoe's Kitchen and Crest Market will be coming soon.

#### **Lifestyle Center**

The Legacy Village Center/Lifestyle Center provides an additional \$8,250,000 in incentives to help bring forward some retail anchors. Mr. Bryant said a revised layout was presented to Council in 2012, which includes an iconic entry tower and ongoing recruitment efforts are still being conducted by the developer. He said originally the Lifestyle Center had a completion date of January 2016; however, the completion date was revised in Development Agreement #5 and is now to be substantially completed by January 1, 2018. Councilmember Jungman asked what is envisioned as incentives and Mr. Bryant said the incentives are for potential retailers and will relate to public improvements and/or public buildings to include assisting with street improvements, parking lot improvements, etc. He said in the retail development process there may be occasions when Council will need to weigh incentive components and decide whether or not the incentive would be a wise and worthwhile investment for the community. Mr. Bryant said the Project Plan includes criteria in which retailer(s) must qualify for incentives. Mayor Rosenthal said there are criteria within the original project plan for a threshold before incentives can be applied and they must be public improvements.

Item 2, continued:

### Legacy Park

Legacy Park project has an \$8.25 million allocation which will assist with park construction, enhanced landscaping, Legacy Trail, and public art. The final design was completed in the Fall of 2009 and was an American Society of Landscape Architecture – Central States Design Honor Award Recipient. Construction began March 2013 and the anticipated opening is scheduled for Summer 2014. Mr. Bryant said Legacy Trail is an extended sidewalk and will be 10 feet wide along the east side of 24<sup>th</sup> Avenue and eventually cross over I-35 at Rock Creek Road. He said the sidewalks will be constructed as parcels development and include enhanced landscaping.

### Project Plan Progress Summary

Mr. Bryant summarized the Project Plan highlighting the total expenditures, allocation, and remaining funds for each Project Plan component. He said a total of \$54.725 million was allocated and \$42.07 million remains after spending \$12,754,844 to date. Mr. Bryant said Development Agreement #5 moved \$2 million in TIF funding, which was remaining after the Hotel/Conference Center was completed, to the Rock Creek Bridge Project which ended up being relocated to the Legacy Park Project. He said part of the motive was to be flexible in the Project Plan since the City came in lower on the Rock Creek Bridge Project and relocating the funds will help to complete Legacy Park as envisioned.

Mr. Bryant said a Cannibalization Study was done in December 2008 and found that new retailers operating within the UNP TIF Project area have not cannibalized existing retail sales in Norman. He said the study found new retailers have served to diversify and strengthen Norman's retail base, improving the City's retail drawing power, creating improved synergy among similar retail categories, and generating increased retail sales. Councilmember Jungman said the study also suggested reducing the transfer adjustment if a new business comes into the empty building (located outside the TIF area). Mr. Anthony Francisco, Finance Director, said the procedure was passed by resolution. Councilmember Kovach asked Staff to bring back information regarding the impact on the General Fund when cutting the backfill/transfer adjustment. Allocation of sales tax receipts generated in the TIF District from October 2006 to March 2013 was \$30,074,504 and \$7,089,285 was transferred to the General Fund; leaving the net TIF generated sales tax at \$22,985,219. Mr. Bryant said the transfer adjustment was designed for existing Norman businesses that relocated to the TIF area. The transfer adjustment process includes taking record of any sales tax that was generated before the business relocated and using that figure as a base. The base amount is then taken out of the total sales tax generated by the business after relocating to the TIF area and transferred to the General Fund.

Mr. Bryant highlighted the projected and actual sales tax generated in the TIF District from October 2006 to December 2012 as follows:

	<u>Projected</u>	<u>Actual</u>
• Total Sales Tax generated in the TIF	\$ 28,811,495	\$ 28,517,688
• Project Plan Components (60%)	\$ 10,380,233	\$ 12,675,438
• General Fund (40%)		\$ 9,081,935
• Transfer Adjustment to General Fund		\$ 6,760,315
• Total to General Fund	\$ 18,431,262	\$ 15,842,250

UNPTIF ad valorem revenues cumulative through 2013, (properties built by December 31, 2011, assessed in 2012, and taxes payable in 2013) total \$7,133,828 and the TIF portion (50%) totals \$3,566,914. The collected total ad valorem revenues are 14.5% or approximately \$1 million above the projected ad valorem revenues. Councilmember Kovach asked what the City can do to better anticipate the growth in ad valorem tax. Mr. Bryant said one of the best things the City can do is step up the coordination with the Cleveland County Assessor by gathering the assessment information at an earlier stage for budgeting purposes; however, the process for assessing, protesting, paying, and collection etc., can take a year and half to two year before the City gets its collection. He said another unpredictable issue depends on when the business pays their property taxes, e.g., there is an option to pay it all at the end of December or pay only half at the end of December with the remainder due the following March.

Item 2, continued:

The 2009 TIF note was a \$14.56 million debt authorization, which included \$6,575,153 in initial draws for the Rock Creek Bridge; Legacy Park design; Rock Creek and 24<sup>th</sup> Avenue N.W. intersection; Legacy Park and 24<sup>th</sup> Avenue N.W. intersection design; and \$825,000 in principal payments leaving a note balance of \$5,750,153. The final draw of \$7,984,847 will be used for Legacy Park construction and Legacy Park and 24<sup>th</sup> Avenue N.W. intersection.

Mr. Bryant said the TIF note balance of \$13,735,000 will be refinanced in September 2013. Councilmember-Elect Heiple asked if the downside to having the Foundation as a lender is that the City has to jump through more hoops than traditional financing and Mr. Bryant said overall, the City has had a good working relationship with the Foundation. The City only had to pay interest on the draw amount of \$5.6 million versus paying interest on the entire \$14.56 million; therefore, the interest savings for the City was significant.

Mr. Bryant said the anticipated TIF note refinancing structure include terms of 10, 12, or 15 years with a fixed rate below 3.5%. The principal amount will not be more than \$13,735,000 and amortization includes analyzing the timing of cash needs to minimize future borrowing.

Mr. Bryant said the current structure has 15 years left on the repayment period, with escalating principal payments, next principal payment will be \$450,000 and a balloon payment will be due in 2028. He said the whole purpose of the note structure is to be an encouragement to the City to go get permanent financing as we got closer to the refinance date. Staff will be bringing a refinancing package for Council's consideration in July or August 2013 which will give the City a lower interest rate and possibly a lower term.

Councilmember Kovach asked what the cash reserve is after expenditures and Mr. Bryant said some of the cash reserve is obligated; however, Staff will include the cash reserve and cash analysis need when it comes back to Council in July. Councilmember Castleberry asked if the cash reserve is factored into the rate allowing the City to get a better rate and Mr. Bryant felt the lender would take the overall security of the cash flows and reserves into account.

The next steps and future actions include:

- Explore permanent financing to be completed by September 2013;
- Complete Legacy Park construction;
- Construct entryway at 24<sup>th</sup> Avenue N.W. and Robinson Street;
- Frontage Road extension and design – west of I-35;
- Begin Exhibit Hall/Cultural Facility discussions; and
- Continue efforts to obtain quality jobs employers.

Councilmember Williams asked if the Frontage Road Extension and Design of West of I-35 Project would be under one contract and Mr. O'Leary said the project will have two contracts, one for the design and one for the construction. He said Staff will present an alternative design for the Robinson interchange improvements west of I-35 for Council's consideration in July 2013.

Items submitted for the record

1. Powerpoint presentation entitled "FYE 2014 Capital Improvement Projects Budget and FYE 2015-2018 Capital Improvements Plan (CIP)"

The meeting adjourned at 6:53 p.m.

ATTEST:

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City Clerk

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Mayor

CITY COUNCIL  
BUSINESS AND COMMUNITY AFFAIRS COMMITTEE MINUTES

June 6, 2013

The City Council Business and Community Affairs Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 9:05 a.m. in the Municipal Building Conference Room located at 201 West Gray on the 6th day of June, 2013, 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:	Chairman Lockett
TARDY:	Councilmember Williams
ABSENT:	Councilmembers Jungman, Kovach, and Spaulding
OTHERS PRESENT:	Mayor Cindy Rosenthal Councilmember Robert Castleberry, Ward Three Mr. Don Wood, Director, Norman Economic Development Coalition Mr. John Woods, Director, Norman Chamber of Commerce
STAFF PRESENT:	Ms. Susan Connors, Director of Planning and Community Development Mr. Terry Floyd, Development Coordinator Mr. Steve Lewis, City Manager Ms. Leah Messner, Assistant City Attorney Mr. Shawn O’Leary, Director of Public Works Ms. Kathryn Walker, Assistant City Attorney Ms. Syndi Runyon, Administrative Technician IV

Item 1, being:

UPDATE REGARDING PROGRESS AND IMPLEMENTATION OF POLICIES AND PROJECTS THAT WERE PRESENTED AND DISCUSSED BY THE BUSINESS AND COMMUNITY AFFAIRS (BACA) COMMITTEE DURING THE LAST FISCAL YEAR.

Chairman Lockett said when she was elected to Council there was a perception in the building community that Norman was not business friendly although, in her opinion, that was a misconception. She said since the Business and Community Development Committee (BACA) began discussing ways to streamline the development process, progress has been made in changing that perception.

Mr. Terry Floyd, Development Coordinator, highlighted topics discussed by BACA in FYE 2013 as follows:

- Economic Development Advisory Board and Economic Development Policy
- Streamlining the Development Process
- Review of Development Permit Fees
- Monitoring Customer Service Processes and Improvements
- Information Technology (IT) Performance Audit
- Information Technology (IT) Enhancements
- Retail Recruitment
- International Building Code (IBC)

Mr. Floyd said BACA adopted the City's first Economic Development Policy, created the Economic Development Advisory Board (EDAB), and discussed various methods of incentivizing economic development in Norman.

Mr. Floyd said from December 2012, through February 2013, BACA discussed ways to streamline the development process that included extending the validity of a preliminary plat to five years and adding an administrative approval process for a plat extension; review and approval of final plats by City Council, eliminating Planning Commission approval; allowing pre-development and Planning Commission meeting submittal in the same application cycle; and allowing Certificate of Survey (COS) pre-development meetings to be optional if development is over 40 acres.

In March and April 2013, BACA discussed the development and distribution of a customer service survey for customers who utilize City permitting, planning, inspection, and property development services through an outside firm with a follow-up survey that would be conducted by Staff after a building project was complete. They also discussed surveying former development service users. Committee members preferred utilizing the follow-up survey that would include the type of firm; years performing work in Norman; which building permitting and inspections were performed; helpfulness of Staff; overall experience with inspection process; inspection thoroughness; consistency of inspections; and contact for additional comments or concerns. Members felt surveying former development service users would not be useful since there is no baseline established in which to compare results. Mr. Floyd said the survey will focus on the permitting and inspection portion of a project, but will possibly branch out in the future to include the development process as a whole.

Mr. Floyd highlighted additional customer service projects that have come out of the development streamlining discussions. He said since February 2013, a monthly "brown bag meeting" has been held between Development Services Staff and the Builders Association of South Central Oklahoma (BASCO) to discuss residential inspection details in regards to electrical, plumbing, building, and mechanical issues. He said the meetings have been very beneficial and will continue on a quarterly basis to discuss additional items of importance. He said Staff is working to centralize the information and subsequent actions as a result of these meetings into a designated section of the City's website.

Mr. Floyd said he is currently implementing a program designed to make contact with smaller commercial and industrial applicants as well as first time commercial/industrial applicants to introduce services and provide additional assistance during project construction.

In May 2013, BACA reviewed the process and method involved in selecting professional services consultants in the Public Works and Utilities Departments and current ordinances and resolutions related to local vendor preference. Staff provided BACA information regarding the percentages of firms from Norman and the State of Oklahoma that received contracts with the City along with a list of contracts awarded in the Public Works and Utilities Departments since 2005.

Mr. Floyd updated the Committee on additional projects underway that include:

- A proposal for thematic directional signage for motorists to assist businesses affected by the I-35 Overpass Reconstruction Projects
- Public meetings to discuss changes and amendments for the upcoming adoption of the 2009 edition of the IBC
- Click2Gov web software being utilized by contractors and trades to schedule inspections and review inspection results
- New field technology upgrades (laptops with integrated inspection software) implemented and being utilized by inspection Staff
- Consideration of hiring a management audit of IT services

Mayor Rosenthal asked about the time frame of the I-35 directional signage and Mr. Steve Lewis, City Manager, said Staff has received a proposal and initiated contact with the Norman Convention and Visitors Bureau (CVB) for comments on the proposal as well as possible joint funding. Mayor Rosenthal felt it would be important to have the signage in place before the annual "tax free weekend" event prior to school starting. She is concerned about the amount of sales tax revenue being lost at businesses such as Sooner Mall and felt the City needed to be sensitive to those timeframes when people come into Norman to shop. She felt there were other things the City could be doing to make people aware these businesses are still open such as public service announcements (PSA). Chairman Lockett said the City of Moore has police officers directing traffic during heavier shopping periods and suggested Norman do the same. Mayor Rosenthal said outreach could go beyond CVB in terms of collaboration on PSA's.

Mr. Don Wood, Director of the Norman Economic Development Coalition, said the City needs to also be aware that when people have their shopping patterns changed, they tend to continue with those patterns and need to be converted back to former patterns. He said the City will need to be very pro-active in changing those patterns once the projects are completed. Mr. John Woods, Director of the Norman Chamber of Commerce, said the west side Wal-Mart reported they are seeing an 8% decrease in sales per week since construction began. He said many of those customers may be going to the Wal-Mart in the City of Moore, which is the closest Wal-Mart on I-35. Chairman Lockett suggested reviewing traffic patterns and finding alternative routes to those affected businesses. Mr. Lewis said Staff is currently working on a comparison analysis of major stores at Sooner Mall and has not seen anything near an 8% decrease.

Mr. Floyd said Click2Gov software is currently being fully utilized and gaining momentum among developers. Ms. Susan Connors, Director of Planning and Community Development, agreed and said the program is working well for developers and inspectors.

Mr. Floyd said Staff is looking for meeting ideas for future consideration and Mr. Lewis said a Council Retreat will be held in August to discuss issues Council may want a Committee to review moving forward. He said the I-35 signage issue will be a part of the Retreat discussion.

Councilmember Castleberry would like a review of development fees to determine if they are appropriate and if the City is properly charging for its services. He would like to know what the services cost to provide and whether or not customers are being overcharged or undercharged for those services.

Mayor Rosenthal said in a previous meeting Councilmember Kovach had suggested that money being set aside for sidewalks, that will most likely never be built, be utilized for other projects. Councilmember Castleberry said in some developments there are always a few lots that take longer to be developed or are never developed so there are no sidewalks on those lots, which leaves gaps between sidewalks. He asked how that could be addressed and if the City can request developers to construct temporary sidewalks.

Mayor Rosenthal said some type of ongoing measure or monitoring of the effectiveness of the Development Coordinator should be done. She said there needs to be benchmarks, goals, and accomplishments to show the community what value was added from that position.

Mr. Woods said he would like Council to receive occasional updates on the Click2gov progress. He suggested the City track turn-around time on inspections and compare that to turn-around time prior to the software being used. He would like the Click2Gov process to be as easy to understand and coordinated as possible. He would also like the brown bag lunches to continue to meet monthly instead of quarterly and Ms. Connors said BASCO felt the City had addressed all the major issues and felt quarterly meetings would be sufficient for occasional updates.

Mr. Wood said Norman is on the short list location for a company everyone is familiar with and other than the University North Park Tax Increment Finance District (UNPTIF) the City has no tools to compete with Oklahoma City. He asked what the City can do and what they are willing to do to get a business to locate in Norman. Councilmember Castleberry said the City has the Norman Economic Development Authority (NEDA) and although there is no funding at this time, there are tools that can be utilized. He said if a project came forward there is a process in place to review possible incentives.

Chairman Lockett said many people do not understand how businesses work and why sales tax is so important. She felt the BACA meetings regarding economic development have helped to change attitudes or at least make people aware there is another side to business and they are not all big corporate monsters. She said the City has to take care of existing businesses especially when they have been good corporate citizens giving back to the community. She said education on what businesses do will be valuable to the Committee and community.

Chairman Lockett said she has heard people say that if it were not for the UNPTIF the City would have plenty of sales tax, but they do not understand that if not for the UNPTIF the City would not have any of that sales tax. She said cities have to bring people in to spend money and if Embassy Suites was not in Norman, where would all those conventions and conferences go? She said the City has not done a great job on publicizing the benefit of the business world. Being willing to support business and what they do will not only help Norman, but will help bring in more businesses.

Mayor Rosenthal would like to review policies related to storm response, public shelters, requiring builders to offer shelters in new construction, retrofits, etc. She said the positive outcome of these discussions will be that the City of Norman can advertise they are "storm ready" and prepared. Chairman Lockett felt BACA would be a good Committee to oversee those discussions because the business world needs to be engaged in the issues. She said the City of Moore is doing an extensive study on the different types of storm shelters, which should be completed in July. Mr. Wood asked if Norman has a program for registering storm shelters and Mr. Lewis said yes, through the Fire Department or online. Mayor Rosenthal said someone sent her a national press release article criticizing the City of Moore's residential structural standards by not requiring basic safety features. She said the City of Norman has more stringent inspections. Councilmember Castleberry asked if Norman has stricter inspectors or higher regulation standards and Ms. Connors said Norman inspectors are often criticized for being too stringent and there is a higher level of inspection requirements than surrounding communities; however, all communities in Oklahoma follow the State's currently adopted International Building Code (IBC). Mr. Shawn O'Leary, Director of Public Works, said cities can make amendments to the IBC and those amendments vary. Ms. Connors said Norman does not have many amendments for commercial construction as residential, but that can be discussed as the City moves forward in adopting the current IBC. Ms. Connors said more shelters are being permitted and inspected and citizens are inquiring why they need an inspection so Council may want to review that issue as well. Councilmember Castleberry said he would like to see a map showing where registered shelters are located to have a visual on whether or not there are particular areas in which citizens are registering their shelters. Mr. Wood said the reason some people do not register their shelter is because they do not want anyone to know they have one. Chairman Lockett agreed and said that is information a lot of people do not like to share and that is why there are a number of shelters not permitted as well. Councilmember Williams said if a permit is obtained does the City use that as a record of the shelter even if it is not registered and Mr. O'Leary said no, registration is voluntary so the City does not keep a list of permitted shelters. Chairman Lockett said the purpose of registering the shelter is so someone will know you have one to check on you after a storm in case debris falls on the shelter and traps you inside. Mr. Wood said many people who have lived in their homes for thirty years or more may not even know they can register their shelter. Mr. Lewis said Staff would provide a geographical pin map of registered shelters to Council.

Mr. Lewis said Council will need to revisit closing public shelters because during the last storm there were initially 100 to 150 people in the public shelters, but when sirens were sounded that number surged to 500 to 600 people in each shelter. He said the City has a huge public education effort ahead of them and there are a lot of issues regarding above ground shelters versus underground shelters. He said there are a lot of mixed messages circulating. Mayor Rosenthal said there is also confusion regarding the sirens. Some people were wondering if the signal that is sounded twenty minutes after the first is an all clear signal. She said the University of Oklahoma (OU) has been educating students and faculty on where to take shelter on campus.

Councilmember Castleberry said Norman Public Schools has an "app" (notification program) to notify parents if the schools are closed or for other notifications and asked if the City has an "app." Mr. Lewis said the City does not have one, but Staff has looked at the "blackboard system" and the cost is around \$100,000. Mr. Wood said the school system sells advertisements on the apps, which recoups the cost of the app. He said advertisers like the system because it goes out to a lot of people as well as a targeted audience and suggested Staff meet with the school system to discuss the possibility of coordinating with their system. Councilmember Castleberry said advertisers may be interested in targeting a particular location in the City versus the entire City. Chairman Lockett said people need to understand that when the siren sounds it is not the time to start gathering your family and traveling to a shelter, by then it is too late. She felt citizens in Norman are fairly educated about storms, but some people do not take them seriously because many times Norman has been surrounded by areas struck by a tornado, but not hit directly. She said this gives people the false impression that a tornado will not hit Norman. She said education can save a lot of lives.

Chairman Lockett said she would like to have the Norman Economic Development Authority board members selected as soon as possible, preferably before she leaves Council in July, but she realizes that process will not be done by then. She asked BACA members for suggestions on candidates for the board or to at least contact someone and encourage them to apply. Mayor Rosenthal said, at this time, there are five applicants and she wants a very diverse pool of applicants. She and Brenda Hall, City Clerk, will be brain storming names of possible candidates and contacting them regarding serving on the board. She said she would forward the applications and a list of possible candidates to Councilmembers for their review, but she does not expect the selection process to begin anytime soon. Chairman Lockett suggested Councilmembers try to find someone from their Ward to serve and Mayor Rosenthal reminded the Committee that the selection process is not Ward specific.

Items submitted for the record

1. Memorandum dated May 30, 2013, from Terry Floyd, Development Coordinator, through Steve Lewis, City Manager, to Council Business and Community Affairs Committee
2. PowerPoint presentation entitled, "Update Regarding FY 12/13 BACA Activities," Council Business and Community Affairs Committee, dated June 6, 2013

Item 2, being:

MISCELLANEOUS DISCUSSION.

None

The meeting adjourned at 9:55 a.m.

CITY COUNCIL SPECIAL SESSION MINUTES

June 11, 2013

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Special Session meeting at 5:00 p.m. in the Municipal Building Conference Room on the 11th day of June, 2013, 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: None

TARDY: 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 PENDING LITIGATION IN THE FOLLOWING CASES: CITY OF NORMAN VS. TIETSORT REVOCABLE TRUST (CJ-2013-775), CITY OF NORMAN VS. III MOORE, LTD. (CJ-2013-776), CITY OF NORMAN VS. CHRISTOPHER ARMSTRONG (CJ-2013-777), CITY OF NORMAN VS. JAMES AND DOROTHY ARMSTRONG (CJ-2013-778), CITY OF NORMAN VS. WILEY AND BARBARA MADOLE (CJ-2013-779); AND POSSIBLE LITIGATION AS AUTHORIZED BY OKLAHOMA STATUTES, TITLE 25 §307(B)(4) TO DISCUSS THE ACQUISITION OF REAL PROPERTY AS AUTHORIZED BY TITLE 25 §307(B)(3) OF RIGHT-OF-WAY IN CONNECTION WITH THE CEDAR LANE WIDENING PROJECT BETWEEN 12TH AVENUE S.E. AND ONE-EIGHT MILE EAST OF 24TH AVENUE S.E., MORE PARTICULARLY DESCRIBED AS PARCEL NINE (OWNED BY ANTHONY MIRZAIIE AND STERLING, INC.), PARCEL 10 (OWNED BY HERITAGE FINE HOMES), AND PARCEL 21 (OWNED BY HERITAGE FINE HOMES AND ANTHONY MIRZAIIE).

Councilmember Lockett moved that the Special Session be adjourned out of and an Executive Session be convened in order to discuss pending litigation in connection with the acquisition of right-of-way for the Cedar Lane Widening Project, more particularly described above, which motion was duly seconded by Councilmember Griffith; and the question being upon adjourning out of the Special Session and convening an Executive Session, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Gallagher, Griffith, Jungman, Lockett, Williams, Mayor Rosenthal

NAYES:: None

The Mayor declared the motion carried and the Special Session adjourned out of; and an Executive Session was convened in order to discuss pending litigation in connection with the acquisition of right-of-way for the Cedar Lane Widening Project, more particularly described above.

The City Council adjourned into Executive Session at 5:02 p.m. Mr. Steve Lewis, City Manager; Mr. Jeff Bryant, City Attorney; Ms. Kathryn Walker, Assistant City Attorney, were in attendance at the Executive Session.

Councilmember Spaulding arrived at 5:03 p.m., and Councilmember Kovach arrived at 5:15 p.m.

The Mayor said pending litigation in connection with the acquisition of right-of-way for the Cedar Lane Widening Project was discussed in Executive Session. No action was taken and no votes were cast.

Mayor Rosenthal acknowledged return to Open Session.

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

Item 1, continued;

YEAS: Councilmembers Castleberry, Gallagher,  
Griffith, Jungman, Kovach, Lockett, Spaulding,  
Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Executive Session adjourned out of; and the Special Session was reconvened at 5:40 p.m.

\* \* \* \* \*

ADJOURNMENT

There being no further business, Councilmember Kovach moved that the meeting be adjourned, which motion was duly seconded by Councilmember Griffith; 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, Spaulding,  
Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and the meeting was adjourned at 5:42 p.m.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

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

June 11, 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 11th day of June, 2013, 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 Mayor Rosenthal.

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Item 3, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 4 through Item 19 excluding Item 15 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 6 through Item 19 excluding Item 15, 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 4 through Item 19 excluding Item 15 were placed on the consent docket by unanimous vote.

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Item 4, being:

APPROVAL OF THE MINUTES AS FOLLOWS:

CITY COUNCIL SPECIAL SESSION MINUTES OF MAY 14, 2013  
CITY COUNCIL CONFERENCE MINUTES OF MAY 28, 2013  
CITY COUNCIL MINUTES OF MAY 28, 2013  
NORMAN UTILITIES AUTHORITY MINUTES OF MAY 28, 2013  
NORMAN MUNICIPAL AUTHORITY MINUTES OF MAY 28, 2013  
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF MAY 28, 2013

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-1213-94 dated June 3, 2013, by Brenda Hall, City Clerk
2. City Council Special Session minutes of May 14, 2013
3. City Council Conference minutes of May 28, 2013
4. City Council minutes of May 28, 2013
5. Norman Utilities Authority Special Session minutes of May 28, 2013
6. Norman Municipal Authority Special Session minutes of May 28, 2013
7. Norman Tax Increment Finance Authority Special Session minutes of May 28, 2013

Item 4, continued:

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 5, being:

CONSIDERATION OF ORDINANCE NO. O-1213-47 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER FOUR OF THE CODE OF THE CITY OF NORMAN TO ADD SECTION 4-107 REQUIRING ALL BOARDS, COMMISSIONS, COMMITTEES AND SUB-COMMITTEES TO COMPLY WITH THE OPEN MEETINGS ACT WHEN POSTING MEETING NOTICES AND AGENDAS AND POSTING SAID NOTICES AND AGENDAS ON THE CITY OF NORMAN WEBSITE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1213-47 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-1213-47 dated June 4, 2013, by Kathryn Walker, Assistant City Attorney
2. Ordinance No. O-1213-47
3. Legislatively notated copy of Ordinance No. O-1213-47
4. Pertinent excerpts from City Council Oversight Committee minutes of April 10, 2013
5. Pertinent excerpts from City Council Study Session minutes of April 30, 2013

Participants in discussion

1. Mark Campbell, Post Office Box 1531, made comments

and the question being upon the Introduction and adoption of Ordinance No. O-1213-47 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-1213-47 was Introduced, read, and adopted upon First Reading by title.

\* \* \* \* \*

Item 6, being:

CONSIDERATION OF ORDINANCE NO. O-1213-48 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 21, SECTION 21-404 OF THE CODE OF THE CITY OF NORMAN TO REQUIRE PERMITS FOR DOMESTIC AND INDUSTRIAL WATER WELLS AND SET FORTH CONDITIONS FOR APPROVAL OF SUCH PERMITS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1213-48 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Item 6, continued:

Items submitted for the record

- 1. Text File No. O-1213-48
- 2. Ordinance No. O-1213-48
- 3. Legislatively notated copy of Ordinance No. O-1213-48
- 4. City Council Oversight Committee minutes of March 6, 2013
- 5. Pertinent excerpts from City Council Study Session minutes of April 30, 2013

and the question being upon the Introduction and adoption of Ordinance No. O-1213-48 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-1213-48 was Introduced, read, and adopted upon First Reading by title.

\* \* \* \* \*

Item 7, being:

CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

BICYCLE ADVISORY COMMITTEE

- TERM: 06-11-13 TO 02-13-15: KIM FLOYD, 229 22ND AVENUE N.E.
- TERM: 06-11-13 TO 02-13-14: JOHN WICKHAM, 536 WOODSONG DRIVE
- TERM: 07-02-13 TO 02-13-15: JONATHAN MULLEN, 1506 MELROSE DRIVE

BOARD OF ADJUSTMENT

- TERM: 06-11-13 TO 12-22-15: CINDY DECKARD, 1531 MELROSE DRIVE
- TERM: 06-11-13 TO 12-22-15: THOMAS BALLENGER, 3649 24TH AVE. SE., #11

DEVELOPMENT OVERSIGHT COMMITTEE FOR TIF DISTRICT NO. 2

- TERM: 06-11-13 TO 04-10-15: CLINT WILLIAMS, 2650 BRENTWOOD DRIVE
- TERM: 04-10-13 TO 04-10-16: HEATH HANS, 3820 CRAIL DRIVE
- TERM: 04-10-13 TO 04-10-16: HAROLD HARALSON, 516 AVON DRIVE
- TERM: 04-10-13 TO 04-10-16: TED SMITH, 613 RIVERWALK COURT

FLOODPLAIN PERMIT COMMITTEE

- TERM: 06-12-12 TO 06-12-15: SHERRI STANSEL, 608 SHADOW CREST COURT

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

Items submitted for the record

- 1. Text File No. AP-1213-24 dated May 13, 2013, by Brenda Hall, City Clerk

and the question being upon confirming the appointments, 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 appointments were confirmed.

\* \* \* \* \*

Item 8, being:

SUBMISSION OF THE PIONEER LIBRARY SYSTEM FYE 2014 ANNUAL BUDGET.

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

Items submitted for the record

1. Text File No. RPT-1213-90 dated May 30, 2013, by Brenda Hall, City Clerk
2. Pioneer Library System Budget, July 1, 2013 – June 30, 2014

and the question being upon acknowledging receipt of the document 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 receipt of the document acknowledged; and the filing thereof was directed.

\* \* \* \* \*

Item 9, being:

CONSIDERATION OF BID NO. 1213-44, CONTRACT NO. K-1213-88 WITH URBAN CONTRACTORS, L.L.C., IN THE AMOUNT OF \$2,774,200; PERFORMANCE BOND NO. B-1213-34; STATUTORY BOND NO. B-1213-35, AND MAINTENANCE BOND NO. MB-1213-27 FOR THE SEWER MAINTENANCE PROJECT FYE 2011 AND BUDGET TRANSFERS.

Acting as the Norman Utilities Authority, Trustee Kovach moved that all bids meeting specifications be accepted; the bid in the amount of \$2,774,200 be awarded to Urban Contractors, L.L.C., as the lowest and best bidder meeting specifications; Contract No. K-1213-88 and the performance, statutory, and maintenance bonds be approved; the execution of the contract, bonds, and the Norman Utilities Authority as part of the contract to pay vendors supplying equipment and materials for the Sewer Maintenance Project FYE 2011 be authorized; the filing of the bonds be directed; and \$840,803 be transferred from Project No. WW0055, SMP10, Construction (321-9338-432.61-01) and \$403,314 from Project No. WW0200, SMP13, Construction (321-9338-432.61-01) to Project No. WW0064, SMP11, Construction (321-9338-432.61-01), which motion was duly seconded by Trustee Griffith;

Items submitted for the record

1. Text File No. K-1213-88 dated May 27, 2013, from Charlie Thomas, Capital Projects Engineer
2. Bid tabulation dated May 23, 2013, for the Sewer Maintenance Project FYE 2011
3. Contract No. K-1213-88
4. Performance Bond No. B-1213-34
5. Statutory Bond No. B-1213-35
6. Maintenance Bond No. MB-1213-27
7. Location map
8. Purchase Requisition No. 0000217859 dated May 30, 2013, in the amount of \$2,774,200 to Urban Contractors, L.L.C.

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

YEAS: Councilmembers Castleberry, Gallagher,  
Griffith, Jungman, Kovach, Lockett,  
Spaulding, Williams, Mayor Rosenthal

NAYES: None

Item 9, being:

The Chairman declared the motion carried and all bids meeting specifications accepted; the bid in the amount of \$2,774,200 was awarded to Urban Contractors, L.L.C., as the lowest and best bidder meeting specifications; Contract No. K-1213-88 and the performance, statutory, and maintenance bonds were approved; the execution of the contract, bonds, and the Norman Utilities Authority as part of the contract to pay vendors supplying equipment and materials for the Sewer Maintenance Project FYE 2011 was authorized; the filing of the bonds were directed; and \$840,803 was transferred from Project No. WW0055, SMP10, Construction (321-9338-432.61-01), and Project No. WW0200, SMP13, Construction (321-9338-432.61-01), to Project No. WW0064, SMP11, Construction (321-9338-432.61-01).

\* \* \* \* \*

Item 10, being:

CONSIDERATION AND AWARDING OF BID NO. 1213-53 WITH SPECIAL OPS, INC., IN THE AMOUNT OF \$79,182 FOR THE PURCHASE OF DRESS UNIFORMS FOR THE NORMAN FIRE DEPARTMENT.

Councilmember Kovach moved that all bids meeting specifications be accepted and the bid in the amount of \$79,182 be awarded to Special Ops, 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-1213-53 dated June 4, 2013, by James Fullingim, Fire Chief
2. Bid tabulation dated November 29, 2013, for dress uniforms for the Fire Department

Participants in discussion

1. Mr. Jim Stanley, 3922 Pine Tree Circle, asked questions
2. Mr. James Fullingim, Fire Chief

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
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NAYES:	None
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The Mayor declared the motion carried and all bids meeting specifications accepted; and the bid in the amount of \$79,182 was awarded to Special Ops, Inc., as the lowest and best bidder meeting specifications as the lowest and best bidder meeting specifications.

\* \* \* \* \*

Item 11, being:

CONSIDERATION OF REQUEST FOR PROPOSAL NO. RFP-1213-82 FOR THE WHITTIER AND IRVING RECREATION CENTERS GYM FLOOR REPLACEMENT PROJECT; APPROVAL OF CONTRACT NO. K-1213-201 WITH Z-FLOOR COMPANY, LTD., IN THE AMOUNT OF \$141,114; PERFORMANCE BOND NO. B-1213-99; STATUTORY BOND NO. B-1213-101; MAINTENANCE BOND NO. MB-1213-90; AND RESOLUTION NO. R-1213-145.

Councilmember Kovach moved that Request for Proposal No. RFP-1213-82 from Z-Floor Company, Inc., for the Whittier and Irving Recreation Centers Gym Floor Replacement Project be accepted; Contract No. K-1213-201 and the performance, statutory, and maintenance bonds be approved; the execution of the contract and bonds be authorized; the filing of the bonds be directed; and Resolution No. R-1213-145 be adopted, which motion was duly seconded by Councilmember Griffith;

Item 11, continued:

Items submitted for the record

1. Text File No. K-1213-201 dated May 28, 2013, from Jeff Hill, Recreation Superintendent
2. Tabulation of RFP's dated May 22, 2013, for the Whittier and Irving Recreation Centers Gym Floor Replacement Project
3. Contract No. K-1213-201
4. Statutory Bond No. B-1213-100
5. Performance Bond No. B-1213-99
6. Maintenance Bond No. MB-1213-90
7. Resolution No. R-1213-145
8. Purchase Requisition No. 0000217687 dated May 29, 2013, in the amount of \$141,114 to Z-Floor Company, Inc.

and the question being upon accepting Request for Proposal No. RFP-1213-82 and upon the subsequent awarding of the bid, approval, authorization, directive, and adoption, 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 Request for Proposal No. RFP-1213-82 from Z-Floor Company, Inc., accepted; Contract No. K-1213-201 and the performance, statutory, and maintenance bonds were approved; the execution of the contract and bonds was authorized; the filing of the bonds was directed; and Resolution No. R-1213-145 was adopted.

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Item 12 being:

CONSIDERATION OF REQUEST FOR PROPOSAL NO. RFP-1213-85 FOR THE ROTARY PARK PAVILION PROJECT, APPROVAL OF CONTRACT NO. K-1213-202 WITH FREDGREN QUALITY WORKS, L.C., IN THE AMOUNT OF \$103,944; PERFORMANCE BOND NO. B-1213-101; STATUTORY BOND NO. B-1213-102; MAINTENANCE BOND NO. MB-1213-91; RESOLUTION NO. R-1213-146; AND BUDGET TRANSFER.

Councilmember Kovach moved that Request for Proposal No. RFP-1213-85 from Fredgren Quality Works, L.C., for the Rotary Park Pavilion Project be accepted; Contract No. K-1213-202 and the performance, statutory, and maintenance bonds be approved; the execution of the contract and bonds be authorized; the filing of the bonds be directed; Resolution No. R-1213-145 be adopted; and \$80,695.31 be transferred from Project No. BG0036, Tornado Damage Repairs, Construction (050-9387-419.61-01) to Project No. PR0095, Rotary Park Improvements, Construction (050-9618-452.61-01), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1213-202 dated May 28, 2013, from James Briggs, Park Planner
2. Tabulation of RFP's dated May 27, 2013, for the Rotary Park Pavilion Project
3. Contract No. K-1213-202
4. Performance Bond No. B-1213-101
5. Statutory Bond No. B-1213-102
6. Maintenance Bond No. MB-1213-91
7. Resolution No. R-1213-146
8. Purchase Requisition No. 0000217689 dated May 28, 2013, in the amount of \$103,944 to Fredgren Quality Works, L.C.

and the question being upon accepting Request for Proposal No. RFP-1213-85 and upon the subsequent awarding of the bid, approval, authorization, directive, adoption, and transfer, a vote was taken with the following result:

Item 12, continued:

YEAS: Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Request for Proposal No. RFP-1213-82 from Z-Floor Company, Inc., accepted; Contract No. K-1213-201 and the performance, statutory, and maintenance bonds were approved; the execution of the contract and bonds was authorized; the filing of the bonds was directed; and Resolution No. R-1213-145 was adopted.

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Item 13, being:

CONSIDERATION OF A FINAL PLAT FOR BROOKHAVEN NO. 43 ADDITION AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREOF. (GENERALLY LOCATED ONE-FOURTH MILE SOUTH OF WEST ROCK CREEK ROAD EAST OF BROOKHAVEN BOULEVARD)

Councilmember Kovach moved that the final plat for Brookhaven No. 43 Addition be approved; the public dedications contained within the plat be accepted; the Mayor be authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements; and the filing of the final plat be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. FP-1213-31 dated March 14, 2013, by Ken Danner, Subdivision Manager
2. Location map
3. Final plat
4. Staff Report dated April 11, 2013, recommending approval
5. Revised preliminary plat
6. Pertinent excerpts from Planning Commission minutes of April 11, 2013

and the question being upon approving the final plat for Brookhaven No. 43 Addition and upon the subsequent acceptance, authorization, and 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 final plat for Brookhaven No. 43 Addition approved; the public dedications contained within the plat were accepted, the Mayor was authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements, and the filing of the and final plat was directed.

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Item 14, being:

CONSIDERATION OF ACCEPTANCE OF AN OKLAHOMA TOBACCO SETTLEMENT ENDOWMENT TRUST GRANT IN THE AMOUNT OF \$35,000 TO BE USED BY THE PARKS AND RECREATION DEPARTMENT TO INSTALL A FITNESS WALKING TRAIL AT SAXON PARK LOCATED ON HIGHWAY 9 JUST WEST OF 36TH AVENUE S.E., APPROVAL OF CONTRACT NO. K-1213-204, AND BUDGET APPROPRIATION.

Councilmember Kovach moved that an Oklahoma Tobacco Settlement Endowment Trust Grant in the amount of \$35,000 to be used by the Parks and Recreation Department in Saxon Park be accepted; Contract No. K-1213-204 be approved; and Other Revenue/Park Grants (022-0000-334.13-75) be increased by \$35,000 and \$35,000 be appropriated to Project No. PR0023, Saxon Park Fitness Trail, Construction (022-9674-452.61-01), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1213-204 dated May 29, 2013, from Jud Foster, Director of Parks and Recreation
2. Letter dated May 9, 2013, from Jonas Mata, MSW, Director of Grants and Programs
3. Contract No. K-1213-204 with Attachment A, Application Narrative; Attachment B, TSET Better Lives Through Better Health, to Ms. Cindy Rosenthal, Mayor of Norman Contract Non-Collusion Certification; Attachment C, Workers Compensation Clause; Attachment D, Vendor/Payee Form; and Attachment E, Direct Deposit/Change Request Form New Bank Account

Participants in discussion

1. Mr. Bobby Stevens, Post Office Box 6226, asked questions
2. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon accepting an Oklahoma Tobacco Settlement Endowment Trust Grant in the amount of \$35,000 to be used by the Parks and Recreation Department in Saxon Park and upon the subsequent approval, 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 an Oklahoma Tobacco Settlement Endowment Trust Grant in the amount of \$35,000 to be used by the Parks and Recreation Department in Saxon Park accepted; Contract No. K-1213-204 was approved, Other Revenue/Park Grants (022-0000-334.13-75) was increased by \$35,000, and \$35,000 was appropriated to Project No. PR0023, Saxon Park Fitness Trail, Construction (022-9674-452.61-01).

\* \* \* \* \*

Item 15, being:

CONSIDERATION OF AWARDED ALTERNATE 11 OF BID NO. 1213-39 INCREASING THE CONTRACT AMOUNT BY \$865,000 AND APPROVAL OF CHANGE ORDER ONE TO CONTRACT NO. K-1213-67 BY AND BETWEEN THE NORMAN TAX INCREMENT FINANCE AUTHORITY AND CGC, L.L.C., DECREASING THE CONTRACT AMOUNT BY \$343,600 IN ORDER TO ADD FOUNTAIN MODIFICATIONS TO THE LEGACY PARK CONSTRUCTION PROJECT, AND BUDGET APPROPRIATION.

Acting as the Norman Tax Increment Finance Authority, Trustee Kovach moved that adding Alternate No. 11 to Bid No. 1213-39 increasing the bid amount by \$865,000 and Change Order No. One to Contract No. K-1213-67 with CGC, Inc., decreasing the contract amount by \$343,600 for a revised contract price of \$6,419,300 be approved; the execution of the Change Order be authorized; and \$521,400 be appropriated from the University North Park Tax Increment Finance Fund Balance (057-0000-253.20-00), to Project No. UT0098, Legacy Park Project, Construction (057-9518-431.61-01), which motion was duly seconded by Trustee Griffith;

Items submitted for the record

1. Text File No. K-1213-67 dated June 3, 2013, from Jud Foster, Director of Parks and Recreation
2. Alternate No. 11 to Bid No. 1213-39 – Memorandum dated April 23, 2013, from Jud Foster, Director of Parks and Recreation, to Steve Lewis, City Manager
3. Change Order No. One to Contract No. K-1213-67
4. Pertinent excerpts from City Council Study Session minutes of April 16, 2013

Item 15, continued:

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation
2. Ms. Joy Hampton, The Norman Transcript, asked questions
3. Mr. Mark Campbell, Post Office Box 1531, asked questions
4. Mr. Jim Stanley, 3922 Pine Tree Circle, made comments

and the question being upon approving adding Alternate No. 11 to Bid No. 1213-39 increasing the bid amount by \$865,000 and Change Order No. One to Contract No. K-1213-67 with CGC, Inc., decreasing the contract amount by \$343,600 for a revised contract price of \$6,419,300 and upon the subsequent authorization and appropriation, a vote was taken with the following result:

YEAS: Trustees Castleberry, Griffith, Kovach, Lockett, Spaulding, Williams

NAYES: Trustees Gallagher, Jungman, Chairman Rosenthal

The Chairman declared the motion carried and adding Alternate No. 11 to Bid No. 1213-39 increasing the bid amount by \$865,000 and Change Order No. One to Contract No. K-1213-67 with CGC, Inc., decreasing the contract amount by \$343,600 for a revised contract price of \$6,419,300 approved; the execution of the Change Order was authorized and \$521,400 was appropriated from the University North Park Tax Increment Finance Fund Balance (057-0000-253.20-00), to Project No. UT0098, Legacy Park Project, Construction (057-9518-431.61-01).

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Item 16, being:

CHANGE ORDER ONE TO CONTRACT NO. K-1213-89: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND TERRELL ELECTRIC, INC., INCREASING THE CONTRACT AMOUNT BY \$215.40 FOR THE NORMAN PUBLIC LIBRARY LIGHTING REPLACEMENT PROJECT AND FINAL ACCEPTANCE OF THE PROJECT.

Councilmember Kovach moved Change Order No. One to Contract No. K-1213-86 with Terrell Electric, Inc., increasing the contract amount by \$215.40 be approved; the execution thereof be authorized; the project be accepted; and final payment in the amount of \$36,365.90 be directed to Terrell Electric, Inc., which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1213-89, Change Order No. One, dated June 3, 2013, by Matthew Smith, Facility Maintenance Superintendent
2. Change Order No. One to Contract No. K-1213-89
3. Invoice No. 14987 dated May 23, 2013, in the amount of \$36,355.90 to Terrell Electric, Inc.

and the question being upon approving Change Order No. One to Contract No. K-1213-86 with Terrell Electric, Inc., increasing the contract amount by \$215.40 and upon the subsequent authorization, acceptance, and 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 Change Order No. One to Contract No. K-1213-86 with Terrell Electric, Inc., increasing the contract amount by \$215.40 approved; the execution thereof was authorized, the project was accepted, and final payment in the amount of \$36,355.90 was directed to Terrell Electric, Inc.

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Item 17, being:

CONTRACT NO. K-1213-197: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA AND ACS PLAYGROUND ADVENTURES, INC., IN THE AMOUNT OF \$34,533, PERFORMANCE BOND NO. B-1213-94, STATUTORY BOND NO. B-1213-95, MAINTENANCE BOND NO. MB-1213-88, AND RESOLUTION NO. R-1213-138 FOR THE WOODSLAWN PARK PLAYGROUND EQUIPMENT PROJECT AND BUDGET APPROPRIATION.

Councilmember Kovach moved that Contract No. K-1213-197 with Z-Floor Company, Inc., in the amount of \$34,533 and the performance, statutory, and maintenance bonds be approved; execution of the contract and bonds be authorized; the filing of the bonds be directed; Resolution No. R-1213-138 be adopted; and \$34,533 be appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. PR0143, Woodslawn Park Improvements, Construction (050-9673-452.61-01), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1213-197 dated May 29, 2013, by Mitch Miles, Park Planner
2. Summary of Price Quotation for Woodslawn Park Playground Equipment Project
3. Contract No. K-1213-197
4. Performance Bond No. B-1213-94
5. Statutory Bond No. B-1213-95
6. Maintenance Bond No. MB-1213-88
7. Resolution No. R-1213-138
8. Purchase Requisition No. 0000217787 dated May 29, 2013, in the amount of \$34,533 to Z-Floor Company, Inc.

Participants in discussion

1. Mr. Jud Foster, Director of Parks and Recreation

and the question being upon approving Contract No. K-1213-197 with Z-Floor Company, Inc., in the amount of \$34,533 and the performance, statutory, maintenance bonds and upon the subsequent authorization, directive, 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 Contract No. K-1213-197 with Z-Floor Company, Inc., in the amount of \$34,533 and the performance, statutory, maintenance bonds was approved; execution of the contract and bonds was authorized; the filing of the bonds was directed; Resolution No. R-1213-138 was adopted; and \$34,533 was appropriated from the Capital Fund Balance (050-0000-253.20-00) to Project No. PR0143, Woodslawn Park Improvements, Construction (050-9673-452.61-01).

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Item 18, being:

RESOLUTION NO. R-1213-149: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$6,000 FROM THE CAPITAL FUND BALANCE FOR IRRIGATION SYSTEM REPLACEMENT IN THE LANDSCAPED MEDIAN ON WEST MAIN STREET BETWEEN MERKLE DRIVE AND COLLIER DRIVE.

Councilmember Kovach moved that Resolution No. R-1213-149 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1213-149 dated May 28, 2013, by Angelo Lombardo, Transportation Traffic Engineer
2. Resolution No. R-1213-149
3. Location map

and the question being upon adopting Resolution No. R-1213-149, a vote was taken with the following result:

Item 18, continued:

YEAS: Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

The Mayor declared the motion carried and Resolution No. R-1213-149 was adopted.

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Item 19, being:

RESOLUTION NO. R-1213-150: A RESOLUTION OF THE NORMAN UTILITIES AUTHORITY APPROPRIATING \$80,000 FROM THE WATER FUND BALANCE TO REPLACE THE MAIN WATER LINE UNDER ASP AVENUE BETWEEN WHITE STREET AND BOYD STREET TO AVOID FUTURE LINE FAILURE AND DISRUPTION TO TRAFFIC AND BUSINESSES.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Resolution No. R-1213-150 be adopted, which motion was duly seconded by Trustee Griffith;

Items submitted for the record

1. Text File No. R-1213-150 dated June 3, 2013, by Ken Komiske, Director of Utilities
2. Resolution No. R-1213-150

and the question being upon adopting Resolution No. R-1213-150, 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 Resolution No. R-1213-150 was adopted.

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Item 20, being:

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

Councilmember Kovach moved that the FYE 2013 City of Norman Operating and Capital Budgets, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. RPT-1213-62 dated May 28, 2013
2. City of Norman, Oklahoma, Fiscal Year Ending 2014 Annual Budget Summary of Fund Balances
3. City of Norman, Oklahoma, Fiscal Year Ending June 30, 2014, Budget and Financial Plan – Fiscal Year-End 2014-2018
4. City of Norman, Oklahoma, Capital Improvements Project Budget - Fiscal Year Ending June 30, 2014, and Financial Plan – Fiscal Year-End 2014-2018

Thereupon, Councilmember Griffith moved that the FYE 2013 City of Norman Budget be amended to increase General Fund allocations for employer contributions to the Oklahoma Firefighters Pension System by \$107,500 and Public Safety Sales Tax allocations by \$10,875, which motion was duly seconded by Councilmember Kovach; and the question being upon amending the FYE 2013 City of Norman Budget as stated above, 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 FYE 2013 City of Norman Budget was amended as stated above.

## Item 20, continued:

Thereupon, Councilmember Jungman moved that the FYE 2013 City of Norman Budget, as amended, be further amended to increase the University North Park Tax Increment Finance Fund expenditure allocations by \$127,275 for an inter-fund transfer to the General Fund to offset administrative costs and increase General Fund inter-fund transfer revenues by \$127,275, which motion was duly seconded by Councilmember Kovach; and the question being upon further amending the FYE 2013 City of Norman Budget, as amended, as stated above, 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 FYE 2013 City of Norman Budget, as amended, was further amended as stated above.

Thereupon, Councilmember Kovach moved that the FYE 2013 City of Norman Budget, as amended, be further amended to increase Public Safety Sales Tax Fund expenditure allocations by \$1,031,330 for an inter-fund fund transfer to the New Revenue Stabilization Fund and increase the New Revenue Stabilization Fund inter-fund transfer revenues by \$1,031,330, which motion was duly seconded by Councilmember Griffith; and the question being upon further amending the FYE 2013 City of Norman Budget, as amended, as stated above, 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 FYE 2013 City of Norman Budget, as amended, was further amended as stated above.

Thereupon, Councilmember Kovach moved that the FYE 2013 City of Norman Budget, as amended, be further amended to increase Public Safety Sales Tax Fund expenditure allocations by \$339,291 for a one time inter-fund transfer to the General Fund to offset costs of the emergency communications function, which motion was duly seconded by Councilmember Griffith; and the question being upon further amending the FYE 2013 City of Norman Budget, as amended, as stated above, 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 FYE 2013 City of Norman Budget, as amended, was further amended as stated above.

Thereupon, Councilmember Lockett moved that the FYE 2013 City of Norman Budget, as amended, be further amended to reduce the \$3,708,020 budgeted by \$1,156,150 for Public Safety Sales Tax Fund Capital Expenditure allocations from the FY 14 Budget and programmed in FY 15 to pay for programmed fire equipment replacements over a two year period; which motion was duly seconded by Councilmember Griffith; and the question being upon further amending the FYE 2013 City of Norman Budget, as amended, as stated above, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: None

Item 20, continued:

The Mayor declared the motion carried and the FYE 2013 City of Norman Budget, as amended, was further amended as stated above.

Thereupon, Councilmember Griffith moved that the FYE 2013 City of Norman Budget, as amended, be further amended to reduce Community Development Block Grant expenditures and revenues by a total of \$37,517, with \$30,838 for the HOME Program and \$6,679 for the CDBG Program, which motion was duly seconded by Councilmember Kovach; and the question being upon further amending the FYE 2013 City of Norman Budget, as amended, as stated above, 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 FYE 2013 City of Norman Budget, as amended, was further amended as stated above.

Thereupon, Mayor Rosenthal moved that grammatical and typographical corrections to the Budget documents, with no financial impact, be made as necessary, which motion was duly seconded by Councilmember Kovach; and the question being upon further amending the FYE 2013 City of Norman Budget, as amended, as stated above, 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 FYE 2013 City of Norman Budget, as amended, was further amended as stated above.

Thereupon, Councilmember Castleberry moved that the FYE 2013 City of Norman Budget, as amended, be further amended to reduce allocations in the General Fund Services and Maintenance and Supply and Materials categories of expenditures by \$478,829, which motion was duly seconded by Councilmember Kovach;

Participants in discussion

1. Mr. Steve Lewis, City Manager
2. Mr. Mark Campbell, Post Office Box 1352, made comments
3. Ms. Jeanette Coker, 620 East Main, made comments
4. Ms. Ann Gallagher, 1522 East Boyd, made comments
5. Ms. Cindy Rogers, 633 Reed Avenue, made comments
6. Mr. Stephen Ellis, 633 Reed Avenue, made comments
7. Mr. Bobby Stevens, Post Office Box 6226, made comments
8. Ms. Joy Hampton, The Norman Transcript, asked questions
9. Ms. Katie Fitzgerald, Center for Children and Families, made comments
10. Ms. Mary Francis, 850-C Cardinal Creek Condos, made comments
11. Mr. Jim Stanley, 3922 Pine Tree Circle, made comments

and the question being upon further amending the FYE 2013 City of Norman Budget, as amended, as stated above, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Gallagher, Griffith, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

NAYES: Councilmember Jungman

The Mayor declared the motion carried and the FYE 2013 City of Norman Budget, as amended, was further amended as stated above.

Item 20, continued:

Thereupon, Councilmember Castleberry moved that the FYE 2013 City of Norman Budget, as amended, be further amended to reduce allocations from the General Fund Services and Maintenance and Supply and Materials categories of expenditures by an additional \$27,040 related to training and travel allocations, which motion was duly seconded by Councilmember Spaulding;

Participants in discussion

1. Ms. Suzanne Krohmer, Budget Manager
2. Mr. Stephen Koranda, Executive Director, Norman Convention and Visitors Bureau, 2424 Springer Drive, made comments
3. Mr. Stephen Ellis, 633 Reed Avenue, asked questions
4. Ms. Susan Connors, Director of Planning and Community Development
5. Mr. Mark Campbell, Post Office Box 1053, made comments
6. Ms. Joy Hampton, The Norman Transcript, asked questions
7. Mr. Steve Lewis, City Manager
8. Mr. Anthony Francisco, Director of Finance

and the question being upon further amending the FYE 2013 City of Norman Budget, as amended, as stated above, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Lockett, Spaulding, Williams
NAYES:	Councilmembers Griffith, Jungman, Kovach, Mayor Rosenthal

The Mayor declared the motion carried and the FYE 2013 City of Norman Budget, as amended, was further amended as stated above.

Thereupon, Councilmember Castleberry moved that the FYE 2013 City of Norman Budget, as amended, be further amended to reduce allocations from the General Fund Services and Maintenance and Supply and Materials categories of expenditures by an additional \$27,760 related to consultant allocations, which motion was duly seconded by Councilmember Spaulding;

Participants in discussion

1. Mr. Anthony Francisco, Director of Finance

and the question being upon further amending the FYE 2013 City of Norman Budget, as amended, as stated above, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
NAYES:	Councilmember Jungman

The Mayor declared the motion carried and the FYE 2013 City of Norman Budget, as amended, was further amended as stated above.

Thereupon, Councilmember Jungman moved that the FYE 2013 City of Norman Budget, as amended, be further amended to reduce allocations in the General Fund by \$85,000 and delay the hiring of a retail coordinator for one year, which motion was duly seconded by Councilmember Gallagher;

1. Ms. Jeanette Coker, 620 East Main, made comments
2. Mr. Bobby Stevens, Post Office Box 6226, proponent
3. Mr. Mark Campbell, Post Office Box 1531, made comments
4. Mr. Stephen Ellis, 633 Reed Avenue, proponent
5. Ms. Cindy Rogers, 633 Reed Avenue, made comments
6. Mr. John Woods, 4101 Castlerock Road, protestant
7. Ms. Ann Gallagher, 1522 East Boyd, proponent
8. Ms. Mary Francis, 850-C Cardinal Creek Condos, proponent
9. Mr. Steve Lewis, City Manager

Item 20, continued:

and the question being upon further amending the FYE 2013 City of Norman Budget, as amended, as stated above, a vote was taken with the following result:

YEAS: Councilmembers Gallagher and Jungman

NAYES: Councilmembers Castleberry, Griffith, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal

The Mayor declared the motion carried and the FYE 2013 City of Norman Budget, as amended, was further amended as stated above.

and the question being upon adopting the FYE 2013 City of Norman Operating and Capital Budgets, as amended, a vote was taken with the following result:

YEAS: Councilmembers Griffith Jungman, Kovach, Lockett, Mayor Rosenthal

NAYES: Councilmembers Castleberry, Gallagher, Williams, Spaulding

The Mayor declared the motion carried and the FYE 2013 City of Norman Operating and Capital Budgets, as amended, were adopted.

\*\*\*\*\*

Thereupon Councilmember Kovach moved that the Norman Convention Visitors Bureau, Inc., Budget with Detailed Annual Plan of Work be postponed until June 25, 2013, which motion was duly seconded by Councilmember Spaulding;

Items submitted for the record

- 1. Text File No. RPT-1213-62 dated May 28, 2013
- 2. Norman Convention and Visitors Bureau FY 2014 Budget and Destination Marketing Plan with Appendix A, Big XII Conference and Other Compatible Communities and City of Norman Benchmark Communities, Appendix B, Greater Oklahoma City Area Tourism Ambassadors, and Appendix C, Spring, 2013 Call-to-Action Campaign

Participants in discussion

- 1. Ms. Mary Francis, 805-C Cardinal Creek Condos, made comments

and the question being upon postponing the Norman Convention Visitors Bureau, Inc., Budget with Detailed Annual Plan of Work until June 25, 2013, 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 Norman Convention and Visitors Bureau, Inc., Budget with Detailed Annual Plan of Work, was postponed until June 25, 2013.

\*\*\*\*\*

Item 21, being:

RESOLUTION NO. R-1112-129: 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-1112-6, 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 COMMERCIAL DESIGNATION AND REMOVE THE SAME FROM THE HIGH DENSITY RESIDENTIAL DESIGNATION AND OFFICE DESIGNATION. (LOCATED AT 612 ASP AVENUE, 421-427 BUCHANAN AVENUE, 710 ASP AVENUE, AND THE ADJACENT LOT TO THE SOUTH)

Resolution No. R-1112-129 having been postponed in City Council's meeting of November 13, 2012, until January 8, 2013, having been further postponed in City Council's meeting of November 13, 2012, January 8, 2013, February 12, 2013, April 9, 2013, and May 14, 2013, Councilmember Kovach moved that Resolution No. R-1112-129 be postponed until June 25, 2013, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1112-129 dated April 17, 2013, by Jane Hudson, Principal Planner
2. Letter requesting postponement dated June 4, 2013, from Sean Paul Rieger, Attorney at Law, to Norman City Council
3. Resolution No. R-1112-129, Land Use Plan Amendment No. LUP-1112-6
4. Location map
5. Notification of Developer of Record dated May 7, 2013, from Mark Risser, B3 Development Group
6. Staff Report dated September 13, 2012, recommending approval
7. Predevelopment Summary Case No. PD 12-27 dated July 26, 2012, for property generally located at 612 and 710 Asp and 421-427 Buchanan Avenue
8. Predevelopment Summary Case No. PD 12-17 dated April 26, 2012, for property generally located on the west side of Asp Avenue just south of the Duffy Street and Asp Avenue intersection
9. Predevelopment Summary Case No. PD 12-09 dated March 22, 2012, for 710 Asp Avenue
10. Pertinent excerpts from Planning Commission minutes of July 12, 2012, August 9, 2012, and September 13, 2012
11. Letter dated May 15, 2013, from Don Wood, Executive Director, Norman Economic Development Coalition, to Whom It May Concern

Participants in discussion

1. Ms. Mary Francis, 850-C Cardinal Creek Condos, protestant
2. Mr. Ed Kessler, 1510 Rosemont Drive, protestant

and the question being upon postponing Resolution No. R-1112-129 until June 25, 2013, 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 Resolution No. R-1112-129 was postponed until June 25, 2013.

\*\*\*\*\*

Item 22, being:

CONSIDERATION OF ORDINANCE NO. O-1112-38 UPON SECOND AND FINAL READING:  
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)

Ordinance No. O-1112-38 having been Introduced and adopted upon First Reading by title in City Council's meeting of October 23, 2012; and Ordinance No. O-1112-38 having been postponed in City Council's meeting of November 13, 2012, January 8, 2013, February 12, 2013; April 9, 2013, and May 14, 2013, Councilmember Kovach moved that Ordinance No. O-1112-38 be postponed until June 25, 2013, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1112-38 dated April 17, 2012, by Jane Hudson, Principal Planner
2. Ordinance No. O-1112-38
3. Location map
4. Letter requesting postponement dated June 4, 2013, from Sean Paul Rieger, Attorney at Law, Architect, Broker, to City of Norman City Council
5. Notification of Developer of Record dated May 7, 2013, from Mark Risser, B3 Development Group
6. Schematic Design of Campus Corner Project developed by NE Development Group
7. Traffic Impact Study, March, 2013, 710 Asp Avenue prepared for B3 Development Group by B.J. Hawkins, P.E., Traffic Engineering Consultants, Inc.
8. Higher-Density Development, Myth and Fact, prepared by National Multi-Housing Council, Sierra Club, American Institute of Architects, and Urban Land Institute
9. Staff Report dated September 13, 2012, with no recommendation

Participants in discussion

1. Mr. Stephen Ellis, 633 Reed Avenue, made comments
2. Mr. Jeff Bryant, City Attorney

and the question being upon postponing Ordinance No. O-1112-38 until June 25, 2013, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Ordinance No. O-1112-38 was postponed until June 25, 2013.

\* \* \* \* \*

Item 23, being:

CONSIDERATION OF ORDINANCE NO. O-1213-44 UPON SECOND AND FINAL READING: 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 LOT 1, BLOCK 1, PEPCO INDUSTRIAL PARK, PHASE 1, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE I-2, HEAVY INDUSTRIAL DISTRICT, AND REMOVE SAME FROM THE I-1, LIGHT INDUSTRIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2601 VENTURE BOULEVARD)

Ordinance No. O-1213-44 having been Introduced and adopted upon First Reading by title in City Council's meeting of May 28, 2013, Councilmember Griffith moved that Ordinance No. O-1213-44 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Williams;

Items submitted for the record

1. Text File No. O-1213-44 dated April 10, 2013, by Jane Hudson, Principal Planner
2. Ordinance No. O-1213-44
3. Location map
4. Staff report dated May 9, 2013, recommending approval
5. Section 427.1 – 1-2, Heavy Industrial District, of the City of Norman Zoning Ordinances
6. Application for rezoning of 2601 Venture Drive with photos of property
7. Pertinent excerpts from Planning Commission minutes of May 9, 2013

Participants in discussion

1. Mr. Aaron Parks, applicant
2. Ms. Ann Gallagher, 1522 East Boyd

and the question being upon adopting Ordinance No. O-1213-44 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Ordinance No. O-1213-44 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1213-44 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Griffith; and the question being upon adopting Ordinance No. O-1213-44 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Ordinance No. O-1213-44 was adopted upon Final Reading as a whole.

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Item 24, being:

CONSIDERATION OF ORDINANCE NO. O-1213-45 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING AND RELOCATING A UTILITY EASEMENT LOCATED IN CARRINGTON PLACE ADDITION, SECTION 11, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (BETWEEN LOTS 1 AND 2, BLOCK 5, CARRINGTON PLACE ADDITION, SECTION 11)

Ordinance No. O-1213-45 having been Introduced and adopted upon First Reading by title in City Council's meeting of May 28, 2013, Councilmember Kovach moved that Ordinance No. O-1213-45 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1213-45 dated April 10, 2013, by Ken Danner, Subdivision Manager
2. Ordinance No. O-1213-45
3. Location map
4. Staff report dated May 9, 2013, recommending approval
5. Memorandum dated April 8, 2013, from Brenda Hall, to Rone Tromble, Administrative Technician IV; Jeff Bryant, City Attorney; Ken Komiske, Director of Utilities; Ken Danner, Subdivision Manager; and Jane Hudson, Principal Planner
6. Letter dated April 8, 2013, from H.L. Heiple, Attorney-Agent, Heiple Law Offices, Inc., representing the applicant Carrington Place, L.L.C., with legal description of utility easement to be vacated and location map, legal description of new utility easement and location map, and Certificate of Bonded Abstractor
7. Easement No. E-1213-21
8. Pertinent excerpts from Planning Commission minutes of May 9, 2013, recommending approval

Participants in discussion

1. Mr. Harold Heiple, 218 East Eufaula, attorney representing applicant

and the question being upon adopting Ordinance No. O-1213-45 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Ordinance No. O-1213-45 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1213-45 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Griffith; and the question being upon adopting Ordinance No. O-1213-45 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Ordinance No. O-1213-45 was adopted upon Final Reading as a whole.

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Item 25, being:

RESOLUTION NO. R-1213-95: 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-1213-7, SO AS TO PLACE LOTS 37 AND 38, BLOCK 3, LARSH'S UNIVERSITY ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE COMMERCIAL DESIGNATION AND REMOVE THE SAME FROM THE OFFICE DESIGNATION. (768 SOUTH JENKINS AVENUE)

Councilmember Griffith moved that Resolution No. R-1213-95, Land Use Plan Amendment No. LUP-1213-7, be adopted and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto, which motion was duly seconded by Councilmember Lockett;

Items submitted for the record

1. Text File No. R-1213-95 dated January 22, 2013, by Jane Hudson, Principal Planner
2. Resolution No. R-1213-95, Land Use Plan Amendment No. LUP-1213-7
3. Location map
4. Staff Report dated February 14, 2013, recommending denial
5. Predevelopment Summary Case No. PD 12-36 dated December 20, 2012, for Mohammed Tajbakhsh for property located at 768 South Jenkins
6. Pertinent excerpts from Planning Commission minutes of February 14, 2013

Participants in discussion

1. Mr. Nemo Tajbakhsh, 768 South Jenkins, representing applicant
2. Ms. Susan Connors, Director of Planning and Community Development
3. Mr. Alan Stacy, representing Keith Walker Oil and Gas Company in the Casablanca Building located at 103 West Boyd, protestant

and the question being upon adopting Resolution No. R-1213-95, Land Use Plan Amendment No. LUP-1213-7, and upon the subsequent amendment, a vote was taken with the following result:

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

The Mayor declared the motion failed and Resolution No. R-1213-95, Land Use Plan Amendment No. LUP-1213-7, adopted; and the NORMAN 2025 Land Use and Transportation Plan was not amended.

\*\*\*\*\*

Item 26, being:

CONSIDERATION OF ORDINANCE NO. O-1213-30 UPON SECOND AND FINAL READING: 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 LOTS 37 AND 38, BLOCK 3, LARSH'S UNIVERSITY ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-2, GENERAL COMMERCIAL DISTRICT WITH SPECIAL USE FOR A BAR, LOUNGE OR TAVERN, AND REMOVE THE SAME FROM THE RO, RESIDENCE-OFFICE DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (768 SOUTH JENKINS AVENUE)

Consideration of Item 26 required approval of Item 25, Resolution R-1213-95, Land Use Plan Amendment No. LUP-1213-7, as a result Item 26 was moot.

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Item 27, being:

RESOLUTION NO. R-1213-113: 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-1213-9, SO AS TO PLACE PART OF THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE MEDIUM DENSITY RESIDENTIAL DESIGNATION AND REMOVE THE SAME FROM THE INDUSTRIAL DESIGNATION. (SOUTH SIDE OF IMHOFF ROAD APPROXIMATELY 900 FEET EAST OF CLASSEN BOULEVARD)

Councilmember Griffith moved that Resolution No. R-1213-113, Land Use Plan Amendment No. LUP-1213-9, having been postponed on May 14, 2013, and May 28, 2013, be rejected, which motion was duly seconded by Councilmember Kovach;

Items submitted for the record

1. Text File No. R-1213-113 dated March 13, 2013, by Jane Hudson, Principal Planner
2. Resolution No. R-1213-113, Land Use Plan Amendment No. LUP-1213-9
3. Location map
4. Staff Report dated April 11, 2013, not supporting the request
5. Predevelopment Summary Case No. PD-13-04 dated February 28, 2013, for Breckenridge Land Acquisition d/b/a Aspen Heights located on the south side of Imhoff Road approximately 420 feet east of Classen Boulevard
6. Pertinent excerpts from Planning Commission minutes of April 11, 2013
7. Letter requesting postponement dated May 28, 2013, from Sean Paul Rieger, attorney representing the applicant
8. Letter of support dated May 28, 2013, from Donna Randall, daughter of Imogene (Tullius) Randall
9. Hitachi presentation entitled, "Hitachi is a Good Neighbor"

Participants in discussion

1. Mr. Sean Rieger, 136 Thompson Drive, attorney representing applicant
2. Mr. Tom McCaleb, SMC Consulting Engineers, 805 West Main, Oklahoma City, representing applicant
3. Mr. Charlie Vatterott, Executive Vice-President for Aspen Heights, applicant
4. Mr. B.J. Hawkins, Traffic Engineering Consultants, representing applicant
5. Mr. Jeff Bryant, City Attorney
6. Ms. Helen Tullius Todd, 1600 East Imhoff Road, proponent
7. Ms. Mary Francis, 850-C Cardinal Creek Condos, asked questions
8. Mr. George Wilson, 515 Shawnee Street, representing Hitachi, protestant
9. Mr. Don Wood, Executive Director, Norman Economic Development Coalition, protestant
10. Ms. Jane Cox, 300 Greens Parkway, proponent

and the question being upon rejecting Resolution No. R-1213-113, Land Use Plan Amendment No. LUP-1213-9, until June 11, 2013, a vote was taken with the following result:

YEAS: Councilmembers Castleberry, Griffith, Jungman, Kovach, Lockett, Mayor Rosenthal

NAYES: Councilmembers Gallagher, Spaulding, Williams

The Mayor declared the motion carried and Resolution No. R-1213-113, Land Use Plan Amendment No. LUP-1213-9, was rejected.

\* \* \* \* \*

Item 28, being:

CONSIDERATION OF ORDINANCE NO. O-1213-41 UPON SECOND AND FINAL READING: 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 WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA; IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE THE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (SOUTH SIDE OF IMHOFF ROAD APPROXIMATELY 900 FEET EAST OF CLASSEN BOULEVARD)

Consideration of Item 28 required approval of Item 27, Resolution R-1213-113, Land Use Plan Amendment No. LUP-1213-9, as a result Item 28 was moot.

\* \* \* \* \*

Item 29, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR ASPEN HEIGHTS ADDITION, A PLANNED UNIT DEVELOPMENT. (GENERALLY LOCATED ON THE SOUTH SIDE OF IMHOFF ROAD APPROXIMATELY ONE-FOURTH MILE EAST OF CLASSEN BOULEVARD/HIGHWAY 77.

Consideration of Item 29 required approval of Item 27, Resolution R-1213-113, Land Use Plan Amendment No. LUP-1213-9, and Item 28, Ordinance No. O-1213-41, as a result Item 29 was moot.

\* \* \* \* \*

Item 30, being:

RESOLUTION NO. R-1213-108: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DECLARING A RECOUPMENT PROJECT FOR COSTS ASSOCIATED WITH IMPROVEMENTS ON CEDAR LANE ROAD, AN ARTERIAL ROAD, FROM 400 FEET WEST OF 12TH AVENUE S.E. TO 1/2 MILE EAST OF 24TH AVENUE S.E.

Councilmember Kovach having moved in City Council's meeting of May 28, 2013 that Resolution No. R-1213-108 be adopted, which motion having been duly seconded by Councilmember Spaulding;

Items submitted for the record

- 1. Text File No. R-1213-108 dated March 18, 2013, by Josh Malwick, Capital Projects Engineer
- 2. Resolution No. R-1213-108 with Exhibit A, Location Map, and Exhibit B, Property Ownership List

Participants in discussion

- 1. Ms. Kathryn Walker, Assistant City Attorney
- 2. Mr. Harold Heiple, 218 East Eufaula, Attorney representing some of the owners

and the question being upon adopting Resolution No. R-1213-108, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Griffith, Jungman, Kovach, Lockett, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Resolution No. R-1213-108 was adopted.

\* \* \* \* \*

Item 31, being:

RESOLUTION NO. R-1213-152: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DECLARING THE NECESSITY FOR ACQUIRING CERTAIN REAL PROPERTY, MORE PARTICULARLY HEREINAFTER DESCRIBED, ALL WITHIN THE CITY OF NORMAN, COUNTY OF CLEVELAND, STATE OF OKLAHOMA, FOR THE PURPOSE OF THE CEDAR LANE ROAD WIDENING PROJECT IN THE CITY OF NORMAN; DECLARING THE NECESSITY FOR ACQUIRING SAID PROPERTY FOR ROADWAY PURPOSES; AND DECLARING AN EMERGENCY.

Councilmember Kovach moved that Resolution No. R-1213-152 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1213-152 dated June 4, 2013, by Kathryn Walker, Assistant City Attorney
2. Cedar Lane Widening Project table listing parcels identified for possible condemnation
3. Resolution No. R-1213-152 with Exhibit A, Parcel 9.0, Exhibit B, Parcel 9.1, Exhibit C, Parcel 10.0, Exhibit D, Parcel 10.1, Exhibit E, Parcel 21.0, Exhibit F, Parcel 21.1, Exhibit G, Parcel 21.2
4. Cedar Lane Road Project Right of Way Acquisitions map

Participants in discussion

1. Mr. Jeff Bryant, City Attorney
2. Mr. Harold Heiple, 218 East Eufaula, attorney representing some of the owners

and the question being upon adopting Resolution No. R-1213-152, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Gallagher, Jungman, Kovach, Lockett, Williams, Mayor Rosenthal
NAYES:	Councilmember Spaulding

The Mayor declared the motion carried and Resolution No. R-1213-152 was adopted.

\* \* \* \* \*

MISCELLANEOUS DISCUSSION

Moore and Norman Tornadoes. Bobby Stevens, Post Office Box 6226, said thanked the City of Norman for helping the City of Moore. He enjoyed seeing everyone working together in trying times. He asked why it is not mandatory for builders to build a storm shelter with new construction. He said there should be an ordinance or resolution to help better protect our public. He said east Norman was hit just as bad as Moore, but it was just rural area and if west Norman got hit, it would have taken years to recover just like it will take Moore.

\*

Tullius Property. Bobby Stevens, Post Office Box 6226, said property rights were trampled on tonight and he does not agree with what happened. He believes big business had a lot to do with tonight's decision and it is not right.

\*

Help Tornado Victims. Councilmember Williams wanted to remind everyone there are still a lot of families affected by the tornadoes that still need help. He encouraged everyone to continue to give their time and volunteer.

\*

Recognizing Councilmember Williams. Councilmember Lockett thanked Councilmember Williams and Harvest Church for all they did during the recent tornados. She heard multiple people mention the work Harvest Church had done and it was above and beyond what was expected and she appreciated it.

\*

Miscellaneous Discussion, continued:

God Bless Norman. Councilmember Spaulding said "God Bless Norman."

\* \* \* \* \*

ADJOURNMENT

There being no further business, Councilmember Kovach moved that the meeting be adjourned, which motion was duly seconded by Councilmember Griffith; 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, Spaulding, Williams, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the meeting was adjourned at 1:00 a.m.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor



# City of Norman, OK

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

## Master

**File Number: P-1213-27**

**File ID:** P-1213-27

**Type:** Proclamation

**Status:** Draft

**Version:** 1

**Reference:** Item No. 4

**In Control:** City Council

**Department:** City Clerk Department

**Cost:**

**File Created:** 06/12/2013

**File Name:** Americans with Disabilities Month

**Final Action:**

**Title:** PROCLAMATION NO. P-1213-27: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF JULY, 2013, AS AMERICANS WITH DISABILITIES MONTH IN THE CITY OF NORMAN.

**Notes:** ACTION NEEDED: Motion to acknowledge receipt of Proclamation No. P-1213-27 proclaiming the month of July, 2013, as Americans with Disabilities Month in the City of Norman and direct the filing thereof.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 4

**Attachments:** Americans with Disabilities Month

**Project Manager:** Brenda Hall, City Clerk

**Entered by:** Ellen.Usry@mccinnovations.com

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

### Text of Legislative File P-1213-27

A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF JULY, 2013, AS AMERICANS WITH DISABILITIES MONTH IN THE CITY OF NORMAN.

- §1. WHEREAS, physical and mental disabilities should in no way diminish a person's right to fully participate in all aspects of society and that individuals with disabilities should have equality of opportunity, full participation, independent living, and economic self-sufficiency; and
- §2. WHEREAS, on July 26, 1990, President George H. W. Bush signed into law the Americans with Disabilities Act (ADA) to ensure the civil rights of people with disabilities and provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities; and
- §3. WHEREAS, it has been officially recognized that "America is undeniably stronger because of the ADA and the contributions individuals with disabilities have made to every aspect of our society"; and
- §4. WHEREAS, the ADA has expanded opportunities for Americans with disabilities by reducing barriers, changing perceptions and increasing full participation in community life; and
- §5. WHEREAS, the Cleveland County disABILITY Coalition was formed in 2012 to enhance the quality of life for persons with disabilities, to increase awareness of all disabilities, to identify community needs, and to develop solutions to those needs.

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

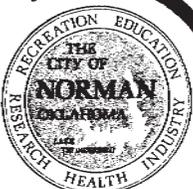
- § 6. Do hereby proclaim the month of July, 2013, as Americans with Disabilities Month in the City of Norman, Oklahoma, and invite all citizens to join me in recognizing the contributions of our citizens with disabilities and mobility impairments and in continuing the work necessary to achieve full mobility, inclusion, and participation in community life for these citizens.

PASSED AND APPROVED this 25th day of June, 2013.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk





# City of Norman, OK

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

## Master

**File Number: O-1213-50**

**File ID:** O-1213-50

**Type:** Zoning Ordinance

**Status:** Consent Item

**Version:** 1

**Reference:** Item No. 6

**In Control:** City Council

**Department:** Public Works  
Department

**Cost:**

**File Created:** 05/07/2013

**File Name:** Boehme ROW/UE Closure

**Final Action:**

**Title:** CONSIDERATION OF ORDINANCE NO. O-1213-50 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING THE SOUTH TWENTY (20) FEET OF THE FIFTY (50) FOOT RIGHT-OF-WAY ADJACENT TO LOT 14, BLOCK 6 OF PICKARD ACRES ADDITION AND CLOSING A PORTION OF THE TWENTY (20) FOOT SANITARY SEWER EASEMENT WITHIN LOT 13 AND 14, BLOCK 6, PICKARD ACRES ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

**Notes:** ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1213-50 upon First Reading by title.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 6

**Attachments:** Text File, O-1213-50, Location Map-Pickard Addn.pdf, Staff Report - Pickard Acres ROW-UE, Plat - Pickard Acres

**Project Manager:** Ken Danner

**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	06/13/2013	Recommended for Adoption at a subsequent City Council Meeting Aye: 5 Commissioner Gordon, Commissioner Knotts, Commissioner McCarty, Commissioner Boeck, and Commissioner Bahan	City Council	06/25/2013		Pass

### Text of Legislative File O-1213-50

Body

**BACKGROUND:** The final plat for Pickard Acres Addition was filed of record in 1920. Within the final plat, fifty-foot (50') right-of-way for Cruce Street was dedicated. Through the years, this portion of Cruce Street has never been constructed. Currently, there are no plans or need to extend Cruce Street at this location. When a structure was built many years ago upon Lot 13 and Lot 14, Block 6, the structure encroached within the Cruce Street right-of-way. As a result, there is a cloud on the title.

Several years ago sanitary sewer mains (interceptor lines) were installed within Lots 13 and 14, Block 6, Pickard Acres Addition to serve properties to the north and east of this area. Over the years, these lines were abandoned with new interceptor lines located further west that did not cut through the middle of the lots. It appears the easement was never released or vacated. As a result, the easement "clouds" the title running with the property.

**DISCUSSION:** There have been no objections to the closure of the south twenty-foot (20') of the fifty-foot (50') right-of-way for Cruce Street or the closure of the easement that was granted for the purpose of sanitary sewer mains. Although not located within the south twenty-foot (20') right-of-way of Cruce Street, an existing storm sewer is running east-west and parallel within the Cruce Street right-of-way. Staff is not opposed to the closure and potential vacation, but would request a ten-foot (10') drainage easement be provided with the vacation of the right-of-way. The easement will not impact the location of the existing structure.

**RECOMMENDATION:** Staff recommends approval of the request to close the south twenty feet (20') of a fifty-foot (50') right-of-way adjacent to Lot 14, Block 6, Pickard Acres Addition and closing a portion of a twenty-foot (20') sanitary sewer easement within Lot 13 and Lot 14, Block 6, Pickard Acres Addition as described by the surveyor.

O-1213-50

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING THE SOUTH TWENTY (20) FEET OF THE FIFTY (50) FOOT RIGHT-OF-WAY ADJACENT TO LOT 14, BLOCK 6 OF PICKARD ACRES ADDITION AND CLOSING A PORTION OF THE TWENTY (20) FOOT SANITARY SEWER EASEMENT WITHIN LOT 13 AND 14, BLOCK 6, PICKARD ACRES ADDITION, 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, Bank of Oklahoma as Trustee for the Connie Boehme Trust, owner of the subject property, has petitioned the City to have the south twenty (20) feet of the fifty foot (50') right-of-way adjacent to Lot 14, Block 6, PICKARD ACRES closed; and
- § 2. That, pursuant to Resolution Number R-8182-66, Bank of Oklahoma as Trustee for the Connie Boehme Trust, owner of the subject property, has petitioned the City to have a portion of the twenty (20) foot sanitary sewer line easement located within Lots 13 and 14, Block 6, PICKARD ACRES closed; and
- § 3. 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
- § 4. That, also pursuant to Resolution Number R-8182-66, a public hearing has been held regarding said closing; and
- § 5. That, the south twenty (20) feet of that portion of the fifty (50) foot roadway Right-of-Way located at the Northeast corner of Lot Fourteen (14), Block Six (6) of PICKARD ACRES ADDITION, an addition to Norman, Cleveland County, Oklahoma; thence North for a distance of Twenty (20) feet; thence West for a distance of One-Hundred Ninety (190) feet; thence South for a distance of Twenty (20) feet to a point being the Northwest corner of said Lot 14; Thence East for a distance of One-Hundred Ninety (190) feet to the point of beginning, is hereby closed; and
- § 6. That, that portion of the twenty (20) foot Sanitary Sewer Line easement located at the Northeast corner of Lot Fourteen (14), Block Six (6) of PICKARD ACRES ADDITION, an addition to Norman, Cleveland County, Oklahoma; thence West for a distance of Thirty (30) feet to the point of beginning; thence South 31°0' West to a point 93.0 feet West of the Southeast corner of Lot Thirteen (13), Block Six (6) to the point of ending, is hereby closed.

§ 7. 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  
\_\_\_\_\_, 2013.

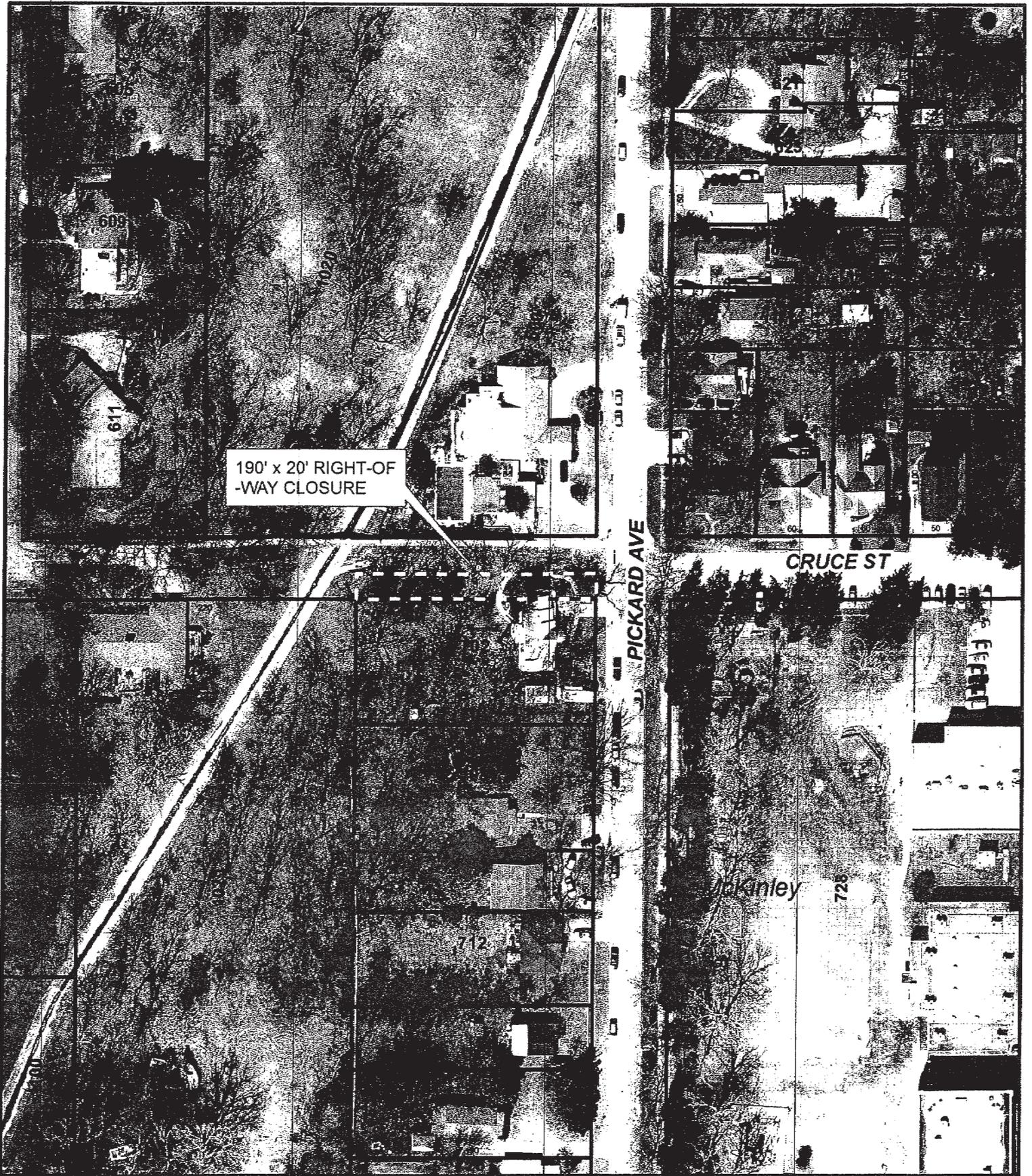
NOT ADOPTED this \_\_\_\_\_ day of  
\_\_\_\_\_, 2013.

\_\_\_\_\_  
(Mayor)

\_\_\_\_\_  
(Mayor)

ATTEST:

\_\_\_\_\_  
(City Clerk)



190' x 20' RIGHT-OF-WAY CLOSURE



1 inch = 100 feet

**LOCATION MAP**  
**702 S. Pickard Ave.**  
**Pickard Acres Addition, Block 6, Lot 13**



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ORDINANCE NO. O-1213-50

ITEM NO. 8

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**STAFF REPORT**

**GENERAL INFORMATION**

APPLICANT

Bank of Oklahoma as Trustee for  
Connie Boehme Trust

REQUESTED ACTION

Closing the south twenty-feet (20')  
of a fifty-foot (50') right-of-way  
adjacent to Lot 14, Block 6, Pickard  
Acres Addition and closing a portion  
of a twenty-foot (20') sanitary sewer  
easement within Lot 13 and Lot 14,  
Block 6, Pickard Acres Addition.

**BACKGROUND:** Pickard Acres Addition was filed of record in 1920 with a fifty-foot (50') right-of-way for Cruce Street. Through the years this portion of Cruce Street has never been constructed. Staff does not see the need for the extension of Cruce Street. As a result, staff can support the closure and anticipated vacation of that portion of the Cruce Street right-of-way. Several years ago sanitary sewer mains were installed within Lots 13 and 14, Block 6, Pickard Acres Addition. Since that time, sanitary sewer interceptor mains were relocated (new sanitary sewer mains) to the western boundary of the lots and the earlier sanitary sewer mains were abandoned. Since this easement "clouds" the title and there are no longer sanitary sewer mains located within the easement, staff can support the closure and anticipated vacation of the sanitary sewer easement.

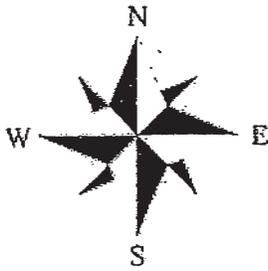
**DISCUSSION:** All franchised utilities were notified to assess the impact on their facilities if the right-of-way was closed; there were no objections. There are no utilities, including City owned utilities, located within the proposed closed right-of-way. The utility companies and City staff are not opposed to the closure of the right-of-way or closure of the sanitary sewer easement as described.

**RECOMMENDATION:** Staff recommends approval of the request to close the south twenty feet (20') of a fifty-foot (50') right-of-way adjacent to Lot 14, Block 6, Pickard Acres Addition and closing a portion of a twenty-foot (20') sanitary sewer easement within Lot 13 and Lot 14, Block 6, Pickard Acres Addition.

**ACTION NEEDED:** Recommend approval or disapproval of the request to close the south twenty feet (20') of a fifty-foot (50') street right-of-way located adjacent to Lot 14, Block 6, Pickard Acres Addition and the closure of sanitary sewer easement within Lots 13 and 14, Block 6, Pickard Acres Addition as described by the surveyor.

**ACTION TAKEN:** \_\_\_\_\_

**BUYD**



**CRUCE**

20' RIGHT-OF-WAY CLOSURE

**AVENUE**

**PICKARD**

**BROOKS**



# City of Norman, OK

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

## Master

**File Number: O-1213-51**

**File ID:** O-1213-51

**Type:** Zoning Ordinance

**Status:** Consent Item

**Version:** 1

**Reference:** Item No. 7

**In Control:** City Council

**Department:** Planning and  
Community  
Development  
Department

**Cost:**

**File Created:** 05/07/2013

**File Name:** COYSCO Rezone

**Final Action:**

**Title:** CONSIDERATION OF ORDINANCE NO. O-1213-51 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 LOT TWO (2), BLOCK ONE (1), NORTHRIDGE INDUSTRIAL PARK SECTION 4, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE O-1, OFFICE INSTITUTIONAL DISTRICT WITH SPECIAL USE FOR A HIGH IMPACT INSTITUTIONAL USE, AND REMOVE THE SAME FROM THE I-1, LIGHT INDUSTRIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (3530 MACDONNELL DRIVE)

**Notes:** ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1213-51 upon First Reading by title.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 7

**Attachments:** Text File, O-1213-51, Location Map, COYSCO Special Use Staff Rpt, Coysco Site Plan, Pre-Development Summary

**Project Manager:** Jane Hudson

**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	06/13/2013	Recommended for Adoption at a subsequent City Council Meeting Aye: 5	City Council	06/25/2013		Pass

Commissioner Gordon, Commissioner Knotts, Commissioner McCarty, Commissioner Boeck, and Commissioner Bahan

### Text of Legislative File O-1213-51

Body

**SYNOPSIS:** The applicant recently purchased this parcel with the goal of changing the zoning on an existing platted lot from I-1, Light Industrial District to O-1, Office Institutional District with Special Use for a High Impact Institutional Use. The applicant is required to rezone this property because I-1, Light Industrial District will not allow the use of sleeping facilities on-site. This specific zoning, O-1, Office Institutional District with Special Use for a High Impact Institutional Use will allow a treatment/counseling facility for adolescents with sleeping facilities included on-site. The applicant is proposing this rezoning to allow the use of a Level E Group Home which will serve disadvantaged and troubled youth who are in the custody of the Department of Human Services (DHS). These youth will be adjudicated as neglected, deprived or in need of treatment to qualify for residence at the facility. The facility is designated "staff secure", meaning it is not a lock-down facility. The clients will live on-site for a period of 7-9 months depending on the progress they make in the program. Each resident will receive individual and group therapy on a weekly basis from a licensed counselor. They will attend school 12 months of the year in the on-site school which is operated in partnership with the Norman Public Schools. Recreational therapy is also available. The facility will have live-in quarters for the residents, and will be monitored and licensed by DHS. The facility will be staffed by a director, program coordinator, counselor, cook, medical personnel and both counseling and non-counseling house parents on a 24-hour basis, pursuant to DHS licensing standards. Operation of the Level E Group Home is monitored and governed by DHS licensing standards, offices of the state and local fire marshals, the Oklahoma Health Department and the Oklahoma Health Care Authority.

**ALTERNATIVES/ISSUES:**

- **IMPACTS** - There are no negative impacts expected from this proposal.

**OTHER AGENCY COMMENTS:**

- **PARK BOARD** - There are no additional requirements for this proposal as the land is already platted and dedication of parkland for this zoning is not required.
- **PUBLIC WORKS** - The tract is already platted as part of Northridge Industrial Park, no additional improvements are required.

**STAFF RECOMMENDATION:** Office uses are allowed within industrially zoned areas; however because this applicant is requesting to use the lot as high-impact institutional use the Special Use under Office Institutional is required. The conversion of a zoning designation for a single lot in an area such as this is acceptable. When the Alan Couch Center was constructed on Tecumseh Road many years ago, the property was not rezoned or platted. State agencies are not required to fully comply with all local requirements so that site is still zoned I-1, Light Industrial District. After Couch Center was built a second similarly related adolescent treatment/retention facility was established in 2001, Varangon Academy. Varangon is located just around the corner from this property and south of the Alan Couch Center. Institutional uses such as this are necessary components in a growing, diverse community such as Norman. Even though there is a "residential" component to such uses, they are often not good neighbors in a residential setting due to the 24-hour a day character of these operations, and the public's perception of their character. These facilities provide service to persons from a wide area around the community and therefore need ready access to the regional transportation system. From a land use perspective, it is logical to allow such similar uses to cluster as they have similar requirements and impacts.

Staff recommends approval of Ordinance No. O-1213-51. The Planning Commission, at their meeting of June 13, 2013, recommended adoption of this ordinance by a vote of 5-0.

O-1213-51

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 LOT TWO (2), BLOCK ONE (1), NORTHRIDGE INDUSTRIAL PARK SECTION 4, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE O-1, OFFICE INSTITUTIONAL DISTRICT WITH SPECIAL USE FOR A HIGH IMPACT INSTITUTIONAL USE, AND REMOVE THE SAME FROM THE I-1, LIGHT INDUSTRIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (3530 MACDONNELL DRIVE)

- § 1. WHEREAS, COYSCO, L.L.C. has made application to have the same placed in the O-1, Office Institutional District with Special Use for a High Impact Institutional Use, and to have the same removed from the I-1, Light Industrial 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 O-1, Office Institutional District with Special Use for a High Impact Institutional Use, and to remove the same from the I-1, Light Industrial District, to wit:

Lot Two (2), Block One (1), of NORTHRIDGE INDUSTRIAL PARK SECTION 4, to Norman, Cleveland County, Oklahoma, according to the recorded plat thereof. Said tract contains 0.45 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

NOT ADOPTED this \_\_\_\_\_ day of

\_\_\_\_\_, 2013.

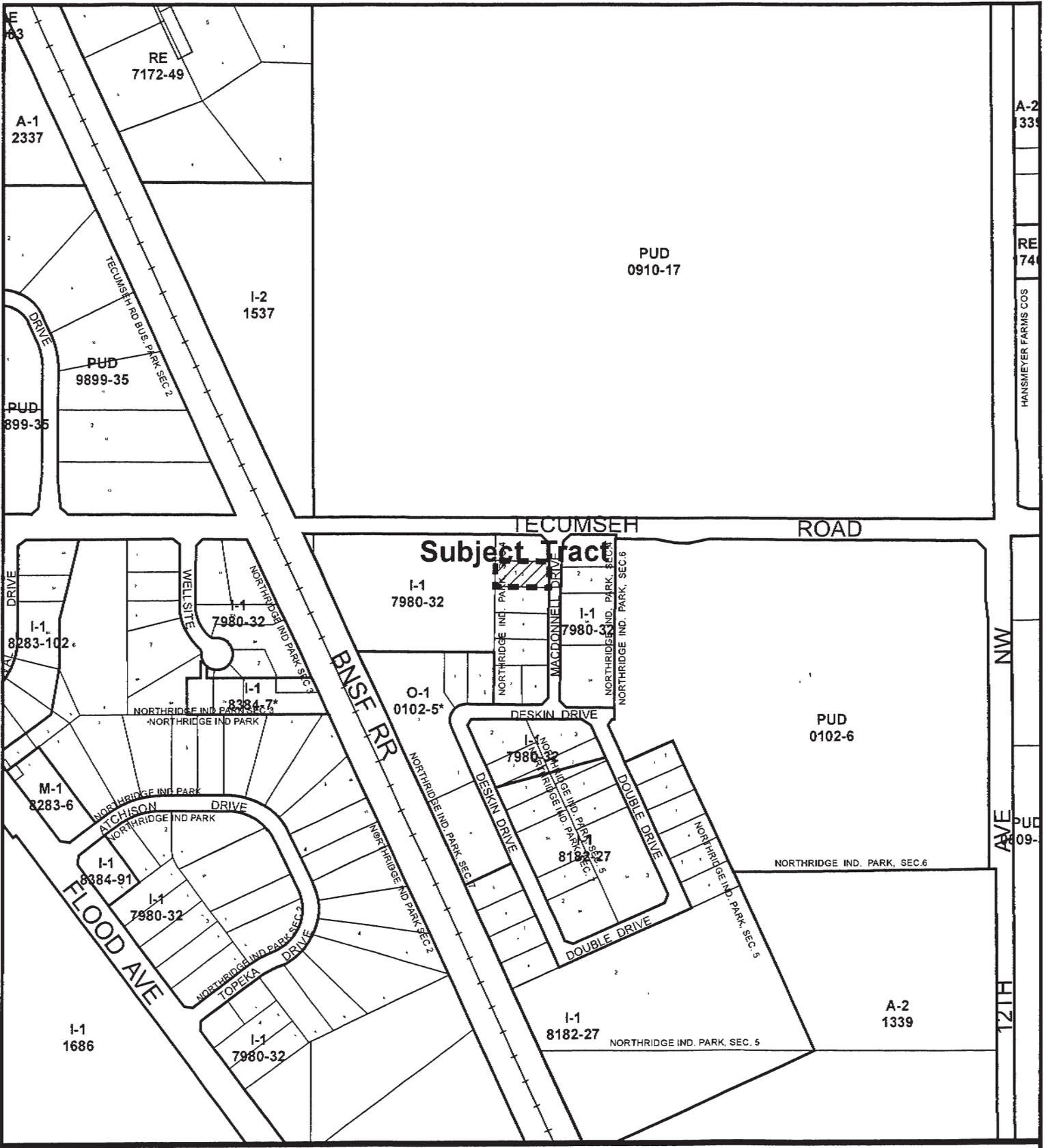
\_\_\_\_\_, 2013.

\_\_\_\_\_  
(Mayor)

\_\_\_\_\_  
(Mayor)

ATTEST:

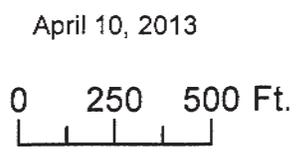
\_\_\_\_\_  
(City Clerk)



# 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.



Subject Tract  
 Zoning

C:\GIS\GIS\Map\_Template\Map11\_LocationMap.mxd

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ORDINANCE NO. O-1213-51

ITEM NO. 9b

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**STAFF REPORT**

**GENERAL INFORMATION**

APPLICANT	COYSCO, L.L.C.
REQUESTED ACTION	O-1, Office Institutional District with Special Use for a High Impact Institutional Use
EXISTING ZONING	I-1, Light Industrial District
SURROUNDING ZONING	North: I-1, Light Industrial East: I-1, Light Industrial South: I-1, Light Industrial West: I-1, Light Industrial
LOCATION	3530 MacDonnell Drive
SIZE	0.45 acres, more or less
PURPOSE	Residential Treatment Center for Adolescents
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Industrial East: Industrial South: Industrial West: Institutional
LAND USE PLAN DESIGNATION	Industrial

**SYNOPSIS:** The applicant recently purchased this parcel with the goal of changing the zoning on an existing platted lot from I-1, Light Industrial District to O-1, Office Institutional District with Special Use for a High Impact Institutional Use. The applicant is required to rezone this property because I-1, Light Industrial District will not allow the use of sleeping facilities on-site. This specific zoning, O-1, Office Institutional District with Special Use for a High Impact Institutional Use will allow a treatment/counseling facility for adolescents with sleeping facilities included on-site. The applicant is proposing this rezoning to allow the use of a Level E Group Home which will serve disadvantaged and troubled youth who are in the custody of the Department of Human Services (DHS). These youth will be adjudicated as neglected, deprived or in need of treatment to qualify for residence at the facility. The facility is

designated "staff secure", meaning it is not a lock-down facility. The clients will live on-site for a period of 7-9 months depending on the progress they make in the program. Each resident will receive individual and group therapy on a weekly basis from a licensed counselor. They will attend school 12 months of the year in the on-site school which is operated in partnership with the Norman Public Schools. Recreational therapy is also available. The facility will have live-in quarters for the residents, and will be monitored and licensed by DHS. The facility will be staffed by a director, program coordinator, counselor, cook, medical personnel and both counseling and non-counseling house parents on a 24-hour basis, pursuant to DHS licensing standards. Operation of the Level E Group Home is monitored and governed by DHS licensing standards, offices of the state and local fire marshals, the Oklahoma Health Department and the Oklahoma Health Care Authority.

**ALTERNATIVES/ISSUES:**

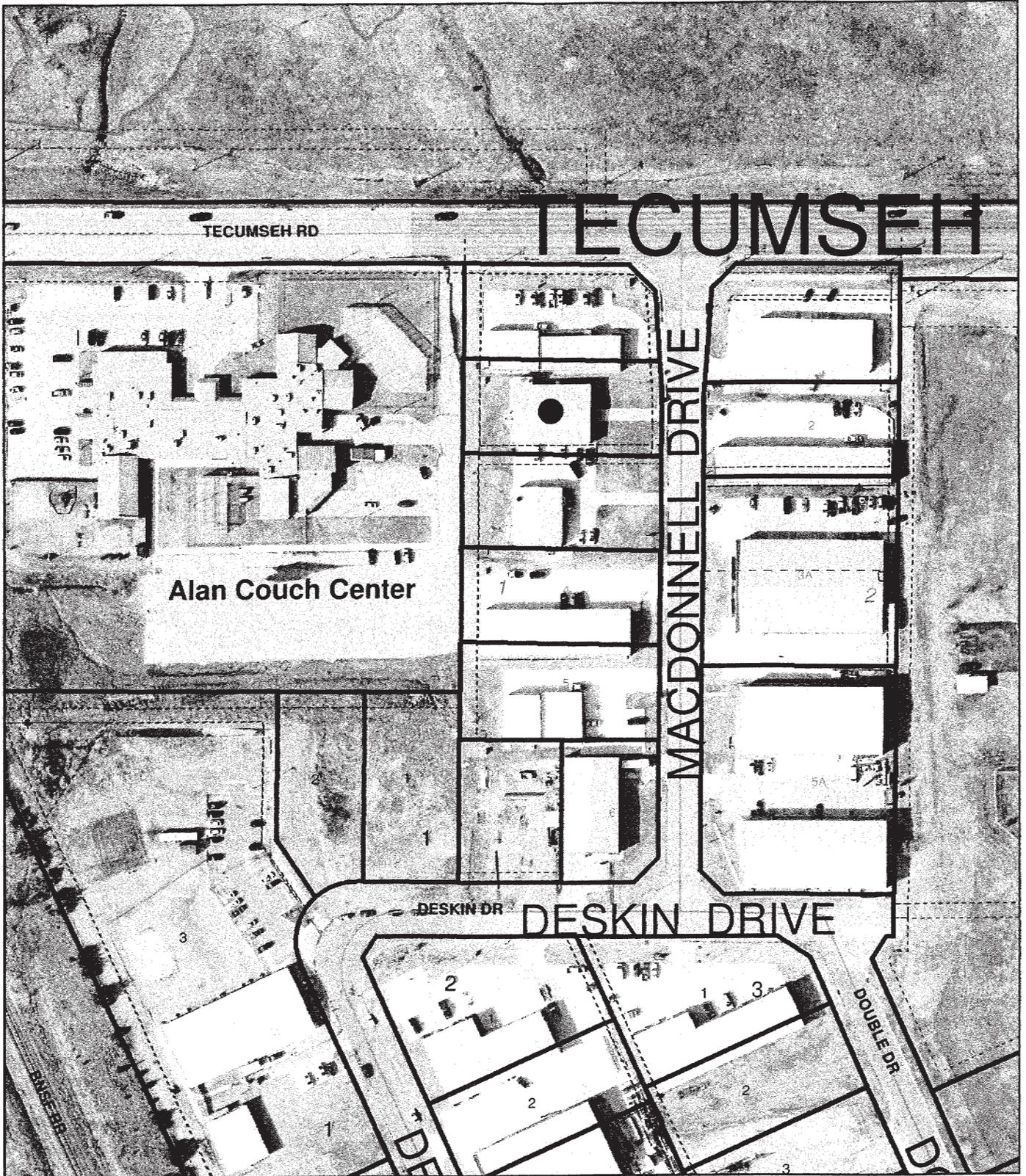
- **IMPACTS** There are no negative impacts expected from this proposal.

**OTHER AGENCY COMMENTS:**

- **PARK BOARD** There are no additional requirements for this proposal as the land is already platted and dedication of parkland for this zoning is not required.
- **PUBLIC WORKS** The tract is already platted as part of Northridge Industrial Park, no additional improvements are required.

**STAFF RECOMMENDATION:** Office uses are allowed within industrially zoned areas; however because this applicant is requesting to use the lot as high-impact institutional use the Special Use under Office Institutional is required. The conversion of a zoning designation for a single lot in an area such as this is acceptable. When the Alan Couch Center was constructed on Tecumseh Road many years ago, the property was not rezoned or platted. State agencies are not required to fully comply with all local requirements so that site is still zoned I-1, Light Industrial District. After Couch Center was built a second similarly related adolescent treatment/retention facility was established in 2001, Varangon Academy. Institutional uses such as this are necessary components in a growing, diverse community such as Norman. Even though there is a "residential" component to such uses, they are often not good neighbors in a residential setting due to the 24-hour a day character of these operations, and the public's perception of their character. These facilities provide service to persons from a wide area around the community and therefore need ready access to the regional transportation system. From a land use perspective, it is logical to allow such similar uses to cluster as they have similar requirements and impacts.

Staff recommends approval of Ordinance 1213-51.



3530 MacDonnell

1 inch = 147.631294 feet



City of Norman Predevelopment

April 25, 2013

**Applicant** Coysco  
**Location** 3530 MacDonnell Drive  
**Case Number** PD 13-11  
**Time** 6:00-6:30 PM

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Attendee	Stakeholder	Address	email	phone
Blake Virgin	Applicant	404 S. Peters	virginlaw@sbcglobal.net	321-5132
Blaine Nice	Applicants' Representative	100 N. Broadway Oklahoma City, OK	bnice@fellersnider.com	232-0621
Ana Nix	Neighbor	2829 Astor Drive	anix@equityrealty.net	830-3558
Jane Hudson	City Facilitator			366-5344
Leah Messner	City Attorney			217-7748
Terry Floyd	City Manager's Office			366-5446
Ken Danner	Public Works			366-5458

**Application Summary.** Applicant is proposing to rezone this facility to allow the use of a Level E Group Home which will serve disadvantaged and troubled youth who are in the custody of the Department of Human Services (DHS). These youth will be adjudicated, neglected, deprived or in need of treatment to qualify for residence at the facility. The facility is designated "staff secure", meaning it is not a lock-down facility. The clients will live on-site for a period of 7-9 months depending on the progress they make in the program. Each resident will receive individual and group therapy on a weekly basis from a licensed counselor. They will attend school 12 months of the year in the on-site school which is operated in partnership with the Norman Public Schools. Recreational therapy is also available. The facility will have live-in quarters for the residents, and will be monitored and licensed by DHS. The facility will be staffed by a director, program coordinator, counselor, cook, medical personnel and both counseling and non-counseling house parents on a 24-hour basis, pursuant to DHS licensing standards. Operation of the Level E Group Home is monitored and governed by DHS licensing

standards, offices of the state and local fire marshals, the Oklahoma Health Department and the Oklahoma Health Care Authority.

**Neighbor:** About how long will the youth be in the facility?

**Response:** Each student is expected to be in the facility between 7-9 months. If they do well they can be out sooner. However, some students appreciate the environment and prefer to stay with the stability.

**Neighbor:** What is the age of the boys on-site?

**Response:** Typically the boys are 13-18.

**Neighbor:** Will the boys be outside?

**Response:** The boys will be outside for exercise and some recreational therapy. There will be a counselor or staff member with the boys at all times. We also have an agreement with the YMCA for additional areas to exercise.

**Neighbor:** Will the students work?

**Response:** If the students work they will be escorted to and from the place of employment.

**Neighbor:** How will you accommodate the parking?

**Response:** We are working to make arrangements to lease a portion of the parking area at the rear of the Couch Center, adjacent to our lot. However, we don't believe with just the counselors, teachers and other staff members that we will be short any parking.



# City of Norman, OK

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

## Master

**File Number: RPT-1213-66**

**File ID:** RPT-1213-66

**Type:** Communication or Report

**Status:** Consent Item

**Version:** 1

**Reference:** Item No. 8

**In Control:** City Council

**Department:** Finance Department

**Cost:**

**File Created:** 06/12/2013

**File Name:** Finance Director's Report May 2013

**Final Action:**

**Title:** SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF MAY 31, 2013, AND DIRECTING THE FILING THEREOF.

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

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 8

**Attachments:** Finance Director's Report May 2013

**Project Manager:** Anthony Franccisco, Director of Finance

**Entered by:** Ellen.Usry@mccinnovations.com

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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### Text of Legislative File RPT-1213-66

DATE: 05-Jun-13

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

FUND	MONTHLY COMPARISON				ANNUAL COMPARISON			
	MONTHLY BUDGETED INTEREST EARNINGS FYE13	MONTHLY INTEREST EARNINGS May 2013	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	\$961	-88.81%	2.31%	\$94,417	\$13,379	-85.83%	1.86%
NET REVENUE STABILIZATION	N/A	\$559	100.00%	1.34%	N/A	\$6,985	100.00%	0.97%
PUBLIC SAFETY SALES TAX FUND	N/A	\$4,478	100.00%	10.77%	N/A	\$51,050	100.00%	7.09%
ROOM TAX FUND	\$250	\$96	-61.55%	0.23%	\$2,750	\$1,097	-60.12%	0.15%
CAPITAL PROJECTS FUND	\$12,500	\$8,495	-32.04%	20.43%	\$137,500	\$319,982	132.71%	44.43%
SINKING FUND	\$2,083	\$3,363	61.44%	8.09%	\$22,917	\$25,722	12.24%	3.57%
G.O. BOND FUND	\$167	\$0	-100.00%	0.00%	\$1,833	\$479	-73.85%	0.07%
WESTWOOD FUND	\$625	\$45	-92.72%	0.11%	\$6,875	\$4,962	-27.83%	0.69%
WATER FUND	\$10,000	\$7,098	-29.02%	17.07%	\$110,000	\$93,237	-15.24%	12.95%
WASTEWATER FUND	\$8,333	\$3,614	-56.64%	8.69%	\$91,667	\$44,949	-50.96%	6.24%
DEVELOPMENT EXCISE	\$16,667	\$5,401	-67.60%	12.99%	\$183,333	\$68,013	-62.90%	9.44%
SEWER SALES TAX	\$5,000	\$2,709	-45.82%	6.51%	\$55,000	\$35,778	-34.95%	4.97%
SANITATION FUND	\$2,500	\$2,324	-7.04%	5.59%	\$27,500	\$23,457	-14.70%	3.26%
PARKLAND FUND	\$1,250	\$435	-65.17%	1.05%	\$13,750	\$5,694	-58.59%	0.79%
RISK MANAGEMENT FUND	N/A	\$527	100.00%	1.27%	N/A	\$5,563	100.00%	0.77%
TRUST & AGENCY FUNDS	N/A	\$2	100.00%	0.01%	N/A	\$27	100.00%	0.00%
TAX INCREMENT DISTRICT	\$1,701	\$436	-74.38%	1.05%	\$18,714	\$8,137	100.00%	1.13%
SPECIAL GRANTS FUND	N/A	\$595	100.00%	1.43%	N/A	\$6,122	100.00%	0.85%
CLEET FUND	N/A	\$10	100.00%	0.02%	N/A	\$122	100.00%	0.02%
HOUSING	N/A	\$0	100.00%	0.00%	N/A		100.00%	0.00%
SITE IMPROVEMENT FUND	N/A	\$17	100.00%	0.04%	N/A	\$214	100.00%	0.03%
ARTERIAL ROAD FUND	N/A	\$194	100.00%	0.47%	N/A	\$2,311	100.00%	0.32%
SEIZURES	\$42	\$226	442.81%	0.54%	\$458	\$2,916	536.13%	0.40%
	<u>\$69,701</u>	<u>\$41,585</u>	<u>-40.34%</u>	<u>100.00%</u>	<u>\$766,714</u>	<u>720,195</u>	<u>-6.07%</u>	<u>100.00%</u>

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 \$160.97 million as of 05/31/13 are represented by working capital cash balances of all City funds of approximately \$74.57 million, outstanding encumbrances of \$30.3 million, General Obligation Bond proceeds of \$38.3 million, NUA revenue bond proceeds of \$8.28 million, NMA bond proceeds of \$755 thousand, and UNP TIF reserve amounts of \$8.77 million.

**INVESTMENT BY TYPE**

May 31, 2013

<u>LIST BY TYPE</u>	<u>SEC. NO.</u>	<u>PURCHASED</u>	<u>MATURITY</u>	<u>YIELD</u>	<u>EARNED INTEREST</u>	<u>COST</u>	<u>MARKET</u>
<b>**Checking</b>							
BANK OF AMERICA	GEN'L DEP.			0.20%	\$42.03	\$247,502.02	\$247,502.02
BANK OF OKLAHOMA	GEN'L DEP.			0.15%	\$2,649.31	\$29,869,620.31	\$29,869,620.31
BANK OF OKLAHOMA	WARRANTS PAYABLE					(\$2,718,989.14)	(\$2,718,989.14)
BANK OF OKLAHOMA	PAYROLL					(\$2,353,001.02)	(\$2,353,001.02)
BANK OF OKLAHOMA	COURT BOND REFUNDS					\$270,013.01	\$270,013.01
BANK OF OKLAHOMA	INSURANCE CLAIMS					\$238,872.30	\$238,872.30
BANK OF OKLAHOMA	LOCK BOX					\$1,540,078.78	\$1,540,078.78
BANK OF OKLAHOMA	FLEXIBLE SPENDING					(\$6,449.98)	(\$6,449.98)
<b>**Subtotal</b>					<b>\$2,691.34</b>	<b>\$27,087,646.28</b>	<b>\$27,087,646.28</b>
<b>**Money Market</b>							
BANCFIRST-NUA	MONEY MKT.			0.01%	\$2.47	\$724,821.23	\$724,821.23
BANCFIRST-NMA Sanitat.	MONEY MKT.			0.01%	\$3.97	\$371,328.36	\$371,328.36
BANCFIRST-NMA Golf	MONEY MKT.			0.01%	\$1.15	\$384,131.77	\$384,131.77
BANCFIRST-NUA Water	MONEY MKT.			0.01%	\$40.88	\$7,554,269.36	\$7,554,269.36
BANK OF OKLAHOMA UNP TIF	MONEY MKT.			0.01%	\$52.79	\$8,297,485.36	\$8,297,485.36
REPUBLIC BANK UNP TIF	MONEY MKT.			0.30%	\$111.77	\$469,538.34	\$469,538.34
FIRST FIDELITY	MONEY MKT.			0.25%	\$44.33	\$0.00	\$0.00
BANK OF OKLAHOMA	MONEY MKT.			0.15%	\$2.37	\$28,104.19	\$28,104.19
BANK OF OKLAHOMA	MONEY MKT.			0.15%	\$24.45	\$299,358.82	\$299,358.82
BANK OF OKLAHOMA-Clean Wtr	MONEY MKT.				\$0.00	\$104.01	\$104.01
BANK OF OKLAHOMA- 2008A	MONEY MKT.			0.15%	\$50.15	\$590,464.35	\$590,464.35
BANK OF OKLAHOMA-2008B	MONEY MKT.			0.15%	\$62.51	\$735,998.20	\$735,998.20
BANK OF OKLAHOMA-2012A	MONEY MKT.			0.15%	\$23.69	\$278,905.68	\$278,905.68
BANK OF OKLAHOMA-2012B	MONEY MKT.			0.15%	\$1,202.35	\$14,049,331.35	\$14,049,331.35
BANK OF OKLAHOMA-2012C	MONEY MKT.			0.15%	\$238.39	\$2,767,198.41	\$2,767,198.41
BANK OF OKLAHOMA-2012D	MONEY MKT.			0.15%	\$984.94	\$19,882,379.68	\$19,882,379.68
<b>**Subtotal</b>					<b>\$2,846.21</b>	<b>\$56,433,419.11</b>	<b>\$56,433,419.11</b>
<b>**Sweep/Overnight</b>							
JP MORGAN	SHORT TERM			0.00%	\$0.00	\$2,481,082.27	\$2,481,082.27
<b>**Certificate of Deposit</b>							
FIRST FIDELITY BANK	CD	09/30/12	09/30/13	0.30%	\$62.50	\$250,000.00	\$250,000.00
GREAT NATIONS BANK	CD	09/30/12	09/30/13	0.65%	\$135.42	\$250,000.00	\$250,000.00
VALLIANCE BANK	CD	11/30/12	11/30/13	0.45%	\$93.54	\$250,000.00	\$250,000.00
<b>**Subtotal</b>					<b>\$291.46</b>	<b>\$750,000.00</b>	<b>\$750,000.00</b>
<b>**U.S. Treasury Securities/Agency Securities</b>							
FHLMC	312SX1EJ2	12/31/09	05/22/13	2.08%	2,676.07		
FHLB	3133XYHD0	07/22/10	06/14/13	1.05%	3,484.75	4,000,000.00	\$4,001,840.00
FFCB	31331KET3	05/20/11	09/23/13	0.80%	3,314.66	5,000,000.00	\$5,013,450.00
FHLB	313376UFO	03/30/12	01/29/14	0.38%	2,103.95	7,500,000.00	\$7,510,050.00
FAMCA	31315PSG5	09/29/11	03/14/14	1.50%	900.18	2,000,000.00	\$2,020,400.00
US T-Note	912828KV1	06/30/11	05/31/14	0.76%	2,157.23	3,500,000.00	\$3,572,205.00
FHLB	313379SK6	08/31/12	07/02/14	0.40%	1,110.65	4,500,000.00	\$4,509,180.00
FNMA	31398A3G5	08/31/11	09/08/14	1.50%	1,264.95	3,000,000.00	\$3,041,340.00
FFCB	3133EC5G5	11/29/12	11/26/14	0.25%	574.21	2,500,000.00	\$2,498,250.00
FNMA	3136FPEW3	03/30/12	12/16/14	1.50%	450.89	1,000,000.00	\$1,017,360.00
US T-Note	912828SK7	03/28/13	03/15/15	0.25%	1,335.05	6,500,000.00	\$6,509,880.00
FFCB	3133EANJ3	05/31/12	05/01/15	0.50%	2,246.84	5,500,000.00	\$5,514,850.00
FHLB	3133XWNB1	08/30/12	06/12/15	2.70%	939.54	3,170,000.00	\$3,329,102.30
FNMA	3135G0LN1	05/31/12	07/02/15	0.50%	2,672.53	5,500,000.00	\$5,513,200.00
FNMA	3136FPAB3	11/30/11	08/18/15	0.96%	2,007.86	2,500,000.00	\$2,585,350.00
FNMA	31398A3T7	11/30/11	09/21/15	1.00%	1,675.69	2,000,000.00	\$2,072,280.00
FHLB	3133796P9	04/30/12	10/30/15	0.60%	60.76	3,500,000.00	\$3,515,645.00
FHLB	3133724Y7	04/27/12	12/23/15	1.90%	1,633.99	3,000,000.00	\$3,116,550.00
FHLB	313771AA5	03/28/13	06/13/16	0.52%	970.10	2,500,000.00	\$2,857,850.00
FNMA	3135G0ES8	05/31/12	11/15/16	1.30%	2,952.98	4,250,000.00	\$4,347,410.00
FNMA	31359M2D4	12/24/12	12/15/16	4.88%	1,223.30	2,800,000.00	\$3,205,272.00
<b>**Subtotal</b>					<b>35,756.18</b>	<b>74,220,000.00</b>	<b>\$75,751,464.30</b>
<b>**TOTAL**</b>					<b>41,585.19</b>	<b>160,972,147.66</b>	<b>\$162,503,611.96</b>

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-1213-68**

<b>File ID:</b> RPT-1213-68	<b>Type:</b> Communication or Report	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item No. 9	<b>In Control:</b> City Council
<b>Department:</b> City Manager Department	<b>Cost:</b>	<b>File Created:</b> 06/12/2013
<b>File Name:</b> Monthly Departmental report		<b>Final Action:</b>
<b>Title:</b> SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF MAY, 2013, AND DIRECTING THE FILING THEREOF.		

**Notes:** ACTION NEEDED: Motion to acknowledge receipt of the reports and direct the filing thereof.

**ACTION TAKEN:** \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 9

**Attachments:** Monthly Report May 2013

**Project Manager:** Carol Coles, Administrative Assistant

**Entered by:** Ellen.Usry@mccinnovations.com

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

### Text of Legislative File RPT-1213-68



# City of Norman, OK

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

## Master

**File Number: K-1213-138**

**File ID:** K-1213-138      **Type:** Contract      **Status:** Consent Item

**Version:** 1      **Reference:** Item No. 10      **In Control:** City Council

**Department:** Utilities Department      **Cost:** \$337,394.00      **File Created:** 06/06/2013

**File Name:** Contract for Tecumseh Interceptor Project      **Final Action:** 06/25/2013

**Title:** CONSIDERATION OF BID NO. 1213-66, CONTRACT NO. K-1213-138 BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND CENTRAL CONTRACTING SERVICES IN THE AMOUNT OF \$337,394; PERFORMANCE BOND NO. B-1213-61; STATUTORY BOND NO. B-1213-62, AND MAINTENANCE BOND NO. MB-1213-56 FOR THE TECUMSEH INTERCEPTOR PROJECT AND BUDGET TRANSFER.

**Notes:** ACTION NEEDED: Acting as the Norman Utilities Authority, motion to accept or reject all bids meeting specifications; and, if accepted, award the bid in the amount of \$337,394 to Central Contracting Services, Inc., as the lowest and best bidder meeting specifications; approve Contract No. K-1213-138 and the performance, statutory, and maintenance bonds; authorize the execution of the contract and bonds and the Norman Utilities Authority as part of the contract to pay vendors supplying equipment and materials for the Sewer Maintenance Project FYE 2011; direct the filing of the bonds; and transfer of funds in the amount of \$78,261 from Sewer Excise Tax Fund Balance (322-0000-253.00-00) to Project WW0262, Tecumseh Interceptor, Construction (322-9048-432.61-01).

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 10

**Attachments:** Text File, K-1213-138\_Bid\_Summary.pdf,  
K-1213-138, Perf B-1213-61, Stat B-1213-62,  
MB-1213-56, TecumsehInterceptorMap.pdf

**Project Manager:** Jim Speck, Capital Projects Engineer

**Entered by:** jim.speck@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-1213-138

Body

**BACKGROUND:** The Wastewater Master Plan (WWMP) identified sewer interceptor needs throughout Norman to accommodate full build-out of the Norman 2020 Land Use and Transportation Plan. One of the projects identified in the WWMP was the construction of the Tecumseh Interceptor.

The Tecumseh Interceptor project (WW0262) begins at the existing Tecumseh Lift Station, extends across Tecumseh Road and then generally northeast through Tecumseh Road Business Park and Founders Park Addition before connecting to the Little River Interceptor west of 12th Avenue NW. The Tecumseh Lift Station and storage lagoon will be abandoned upon completion of the interceptor.

On July 12, 2005, the Norman Utilities Authority (NUA) approved contract K-0506-53, with Garver Engineers, LLC to complete preliminary design, final design, bidding, and construction management services for the Industrial and Tecumseh Interceptors. The Industrial Interceptor project (capital project WW0302) construction project was completed June 8, 2009.

Obligated interceptor needs, serving existing customers and contractual obligations as of August 2001, are funded by the Sewer Sales Tax (SST). The Sewer Excise Tax (SET) funds enlargement of interceptors to serve full build out development under the Norman 2025 Land Use and Transportation Plan.

**DESCRIPTION:** Advertisement for Bid No. 1213-66 for construction of the Tecumseh Interceptor Project was published in the Norman Transcript on April 18th and April 25th, 2013. Five bidders submitted bids for this project on May 16, 2013. As shown on the attached bid tabulation, Central Contracting Services, Inc. of Norman, Oklahoma was the low bidder at \$337,394 with other bids ranging between \$415,823 and \$564,958. The Engineers Estimate for the construction cost was \$650,000. Garver Engineers has reviewed the bids and recommends the NUA award the bid to Central Contracting Services, Inc. in the amount of \$337,394.

Funding for the project is based on the area of the sewer pipe (8-inch diameter) serving obligated needs versus the total area of the pipe (12-inch diameter) serving both obligated and full build-out needs. Therefore, the funding share calculation would be 56% (\$188,941) from the Sewer Excise Tax and 44% (\$148,453) from the Sewer Sales Tax for a total of \$337,394.

As of June 10, 2013 the Tecumseh Interceptor project has funding of \$120,127 from Sewer Excise Tax (322-9048-432.61-01) and \$296,428 from Sewer Sales Tax (323-9048-432.61-01) in the respective construction accounts. Therefore, funds will need to be appropriated from the SET Fund Balance (322-0000-253-0000) in the amount of \$68,814 (\$188,941-\$120,127) with a 5% contingency added \$9,447 (5%\* \$188,941) for a total appropriation of \$78,261.

The City of Norman is exempt from the payment of any sales or use taxes. Pursuant to Title 68 O.S., Section 1356 (10) and as allowed by Oklahoma Tax Commission Rules Part 27 Trust Authority 710:65-13-140, direct vendors to the NUA are also exempt from those taxes. A bidder and his subcontractors may exclude from their bid sales taxes on appropriate equipment, materials, and supplies that will not have to be paid while acting on behalf of the NUA. To minimize project costs, the NUA will make payment directly to vendors supplying equipment and materials for incorporation into the project.

**RECOMMENDATION NO. 1:** Recommend the NUA accept the bids received in response to NUA Bid No. 1213-66 and authorize award of the bid to Central Contracting Services, Inc. of Norman, OK.

**RECOMMENDATION No. 2:** Recommend the NUA authorize the transfer of funds in the amount of \$78,261 from SET Fund Balance (322-0000-253-0000) to Construction Account 322-9048-432.61-01 for Project WW0262.

**RECOMMENDATION No. 3:** Recommend the NUA authorize the Chairman to sign Contract K-1213-138 in the amount of \$337,394 with Central Contracting Services, Inc.

**RECOMMENDATION No. 4:** Recommend the NUA authorize the Mayor to sign Maintenance Bond MB-1213-56, Performance Bond B-1213-61, and Statutory Bond B-1213-62; all bonds being in the amount of the construction contract.

**RECOMMENDATION No. 5:** Recommend the NUA allow the Utilities Director to approve the purchase of equipment and materials directly from vendors at prices agreed to by Central Contracting Services, Inc.

## BID SUMMARY

Contractor	Base Bid
Central Contracting Services, Inc. 17300 S Sunnyslane Norman, OK 73700	\$ 337,394.00
Davenport Construction 6001 W. Horseshoe Bend Edmond, OK 73034	\$ 415,823.00
Krapff-Reynolds 2400 NE 4th Street Oklahoma City, OK 73117	\$ 564,958.00
Matthews Trenching P. O. Box 15479 Oklahoma City, OK 73120	\$ 529,972.00
4M Trenching Inc. 5321 SW 11th Street Oklahoma City, OK 73128	\$ 543,878.90
Engineer's Estimate	\$ 650,000.00

## CONTRACT

THIS CONTRACT made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the NORMAN UTILITIES AUTHORITY, a Public Trust of the State of Oklahoma, hereinafter designated as the AUTHORITY, and Central Contracting Services, Inc., hereinafter designated as the CONTRACTOR.

### WITNESSETH

WHEREAS, the 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:

#### TECUMSEH INTERCEPTOR PROJECT NORMAN, OKLAHOMA

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 AUTHORITY in the manner and at the time specified, a sealed proposal in accordance with the terms of this CONTRACT; and,

WHEREAS, the AUTHORITY, in the manner provided by law, has publicly opened, examined, and canvassed the proposals submitted and has determined and declared the above-named CONTRACTOR to be the lowest and best Bidder on the above-prepared project, and has duly awarded this CONTRACT to said CONTRACTOR, for the sum named in the proposal, to wit:

three-hundred thirty-seven thousand, three-hundred ninety-four & 00/100 Dollars  
(\$ 337,394.00 ).

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;
- the Instructions to Bidders;
- the CONTRACTOR'S Bid or Proposal;
- the Construction Drawings, Specifications, and Provisions; and

- the Bonds thereto; all of which documents are on file in the Office of the Purchasing Department of the NORMAN UTILITIES AUTHORITY, and are made a part of this CONTRACT as fully as if the same were set out at length, with the following additions and/or exceptions:

None

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2) The AUTHORITY shall make payments, minus a retainage as stipulated in the CONTRACT Documents, to the CONTRACTOR in the following manner: On or about the first day of each month, the project manager, or other appropriate person, will make accurate estimates of the value, based on CONTRACT prices, of work done, and materials incorporated in the work and of materials suitably stored at the site thereof during the preceding calendar month. The CONTRACTOR shall furnish to the project manager, or other appropriate person, such detailed information as he may request to aid him as a guide in the preparation of the monthly estimates.

Each monthly estimate 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 AUTHORITY, it shall be the duty of the project manager, 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 determinations said official shall make his final certificate to the 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 ten (10) calendar days following receipt of a NOTICE-TO-PROCEED, and prosecute the same vigorously and continuously, and complete the same within one-hundred and twenty (120) calendar days following receipt of said NOTICE-TO-PROCEED.

- 4) That the 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. (or) Payment for the lump sum price items shall be at the price bid for actual construction complete in place.
  - 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 an amount equal to the value of the defective or questionable work and shall not be paid until the defects are remedied. And that the CONTRACTOR'S bid is hereby made a part of this CONTRACT.

5) That the 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 at 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 AUTHORITY; and that in the event any additions are provided by the CONTRACTOR without such authorization, 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 AUTHORITY, the CONTRACTOR shall be compensated therefore at the unit price bid or 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 rejection by the AUTHORITY through its authorized representatives for failure to meet such requirements, and in the event of such rejection, the CONTRACTOR shall replace the work and materials without compensation therefore by the AUTHORITY.

9) The CONTRACTOR shall complete the work in accordance with the terms of this Agreement. The CONTRACTOR agrees to pay as liquidated damages, the sum Two-Hundred-Forty (\$ 240 ) for each consecutive calendar day thereafter the specified time for completion, as provided in the General Conditions.

10) The CONTRACTOR shall furnish surety bonds and certificate of insurance as specified herein which bonds and insurance must be approved by the AUTHORITY prior to issuance of the Work Order and commencement of work on the project.

11) The CONTRACTOR shall indemnify, hold harmless, and defend the AUTHORITY from and against any and all liabilities, claims, penalties, fines, forfeitures, suits and the cost and expenses incidental thereto (including cost of defense, settlement, and the reasonable attorney's fees) which may be alleged against the AUTHORITY or which the AUTHORITY may incur, become responsible for, or pay out as a result of death or bodily injury to any person, destruction, or damage to any property, contamination of or adverse effects on the environment, or any violation or alleged violation of governmental laws, regulations orders, to the extent that such damage was caused by the CONTRACTOR or CONTRACTOR'S agents negligence, willful or intentional act or omission, breach or contract or a failure of CONTRACTOR'S warranties to be true, accurate, or complete.

12) IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed, in four (4) duplicate originals, the day and year first above written.

To that end, no provision of this CONTRACT or of any such aforementioned documents shall be interpreted or given legal effect to create an obligation on the part of the 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 afford a defense against any obligation owed or assumed by such third person to the AUTHORITY or in any way to restrict the freedom of the AUTHORITY to exercise full discretion in its dealing with the Contractor.

The sworn, notarized statement below must be signed and notarized before this Contract will become effective.

STATE OF Oklahoma )  
 )§  
COUNTY OF Cleveland )

James L. Tipken \_\_\_\_\_, 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 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 AUTHORITY any money or other thing of value, either directly or indirectly, in the procuring of the CONTRACT.

James L. Tipken

Submitted and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Diana K. Plackemeier

Notary Public

My Commission Expires:  
May 5, 2014  
\_\_\_\_\_



IN WITNESS WHEREOF, the said parties of the First and Second Part have hereunto set their hands and seals respectively the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Corporate Seal) (where applicable)

ATTEST

James L. Tipken  
Corporate Secretary (where applicable)

Central Contracting Services, Inc.

PRINCIPAL

Signed: James L. Tipken  
Authorized Representative

James L. Tipken, President

Name and Title

Address: 17301 S. Sunnyslane

Norman, OK 73071

Telephone: 405-895-6250

NORMAN UTILITIES AUTHORITY

APPROVED as to form and legality this 18 day of June, 2013.

[Signature]  
AUTHORITY Attorney

Approved by the Trustees of the NORMAN UTILITIES AUTHORITY this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

NORMAN UTILITIES AUTHORITY

ATTEST

By: \_\_\_\_\_

Title: Chairman

\_\_\_\_\_

Secretary

### PERFORMANCE BOND

Know all men by these presents that Central Contracting Services, Inc., as PRINCIPAL, and American Safety Casualty Insurance Company, corporation organized under the laws of the State of Oklahoma, and authorized to transact business in the State of Oklahoma, as SURETY, are held and firmly bound unto NORMAN UTILITIES AUTHORITY, a Public Trust of the State of Oklahoma, herein called AUTHORITY, in the sum of three-hundred thirty-seven thousand, three-hundred ninety-four & 00/100 Dollars (\$ 337,394), 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:

#### TECUMSEH INTERCEPTOR PROJECT NORMAN, OKLAHOMA

has entered into a written CONTRACT (K-1213-138) with the 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 the 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 AUTHORITY from all loss, damage, and expense to life or property suffered or sustained by any person, firm, or corporation caused by the 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 the PRINCIPAL or his or its agents, servants, or employees; and if the PRINCIPAL shall protect and save the AUTHORITY harmless from 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 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Corporate Seal) (where applicable)

ATTEST

James L. Tipken  
Corporate Secretary (where applicable)

Central Contracting Services, Inc.

PRINCIPAL

Signed: James L. Tipken  
Authorized Representative

James L. Tipken, President

Name and Title

Address: 17301 S. Sunnyslane

Norman, OK 73071

Telephone: 405-895-6250

(Corporate Seal)

ATTEST

Barbara M. Puske  
Corporate Secretary

American Safety Casualty Insurance Company

SURETY

Signed: Tina E. Switzer  
Authorized Representative

Tina E. Switzer, Attorney-in-Fact

Name and Title

Address: 909 S. Meridian, Ste. 700

Oklahoma City, OK 73018

Telephone: 405-568-3008

CORPORATE ACKNOWLEDGEMENT

STATE OF OKLAHOMA )  
COUNTY OF Cleveland )§

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_,  
20 \_\_\_\_, by James L. Tipken, President of Central Contracting Services, Inc.  
Name and Title  
a Oklahoma corporation, on behalf of the corporation.

WITNESS my hand and seal this \_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

*Diana K. Plackemier*  
Notary Public



My Commission Expires: May 5, 2014

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF OKLAHOMA )  
COUNTY OF \_\_\_\_\_ )§

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_,  
20 \_\_\_\_, by \_\_\_\_\_ an individual.  
Name and Title

WITNESS my hand and seal this \_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

PARTNERSHIP ACKNOWLEDGEMENT

STATE OF OKLAHOMA            )  
  )§  
COUNTY OF \_\_\_\_\_)

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
20 \_\_\_\_, by \_\_\_\_\_ partner (or agent) on behalf of  
  Name and Title  
\_\_\_\_\_, a partnership.

WITNESS my hand and seal this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

NORMAN UTILITIES AUTHORITY

APPROVED as to form and legality this 18 day of June, 2013.

  
\_\_\_\_\_  
AUTHORITY Attorney

Approved by the Trustees of the NORMAN UTILITIES AUTHORITY this \_\_\_\_ day of  
\_\_\_\_\_, 20 \_\_\_\_.

NORMAN UTILITIES AUTHORITY

ATTEST

By: \_\_\_\_\_

Title: Chairman

\_\_\_\_\_

Secretary

**STATUTORY BOND**

Know all men by these presents that Central Contracting Services, Inc., as PRINCIPAL, and American Safety Casualty Insurance Company corporation organized under the laws of the State of Oklahoma, and authorized to transact business in the State of Oklahoma, as SURETY, are held and firmly bound unto NORMAN UTILITIES AUTHORITY, a Public Trust of the State of Oklahoma, herein called AUTHORITY, in the sum of three-hundred thirty-seven thousand, three-hundred ninety-four & 00/100 Dollars (\$ 337,394 ), 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:

**TECUMSEH INTERCEPTOR PROJECT  
NORMAN, OKLAHOMA**

has entered into a written CONTRACT (K-1213-138) with the 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 and 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 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 §2, 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

(Corporate Seal) (where applicable)  
ATTEST  
James L Tipken  
Corporate Secretary (where applicable)

Central Contracting Services, Inc.  
PRINCIPAL

Signed: James L Tipken  
Authorized Representative

James L. Tipken, President  
Name and Title

Address: 17301 S. Sunnyslane  
Norman, OK 73071

Telephone: 405-895-6250

(Corporate Seal)  
ATTEST  
Boston M Paske  
Corporate Secretary

American Safety Casualty Insurance Company  
SURETY

Signed: Tina E Switzer  
Authorized Representative

Tina E. Switzer, Attorney-in-Fact  
Name and Title

Address: 909 S. Meridian, Ste. 700  
Oklahoma City, OK 73108

Telephone: 405-568-3008

CORPORATE ACKNOWLEDGEMENT

STATE OF OKLAHOMA )  
COUNTY OF Cleveland )§

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
20 \_\_\_\_, by James L. Tipken, President of Central Contracting Services, Inc.,  
Name and Title  
a Oklahoma \_\_\_\_\_ corporation, on behalf of the corporation.

WITNESS my hand and seal this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.



*Diana K. Plackemeier*  
Notary Public

My Commission Expires: May 5, 2014

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF OKLAHOMA )  
COUNTY OF \_\_\_\_\_ )§

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
20 \_\_\_\_, by \_\_\_\_\_ an individual.  
Name and Title

WITNESS my hand and seal this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

PARTNERSHIP ACKNOWLEDGEMENT

STATE OF OKLAHOMA            )  
  )§  
COUNTY OF \_\_\_\_\_)

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
20 \_\_\_\_, by \_\_\_\_\_ partner (or agent) on behalf of  
  Name and Title  
\_\_\_\_\_, a partnership.

WITNESS my hand and seal this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

NORMAN UTILITIES AUTHORITY

APPROVED as to form and legality this 18 day of June, 20 13.

  
\_\_\_\_\_  
AUTHORITY Attorney

Approved by the Trustees of the NORMAN UTILITIES AUTHORITY this \_\_\_\_\_ day of  
\_\_\_\_\_, 20 \_\_\_\_.

NORMAN UTILITIES AUTHORITY

ATTEST

By: \_\_\_\_\_

Title: Chairman

\_\_\_\_\_

Secretary

## MAINTENANCE BOND

Know all men by these presents that Central Contracting Services, Inc., as PRINCIPAL, and American Safety Casualty Insurance Company corporation organized under the laws of the State of Oklahoma, and authorized to transact business in the State of Oklahoma, as SURETY, are held and firmly bound unto NORMAN UTILITIES AUTHORITY, a Public Trust of the State of Oklahoma, herein called AUTHORITY, in the sum of three-hundred thirty-seven thousand, three-hundred ninety-four & 00/100 Dollars (\$ 337,394 ), 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:

### TECUMSEH INTERCEPTOR PROJECT NORMAN, OKLAHOMA

has entered into a written CONTRACT (K-1213-138) with the AUTHORITY, dated \_\_\_\_\_ for the erection and construction of this PROJECT, that CONTRACT being incorporated herein by reference as if fully set forth.

WHEREAS, under the ordinances of the AUTHORITY, the PRINCIPAL is required to furnish to the 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 AUTHORITY or expense to the AUTHORITY any and all defects arising from improper workmanship, materials, or failure to protect new work until it is accepted; all for a period of two (2) years from the date of the written final acceptance by the AUTHORITY, 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 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 of \_\_\_\_\_, 20\_\_\_\_, 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(Corporate Seal) (where applicable)

ATTEST

James L Tipken  
Corporate Secretary (where applicable)

Central Contracting Services, Inc.

PRINCIPAL

Signed: James L Tipken  
Authorized Representative

James L. Tipken, President  
Name and Title

Address: 17301 S. Sunnyslane  
Norman, OK 73071

Telephone: 405-895-6250

(Corporate Seal)

ATTEST

Bonlan M Pake  
Corporate Secretary

American Safety Casualty Insurance Company

SURETY

Signed: Tina E Switzer  
Authorized Representative

Tina E. Switzer, Attorney-in-Fact  
Name and Title

Address: 909 S. Meridian, Ste. 700  
Oklahoma City, OK 73108

Telephone: 405-568-3008

CORPORATE ACKNOWLEDGEMENT

STATE OF OKLAHOMA            )  
  )§  
COUNTY OF Cleveland        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
20 \_\_\_\_, by James L. Tipken, President of Central Contracting Services, Inc.  
Name and Title  
a Oklahoma corporation, on behalf of the corporation.

WITNESS my hand and seal this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

*Diana K. Plackemeier*  
\_\_\_\_\_  
Notary Public



My Commission Expires: May 5, 2014

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF OKLAHOMA            )  
  )§  
COUNTY OF \_\_\_\_\_)

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
20 \_\_\_\_, by \_\_\_\_\_ an individual.  
Name and Title

WITNESS my hand and seal this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

**PARTNERSHIP ACKNOWLEDGEMENT**

STATE OF OKLAHOMA            )  
  )§  
COUNTY OF \_\_\_\_\_)

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
20 \_\_\_\_, by \_\_\_\_\_ partner (or agent) on behalf of  
Name and Title  
\_\_\_\_\_, a partnership.

WITNESS my hand and seal this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

NORMAN UTILITIES AUTHORITY

APPROVED as to form and legality this 18 day of June, 20 13

  
\_\_\_\_\_  
AUTHORITY Attorney

Approved by the Trustees of the NORMAN UTILITIES AUTHORITY this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

NORMAN UTILITIES AUTHORITY

ATTEST

By: \_\_\_\_\_

Title: Chairman

\_\_\_\_\_

Secretary

PURCHASE REQUISITION NBR: 0000218769

STATUS: INSUFFICIENT FUNDS  
REASON: TECUMSEH INTERCEPTOR

DATE: 6/18/13

DELIVER BY DATE: 6/30/13

REQUISITION BY: WEBB G

SHIP TO LOCATION: P W - UTILITIES DIRECTOR

SUGGESTED VENDOR: 2892 CENTRAL CONTRACTING SERVICES

LINE NBR	DESCRIPTION	QUANTITY UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	TECUMSEH INTERCEPTOR - EXCISE TAX COMMODITY: CONSTRUCTION SERVICES, HE SUBCOMMOD: CONSTRUCTION, SEWER AND S	188941.00	DOL 1.0000	188941.00	
2	TECUMSEH INTERCEPTOR - SALES TAX COMMODITY: CONSTRUCTION SERVICES, HE SUBCOMMOD: CONSTRUCTION, SEWER AND S	148453.00	DOL 1.0000	148453.00	

REQUISITION TOTAL: 337394.00

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

LINE #	ACCOUNT	PROJECT	%	AMOUNT
1	32290484326101	Capital Projects Construction	100.00	188941.00
2	32390484326101	Capital Projects Construction	100.00	148453.00
		Tecumseh Interceptor		337394.00

REQUISITION COMMENTS:

REQUISITION IS IN THE CURRENT FISCAL YEAR.

CONTRACT K-1213-138 CONTINGENT ON NUA APPROVAL  
6-25-13.



# City of Norman, OK

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

## Master

**File Number: K-1213-210**

**File ID:** K-1213-210

**Type:** Contract

**Status:** Consent Item

**Version:** 1

**Reference:** Item No. 11

**In Control:** City Council

**Department:** City Clerk Department

**Cost:**

**File Created:** 06/17/2013

**File Name:** Municipal Complex & Library Custodial Services

**Final Action:**

**Title:** CONSIDERATION OF REQUEST FOR PROPOSAL RFP-1213-88 AND CONTRACT K-1213-210 WITH AHI FACILITY SERVICES, INC., TO PROVIDE CUSTODIAL SERVICES FOR THE MUNICIPAL COMPLEX AND THE NORMAN PUBLIC LIBRARY EFFECTIVE JULY 1, 2013.

**Notes:** ACTION NEEDED: Motion to accept or reject Request for Proposal No. RFP-1213-88 to provide custodial services for the Municipal Complex and Norman Public Library effective July 1, 2013; and, if accepted, approve Contract No. K-1213-210 with AHI Facility Services, Inc., and authorize the execution thereof.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 11

**Attachments:** Text File, Summary of Proposals for Custodial Services, K-1213-210 - AHI, Exhibit "A" Pricing Schedule, Exhibit "A" Matrix for Frequency of Cleaning.docx, AHI Certificate of Insurance

**Project Manager:** Matthew Smith

**Entered by:** brenda.hall@normanok.gov

**Effective Date:**

### History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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### Text of Legislative File K-1213-210

Body

**BACKGROUND:** Custodial services for the Municipal Administration Building and Buildings A, B, and C in the Municipal Complex and the Norman Public Library are awarded for a one year period with the option to renew with the consent of both parties. The current bid in the amount of \$8,883.82 per month was awarded to Alliance Maintenance, Inc., on June 24, 2008, and is scheduled to expire on June 30, 2013.

Request for Proposal RFP-1213-88 was solicited on May 13, 2013, and a mandatory pre-proposal conference was held on May 28, 2013, for vendors to allow all interested parties to tour and evaluate the facilities prior to submitting their proposal.

**DISCUSSION:** Five proposals to provide custodial services for the Municipal Complex and Norman Public Library were received in the City Clerk's Office on June 4, 2013, from AHI Facility Services, Inc., - corporate office Dallas, Texas, local office in Oklahoma City; Source One Management Services - Tulsa; Capitol Cleaning - Oklahoma City; Strategic Janitorial Solutions - Oklahoma City; and Alliance Maintenance, Oklahoma City.

A staff selection committee consisting of Matthew Smith, Facility Maintenance Superintendent; Kathy Lucas, Custodial Coordinator; Brenda Hall, City Clerk; Leslie Tabor, Norman Branch Librarian; and Kathryn Walker, Assistant City Attorney, reviewed and evaluated each proposal. Proposals were evaluated based upon experience providing similar services; references; cost; quality, level and detail of the response to the City's green environmental initiative defined as "cleaning to protect health without harming the environment"; and overall ability to provide specified services. After evaluating each proposal, the committee unanimously recommended the proposal submitted by AHI Facility Services, Inc., (AHI) contingent upon site visits of AHI's clients in the Oklahoma City metro area. Site visits and additional reference interviews were conducted by Matthew Smith and Kathy Lucas who concur with the Committee's recommendation.

AHI is a national service provider company operating in Arizona, New York, California, Massachusetts, Minnesota, Missouri, Oklahoma, Texas, and Utah with a staff of over 1,200 employees. AHI does not subcontract their services; all employees are direct hires of AHI.

The proposal submitted by AHI includes a base fee of \$9,131.03 per month plus per-occurrence fees of \$7,500 for deep cleaning of carpet and \$2,000 for exterior window cleaning. The per-occurrence charge includes providing the associated service to all buildings in the Municipal Complex and the Norman Public Library for each occurrence. The FYE 2014 Budget includes funding in the amount of \$122,498 for these services and is budgeted in Contract-Building Maintenance (010-2031-419.42-27). If approved, the proposed contract will become effective July 1, 2013, and continue through June 30, 2014. Provided the services outlined in the contract and proposal and the price remain unchanged, the specifications allow for an extension of the contract for two additional 12 month periods, after sufficient appropriations have been made through adoption of the budget in each fiscal year.

**RECOMMENDATION:** Staff recommends Request for Proposal RFP-1213-88 from AHI be accepted and Contract K-1213-210 be approved.

**SUMMARY OF REQUEST FOR PROPOSAL NO. RFP-1213-88  
CUSTODIAL SERVICES FOR THE MUNICIPAL COMPLEX AND NORMAN PUBLIC LIBRARY**

<b>PROPOSAL RECEIVED FROM</b>	<b>BASE MONTHLY CLEANING FEE</b>	<b>CARPET CLEANING PER OCCURRENCE *</b>	<b>WINDOW CLEANING PER OCCURRENCE *</b>	<b>TILE FLOOR CLEANING</b>
AHI Facility Services, Inc., corporate office Dallas	\$ 9,131.03	\$ 7,500	\$ 2,000.00	Included in base
Source One Management Services, Tulsa, OK	\$ 13,079.00	\$0.22/ sq. ft Total sq. ft for all bldgs = 127,192	Included in base	\$0.30/sq. ft. Total sq. ft for all bldgs = 127,192
Capitol Cleaning, Oklahoma City, OK	\$ 12,898.00	Included in base	Included in base	Included in base
Strategic Janitorial Solutions, Oklahoma City, OK	\$ 22,950.00	Included in base	Included in base	Included in base
Alliance Maintenance, Oklahoma City, OK	\$ 12,500.00	\$0.09/sq. ft. Total sq. ft for all bldgs = 127,192.	\$4.00/window 1st floor \$6.00/window 2nd floor	\$0.25/sq. ft. Total sq. ft for all bldgs = 127,192.
* Anticipate once annually				



Facility Services, Inc.

**SERVICES PRICING SCHEDULE  
FOR**

**City of Norman**

**Contract No. K-1213-210**

Norman Public Library, 225 North Webster Avenue  
Municipal Building, 201 West Gray Street  
Municipal Building A, 201 West Gray Street  
Municipal Building B, 201 West Gray Street  
Municipal Building C, 201 West Gray Street

**Janitorial Base Bid per month: \$9,131.03**

***Figure Includes***

***General Nightly Cleaning:***

Including but not limited to covering all details in the attached scope of work.

***All Cleaning Equipment, Supplies and Chemicals:***

All cleaning equipment is purchased new and meticulously maintained & replaced as needed throughout the life of the contract.

***Day Porter:***

*1 Full Time Day Porter. Day porters are English speaking.*

**Carpet Cleaning Per Occurrence: \$7,500**

Extracting all carpet areas per carpet manufacturers recommendations.

**Exterior Window Cleaning Per Occurrence: \$2,000**

This does not include the use of a scissor lift. If interior vestibule windows within city hall building are cleaned we will need to use City of Norman lift. Or if this is not an option we can revise pricing to include lift rental.

*\*\*Note: AHI does not subcontract in any of our accounts. All employees on the City of Norman premises will be direct hire employees.*

Taxes: All prices exclude any applicable sales tax.

AHI appreciates the opportunity to bid on this property. We have excellent branch management and operations supervisors.

Exhibit "A"

**[www.ahifs.com](http://www.ahifs.com)**

**Confidential and Proprietary Information**

<b>HOUSEKEEPING FREQUENCIES</b>		DAY MAID	NIGHTLY	WEEKLY	MONTHLY	QUARTERLY	ANNUALLY	AS NEEDED	UPON REQUEST	NOT APPLICABLE
<b>TASKS/AREAS</b>										
<b>OFFICE AREAS</b>										
Dust all desk tops. Items will not be moved		X								
Disinfect telephone receivers and cradles				X						
Dust all file cabinets				X						
Straighten magazines and/or other items in reception areas		X								
Empty waste receptacles and replace liners as needed		X								
Clean exterior and interior of waste receptacles					X					
Dust and spot mop all hard-surface floors		X								
Vacuum all carpeted areas, including walk-off mats		X								
Spot clean walls, doors, door frames, sills and ledges				X						
Dust picture frames and moldings				X						
Dust vertical surfaces on furnishings				X						
Dust light fixtures, ventilation grills and light reflectors					X					
Remove bugs from light lenses					X					
Damp wipe all baseboards					X					
Dust venetian blinds					X					
Polish/buff tiled flooring				X						
<b>LOBBY, HALLS and STAIRWELLS</b>										
Clean glass doors, interior and exterior		X	X							
Vacuum/Mop reception area completely			X							
Clean interior of elevator cabs, including walls, floors			X							
Clean elevator tracks			X							
Empty and clean cigarette urns		X	X							
Vacuum exterior walk-off mats			X							
Police planters in lobby for debris		X	X							
Vacuum common area hallways			X							
Sweep and damp mop stairwells				X						
Dust stair rails				X						
Remove dust in lobby area				X						

## HOUSEKEEPING FREQUENCIES

	DAY MAID	NIGHTLY	WEEKLY	MONTHLY	QUARTERLY	ANNUALLY	AS NEEDED	UPON REQUEST	NOT APPLICABLE
<b>BREAKROOMS</b>									
Empty waste receptacles and replace liners as needed	X	X							
Clean exterior and interior of waste receptacles				X					
Disinfect counter surfaces	X	X							
Mop all hard-surface floors		X							
Clean, treat and/or buff tiling			X						
Strip/wax tiled flooring							X		
Replenish consumable supplies	X	X							
Detail clean and sanitize all microwaves		X							
Detail clean and sanitize all refrigerators			X						
Restock all breakroom supplies	X	X							
Make coffee	X								
<b>RESTROOMS</b>									
Disinfect basins, all toilet surfaces and urinals with quaternary disinfectant	X	X							
Disinfect counter surfaces	X	X							
Dust and refill soap, toilet paper, towel, sanitary products dispensers	X	X							
Polish mirrors and brightwork	X	X							
Disinfect partition surfaces	X	X							
Wash all wall surfaces with disinfectant	X	X							
Polish metal surfaces	X	X							
Dust or vacuum restroom air vents			X						
Properly dispose of biohazardous waste in restrooms	X	X							
Dust restroom light fixtures			X						



**AGREEMENT FOR PROFESSIONAL CUSTODIAL SERVICES  
FOR THE MUNICIPAL COMPLEX AND NORMAN PUBLIC LIBRARY**

THIS AGREEMENT is entered into between *The City of Norman* (CITY) and *AHI Facility Services, Inc.*, (AHI) for the following reasons:

1. The *CITY* requires custodial services for the City of Norman Municipal Complex - Municipal Administration Building and Buildings A, B, and C located at 201 West Gray Street and the Norman Public Library located at 225 North Webster); and,
2. *AHI* is prepared to provide the Services as outlined in the proposal submitted June 4, 2013, and Exhibit "A" to this contract included herein and made a part hereof.

In consideration of the promises contained in this Agreement, *CITY* and *AHI* agree as follows:

**ARTICLE 1 - EFFECTIVE DATE**

The effective date of this Agreement shall be 1st day of July, 2013, and extend through June 30, 2014. The terms and provisions of this contract may be extended by mutual agreements of the parties for an additional 12 month period unless the contract amount changes and after sufficient appropriations shall have been made for the particular fiscal year in which renewal is sought. Either party may terminate this agreement by giving a thirty (30) day notice in writing to the other party. In no event shall this contract be extended past June 30, 2016

**ARTICLE 2 - GOVERNING LAW**

This Agreement shall be governed by the laws of the State of Oklahoma.

**ARTICLE 3 - SCOPE OF SERVICES/SCHEDULE/COMPENSATION**

*AHI* shall provide the Services outlined in Request for Proposal No. RFP-1213-88 as described in Exhibit "A", Pricing Schedule and Housekeeping Frequencies.

Invoices shall be due and payable monthly upon receipt. *CITY* shall give prompt written notice of any disputed amount and shall pay the remaining amount.

**ARTICLE 4 – PERFORMANCE AND STANDARD OF CARE**

The same degree of care, skill, and diligence shall be exercised in the performance of the Services as further described in Request for Proposal No. RFP-1213-88, further outlined in the proposal submitted by *AHI* on June 4, 2013. All performance shall be

subject to inspection and approval by the City's Custodial Coordinator. In terms of standard of excellence, 100% excellence in the work performed and compliance shall be the goal.

#### **ARTICLE 5 – INDEMNIFICATION AND LIABILITY**

Indemnification. **AHI** agrees to defend, indemnify, and hold harmless the **CITY**, 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 **AHI** in the performance of services under this Agreement. The **CITY** agrees to defend, indemnify, and hold harmless **AHI**, 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 **CITY** in the performance of services under this Agreement, provided such indemnification shall be applicable only to the extent sovereign immunity has been waived pursuant to Oklahoma law. **AHI** and the **CITY** each agree to promptly service notice on the other party of any claims arising hereunder, and shall cooperate in the defense of such claims. The acceptance by the **CITY** or its representatives of any certification of insurance providing for coverage other than as required in this Agreement to be furnished by **AHI** 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 **CITY** of any action, right, or remedy otherwise available to the **CITY** at common law.

Survival. The terms and conditions of this Article shall survive completion of the Services, or any termination of this Agreement.

#### **ARTICLE 6 - INSURANCE**

During the performance of the Services under this Agreement, **AHI** shall maintain the following Workers' Compensation in accordance with State Laws and Employer's Liability Insurance in the following amounts:

- (a) Property Damage Liability – Limits shall be carried in the amount of not less than twenty five thousand dollars (\$25,000.00) to any one person for any number of claims for damage to or destruction of property including but not limited to consequential damages arising out of a single accident or occurrence.
- (b) All Other Liability – In an amount not less than one hundred thousand dollars (\$125,000.00) for claims including accidental death, personal injury, and all other claims to any one person out of a single accident or occurrence.
- (c) Single Occurrence or Accident Liability – In an amount not less than one million dollars (\$1,000,000.00) for any number of claims arising out of a single occurrence or accident.

The insurance policies shall be issued by a company approved by the City of Norman. The **CITY** shall be furnished with a Certificate of Insurance which shall provide that such insurance shall not be changed or canceled without ten (10) days prior written notice to the City of Norman. Certificates of Insurance shall be delivered to the City of Norman prior to the commencement of the agreement.

Subcontractors shall not be used unless **AHI** has received prior written approval from the Facility Maintenance Superintendent or his designee for the use of the subcontractors.

Failure of **AHI** to comply with this subsection shall constitute cause for termination of the contract. Approved subcontractors shall be required to submit the same insurance certificate required of the **AHI**. It is the **AHI's** responsibility to notify subcontractors of the **CITY's** insurance requirements and obtain and submit the insurance certificate to the City of Norman prior to any services being provided. It is the Contractor's responsibility to ensure subcontractors abide by all terms and conditions of this agreement.

**ARTICLE 7 - TERMINATION**

This Agreement may be terminated by either party upon written thirty (30) day to the other party.

**ARTICLE 8 - NOTICES**

Any notice required by this Agreement shall be made in writing to the address specified below:

**CITY:**

Matthew Smith  
Facility Maintenance Superintendent  
City of Norman  
P.O. Box 370  
Norman, OK 73070  
(405) 292-9717

**AHI:**

AHI Facility Services, Inc.  
Luke Bruns,  
Director of Business Development  
625 Yuma Court  
Dallas, TX 75208  
(214) 741-3714 Ext. 38

Nothing contained in this Article shall be construed to restrict the transmission of routine communications between representatives of the **CITY** and **AHI**.

**ARTICLE 8 - DISPUTES**

In the event of a dispute between **CITY** and **AHI** 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.

**ARTICLE 9 - EQUAL EMPLOYMENT OPPORTUNITY**

**AHI** 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. **AHI** 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 **AHI's** policy to treat employees equally with respect to compensation, advancement, promotions, transfers and all other terms and conditions of employment. **AHI** 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 10 - WAIVER**

A waiver by either **CITY** or **AHI** 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 11 - 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 12 - INTEGRATION**

This Agreement, including Exhibit "A," Request for Proposal No. RFP-1213-88, and the proposal submitted by **AHI** on June 4, 2013, incorporated by this reference, represents the entire and integrated agreement between **CITY** and **AHI**. It supersedes all prior and contemporaneous communications, representations, and agreements, whether oral or written, relating to the subject matter of this Agreement.

**ARTICLE 13 - ASSIGNMENT**

Neither **CITY** nor **AHI** shall assign any rights or duties under this Agreement without the prior written consent of the other party.

**ARTICLE 14 - NO THIRD PARTY RIGHTS**

The Services provided for in this Agreement are for the sole use and benefit of **CITY** and **AHI**. Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than **CITY** and **AHI**.

IN WITNESS WHEREOF, the City of Norman and AHI Facility Services, Inc., have executed this Agreement.

DATED this \_\_th day of \_\_\_\_\_, 2013.

The City of Norman  
(CITY)

AHI Facility Services, Inc.  
(AHI)

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Name: \_\_\_\_\_ Cindy Rosenthal \_\_\_\_\_

Name \_\_\_\_\_

Title: \_\_\_\_\_ Mayor \_\_\_\_\_ r

Title \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

Attest:

Attest:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Secretary

Approved as to form and legality this \_\_\_\_ day of \_\_\_\_\_ 200\_.

\_\_\_\_\_  
City Attorney



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/17/2013

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> HUB Intl Rigg - Dallas 2001 Bryan Street, Suite 800  Dallas TX 75201-3031	<b>CONTACT NAME:</b> PHONE (A/C, No, Ext): (214) 979-6200      FAX (A/C, No): (214) 979-6215	
	<b>E-MAIL ADDRESS:</b>	
<b>INSURED</b> AHI Facility Services, Inc.  625 Yuma Court  Dallas TX 75208-1941	<b>INSURER(S) AFFORDING COVERAGE</b>	
	INSURER A: Travelers Property Casualty Co o	NAIC# 36161
	INSURER B: Travelers Lloyds Insurance Co.	41262
	INSURER C: Travelers Indemnity Co. of CT	25682
	INSURER D: Travelers Cas & Surety Co	19038
	INSURER E: Westchester	
INSURER F:		

**COVERAGES**

CERTIFICATE NUMBER: Cert ID 42709

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDE INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
B	GENERAL LIABILITY			P6300239T488TLC	10/30/2012	10/30/2013	EACH OCCURRENCE	\$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 300,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person)	\$ 10,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
C	AUTOMOBILE LIABILITY			BA0265T052	10/30/2012	10/30/2013	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
	<input checked="" type="checkbox"/> ANY AUTO						BODILY INJURY (Per person)	\$
	<input type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS					BODILY INJURY (Per accident)	\$
	<input type="checkbox"/> HIRED AUTOS	<input type="checkbox"/> NON-OWNED AUTOS					PROPERTY DAMAGE (Per accident)	\$
								\$
C	<input checked="" type="checkbox"/> UMBRELLA LIAB			CUP399M7643	10/30/2012	10/30/2013	EACH OCCURRENCE	\$ 10,000,000
	<input type="checkbox"/> EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE					AGGREGATE	\$ 10,000,000
	DED <input checked="" type="checkbox"/> RETENTION \$ 10,000							\$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			PJUB2828R46710	6/15/2013	6/15/2014	<input checked="" type="checkbox"/> WC STATUTORY LIMITS	OTHER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y/N	N/A				E.L. EACH ACCIDENT	\$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	\$ 1,000,000
D	Crime			105701538	10/30/2012	10/30/2013	Employee Theft	\$ 500,000
							Deductible	\$ 10,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

The General Liability and Auto Liability policies include a blanket automatic additional insured endorsement that provides additional insured status to the certificate holder only when there is a written contract between the named insured and the certificate holder that requires such status subject to policy terms and conditions. The General Liability, Auto Liability and Workers Compensation policies include a blanket automatic waiver of subrogation endorsement that provides this feature only when there is a written contract between the named insured and the certificate holder that requires it subject to policy terms and conditions. The General Liability policy contains a special endorsement with "Primary and Noncontributory" wording subject to policy terms and conditions. The General Liability policy includes a blanket notice of cancellation to

**CERTIFICATE HOLDER****CANCELLATION**

City of Norman  201 West Gray Street  Norman OK 73069	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
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**DESCRIPTION OF OPERATIONS SECTION CONTINUED**

DATE  
6/17/2013

**CERTIFICATE HOLDER:**

City of Norman

201 West Gray Street

Norman OK 73069

**INSURED:**

AHI Facility Services, Inc.

625 Yuma Court

Dallas TX 75208-1941

**DESCRIPTION OF OPERATIONS CONTINUED:**

certificate holder's endorsement, providing for 30 days' advance notice if the policy is canceled by the company other than for nonpayment of premium. Notice is sent to certificate holders with mailing addresses on file with the agent or the company. The endorsement does not provide for notice of cancellation if the named insured requests cancellation. Umbrella policy is Follow Form.



# City of Norman, OK

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

## Master

**File Number: BID-1213-90**

**File ID:** BID-1213-90      **Type:** Bid      **Status:** Consent Item

**Version:** 3      **Reference:** Item No. 12      **In Control:** City Council

**Department:** Utilities Department      **Cost:**      **File Created:** 06/11/2013

**File Name:** Bid 1213-90 Automatic Meter Read Water Meters      **Final Action:**

**Title:** CONSIDERATION AND AWARDING OF BID NO. 1213-90 FOR THE PURCHASE OF COPPER METER YOKES FOR WATER METERS, HDPE METER BOXES WITH CAST IRON LIDS, AND WATER LINE REPAIR CLAMPS FOR THE LINE MAINTENANCE DIVISION.

**Notes:** ACTION NEEDED: Acting as the Norman Utilities Authority, motion to accept or reject all bids meeting specifications; and, if accepted, award the bid to Badger Meter, Inc., as the lowest and best bidder meeting specifications.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 12

**Attachments:** Text File, Bid tab - AMR cold water meters 2013

**Project Manager:** David Hager, Line Maintenance Superintendent

**Entered by:** paul.johnston@normanok.gov

**Effective Date:** 06/30/2013

### History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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#### Text of Legislative File BID-1213-90

Body

**BACKGROUND:** On June 6, 2013 bids were opened on Bid No. 1213-90 for Automatic Meter Read (AMR) cold water meters for the Utilities Line Maintenance Division. Funds have been budgeted in the FYE13 budget for the purchases.

On February 27, 2007 the Norman Utilities Authority (NUA) approved Contract No. K-0607-129 with U. S. Bronco Services, Inc., to perform large water meter replacements and upgrade to radio-read technology. U. S. Bronco Services, Inc. proposed to utilize the Badger Meter Orion system which met the criteria and specifications. The replacement program consisted of replacing seventy-seven (77) large water meters ranging in size from three inch (3") to eight inch (8").

In FYE08 Utilities Line Maintenance included in the bid an option to purchase radio-read water meters utilizing the Badger Orion system to the annual cold water meter contract. This option allowed the Division to continue the program for installation of radio-read water meters in remote locations throughout the City of Norman.

In past fiscal years since the inception of radio-read water meters (AMR), Line Maintenance continues to bid an option to purchase radio-read water meters utilizing the Badger Orion system on an annual contract. Since the inception of radio-read water meters and up through the current fiscal year, the Division has installed and replaced 2,000 water meters ranging in size from ¾" to 2" located in areas deemed to have poor accessibility by the Meter Reading Division.

**DISCUSSION:** Proposals were sent to five (5) suppliers who manufacture or sell water meters meeting City specifications. The bid provides for the purchase, on an "as needed" basis, of approximately 500 residential radio-read cold water meters for replacement and new installation. There was one response which met specifications regarding the billing software program and the existing Radix Data Collector system used by the Meter Reading Division.

Out of five suppliers, one vendor did not respond and three of the approved water meter manufacturers did not submit a bid because they stated that the controlling specifications were cost-prohibitive when required to factory-install the encoder register to a water meter which meets existing system requirements. Therefore, only one approved water meter manufacturer that meets City of Norman AMR specifications submitted a proposal to Bid No. 1213-90.

**RECOMMENDATION:** It is recommended that Bid No. 1213-90 be awarded to Badger Meter, Inc. as the lowest and sole bidder meeting specifications per the attached bid tabulation. Estimated expenditures for the remainder of FYE13 are \$3,000, with remaining purchases to be made during FYE14. Funds are available in account number 031-5551-462.32-18 Maintenance Supplies-Meter Sets/Repairs.

31-5551-462.32-18 Maintenance Supplies Meter Sets/Repairs \$3,537.00 FYE13  
31-5551-462.32-18 Maintenance Supplies Meter Sets/Repairs \$161,500.00 FYE14

**LINE MAINTENANCE DIVISION - TABULATION OF BIDS  
AMR COLD WATER METERS  
BID NO. 1213-90 - June 6, 2013**

<b>WATER METERS</b>	<b>RG3 METER COMPANY</b>	<b>BADGER METER, Inc.</b>	<b>UTILITY TECHNOLOGY GROUP, INC.</b>	<b>NEPTUNE TECHNOLOGY GROUP, INC.</b>	<b>HD SUPPLY WATERWORKS</b>
SECTION I Integral Transmitter	Longview, TX NO RESPONSE	Milwaukee, WI \$ 142.00	Oklahoma City, OK NO RESPONSE	Talasse, AL NO RESPONSE	Oklahoma City, OK NO RESPONSE
SECTION I Pit Transmitter		\$ 139.00			
SECTION II Integral Transmitter		\$ 212.00			
SECTION II Pit Transmitter		\$ 209.00			
SECTION III Integral Transmitter		\$ 438.00			
SECTION III Pit Transmitter		\$ 435.00			
SECTION IV Integral Transmitter		\$ 1,268.00			
SECTION IV Pit Transmitter		\$ 1265.00			
SECTION V Integral Transmitter		\$ 488.00			
SECTION V Pit Transmitter		\$ 485.00			
SECTION VI Integral Transmitter		\$ 568.00			
SECTION VI Pit Transmitter		\$ 565.00			
SECTION VII Integral Transmitter		\$ 1,568.00			
SECTION VII Pit Transmitter		\$ 1,565.00			
SECTION VIII Integral Transmitter		\$ 668.00			
SECTION VIII Pit Transmitter		\$ 665.00			
SECTION IX Integral Transmitter		\$ 2,148.00			
SECTION IX Pit Transmitter		\$ 2,145.00			

WATER METERS	RG3 METER COMPANY	BADGER METER, Inc.	UTILITY TECHNOLOGY GROUP, INC.	NEPTUNE TECHNOLOGY GROUP, INC.	HD SUPPLY WATERWORKS
SECTION X Integral Transmitter	Longview, TX	Milwaukee, WI \$ 983.00	Oklahoma City, OK	Talassee, AL	Oklahoma City, OK
SECTION X Pit Transmitter		\$ 980.00			
SECTION XI Integral Transmitter		\$ 3,043.00			
SECTION XI Pit Transmitter		\$ 3,040.00			
SECTION XII Integral Transmitter		\$ 2,288.00			
SECTION XII Pit Transmitter		\$ 2,285.00			

RECOMMENDATION: That Bid No. 1213-90 be awarded to Badger Meter, Inc., as the only bidder meeting all of the specifications.

Contract prices are effective through June 30, 2014.

Forwarded by: David Hager, Line Maintenance Superintendent



# City of Norman, OK

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

## Master

**File Number: E-1213-24**

<b>File ID:</b> E-1213-24	<b>Type:</b> Easement	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item No. 13	<b>In Control:</b> City Council
<b>Department:</b> Utilities Department	<b>Cost:</b>	<b>File Created:</b> 03/11/2013
<b>File Name:</b> St. James Place Easement	<b>Final Action:</b>	
<b>Title:</b> <u>EASEMENT NO. E-1213-24</u> : CONSIDERATION OF A PERMANENT SANITARY SEWER EASEMENT DONATED BY HERITAGE FINE HOMES, L.L.C., AND ANTHONY K. MIRZAI FOR THE SOUTHEAST BISHOP INTERCEPTOR PROJECT.		

**Notes:** ACTION NEEDED: Motion to accept or reject Easement No. E-1213-24; and, if accepted, direct the filing thereof with the Cleveland County Clerk.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 13

**Attachments:** Text File, E-1213-24, Exhibit A E-1213-24, Agenda - Mirzaie [StJames] Easement Map, SEBishopInterceptor Map

**Project Manager:** Charlie Thomas, Capital Projects Engineer

**Entered by:** charlie.thomas@normanok.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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### Text of Legislative File E-1213-24

Body

**BACKGROUND:** The SE Bishop Interceptor project is located in southeast Norman near the intersection of State Highway 9 (SH 9) and US Highway 77 (Classen). A map is attached. In January 2004, Phase 1, serving the United States Postal Training Center was completed by Matthews Trenching Company. On March 23, 2004, Norman Utilities Authority (NUA) approved Contract K-0304-147 with Chiang, Patel & Yerby, Inc. (CP&Y) for design of Phase 2. In January 2007, Phase 2 Section 1 was completed by Jordan Contractors.

The remainder of Phase 2 consists of three (3) sections generally located as follows: A) 24-inch sewer extending north and west from Eagle Cliff subdivision to its connection to the Lower Bishop Interceptor; B) 24-inch sewer between Classen and Oak Tree just north of SH 9. and C) 18-inch sewer from east of 24th Avenue SE and Overbrook to Classen and Ann Branden. On December 18, 2012, NUA approved Contract K-1213-66 with Krapff-Reynolds Construction Co. for construction of Phase 2 Sections A and B. Construction is in progress, on schedule and within budget.

**DISCUSSION:** Easements allow installation and maintenance of public sewer lines. For large diameter sewers

such as the subject project, additional temporary construction easements parallel to the permanent easements are required only during the time construction is in progress. Several easements, both permanent and temporary, will be needed to complete the final project phase. Temporary easements are not filed with the County, but expire upon completion of construction.

No cost is associated with this agenda item, since the owners are donating both Permanent Easement No. E-1213-24 and Temporary Easement No. E-1213-25. The permanent easement is twenty feet (20') wide, with an area of about 41,465 square feet, or 0.95 acres; the temporary easement is forty feet (40') wide, with an area of about 82,470 square feet, or 1.9 acres, each as shown on its respective Exhibit A attached to the easement agreement.

**RECOMMENDATION:** Staff recommends acceptance of Sanitary Sewer Easement No. E-1213-24 and Temporary Easement No. E-1213-25.

**GRANT OF EASEMENT**  
Parcel 14 – St. James  
City of Norman, Oklahoma  
SE Bishop Sewer Interceptor

KNOW ALL MEN BY THESE PRESENTS:

THAT Heritage Fine Homes, LLC, formerly Sterling, Inc. AND Anthony K. Mirzaie, an undivided half (1/2) interest each (GRANTORS), in consideration of the sum of One Dollar (\$1.00), receipt of which is hereby acknowledged, and for and upon other good and valuable considerations, do hereby grant, bargain, sell, and convey unto the City of Norman (CITY), a municipal corporation, a sanitary sewer easement over, across, and under the following described real estate and premises situated in the City of Norman, Cleveland County, Oklahoma, to wit:

**Part of NE/4 of Sec. 9-T8N-R2W, CLEVELAND COUNTY OK more particularly described on "Exhibit A"**

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out, constructing, maintaining, and operating a public sanitary sewer line.

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

SIGNED and delivered this 30 day of MAY, 2013.

Heritage Fine Homes, LLC,

BY: [Signature]  
(signature of authorized person)

Don Cerwi (Manager)  
(printed/typed name and title)

BY: Anthony K. Mirzaie  
Anthony K. Mirzaie

OWNER  
Title

**REPRESENTATIVE ACKNOWLEDGMENTS**

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for the said State and County, on this 30 day of MAY, 2013, personally appeared ANTHONY K. MIRZAI and DON CERWI, to me known to be the identical person(s) who executed the foregoing grant of easement; and who executed the same as a free and voluntary act and deed for the uses and purposes therein set forth.

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



Notary Public: [Signature]

My Commission Expires: \_\_\_\_\_

Seal:

STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_, SS:

Before me, the undersigned, a Notary Public in and for the said State and County, on this \_\_\_\_\_ day of \_\_\_\_\_, 2013, personally appeared \_\_\_\_\_, to me known to be the identical person(s) who executed the foregoing grant of easement; and who executed the same as a free and voluntary act and deed for the uses and purposes therein set forth.

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

Notary Public: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

Seal:

Approved as to form and legality this 18 day of June 20 13

[Signature]  
City Attorney

Approved and accepted by the Council of the City of Norman, this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

ATTEST: \_\_\_\_\_ Mayor

SEAL:

\_\_\_\_\_  
City Clerk

**Parcel (14)  
Proposed Permanent Easement**

A tract of land located in the Northeast Quarter of Section 9, Township 8 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows;

Commencing at the Southeast corner of said Northeast Quarter;

Thence North 00°07'12" West, along the East line of said Northeast Quarter, a distance of 649.00 feet;

Thence South 89°52'44" West a distance of 33.00 feet to the Point of Beginning;

Thence South 00°07'12" East a distance of 10.00 feet;

Thence South 89°52'44" West a distance of 1039.85 feet;

Thence South 61°56'03" West a distance of 396.90 feet to a point of curvature;

Thence on a curve to the left, having a radius of 285.79 feet, a chord bearing of South 47°38'54" West, a chord length of 141.33 feet, an arc length of 142.81 feet;

Thence South 88°40'33" West a distance of 449.03 feet;

Thence North 78°01'26" West a distance of 27.64 to a point on a curve;

Thence on a non-tangent curve to the right, having a radius of 730.79 feet, a chord bearing of North 12°49'09" East, a chord length of 20.00 feet, an arc length of 20.00 feet;

Thence South 78°01'26" East a distance of 25.01 feet;

Thence North 88°40'33" East a distance of 436.43 feet to a point on a curve;

Thence on a non-tangent curve to the right, having a radius of 305.79 feet, a chord bearing of North 48°38'35" East, a chord length of 140.91 feet, an arc length of 142.19 feet;

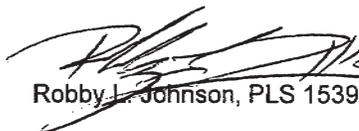
Thence North 61°56'03" East a distance of 401.87 feet;

Thence North 89°52'44" East a distance of 282.65 feet;

Thence South 00°07'12" East a distance of 10.00 feet;

Thence North 89°52'44" East, along the south line of a 10 foot wide ONG Easement, a distance of 762.18 feet to the Point of Beginning, containing 33,442.73 square feet more or less.

Basis of Bearings – Oklahoma State Plane Grid Bearings

  
Robby L. Johnson, PLS 1539

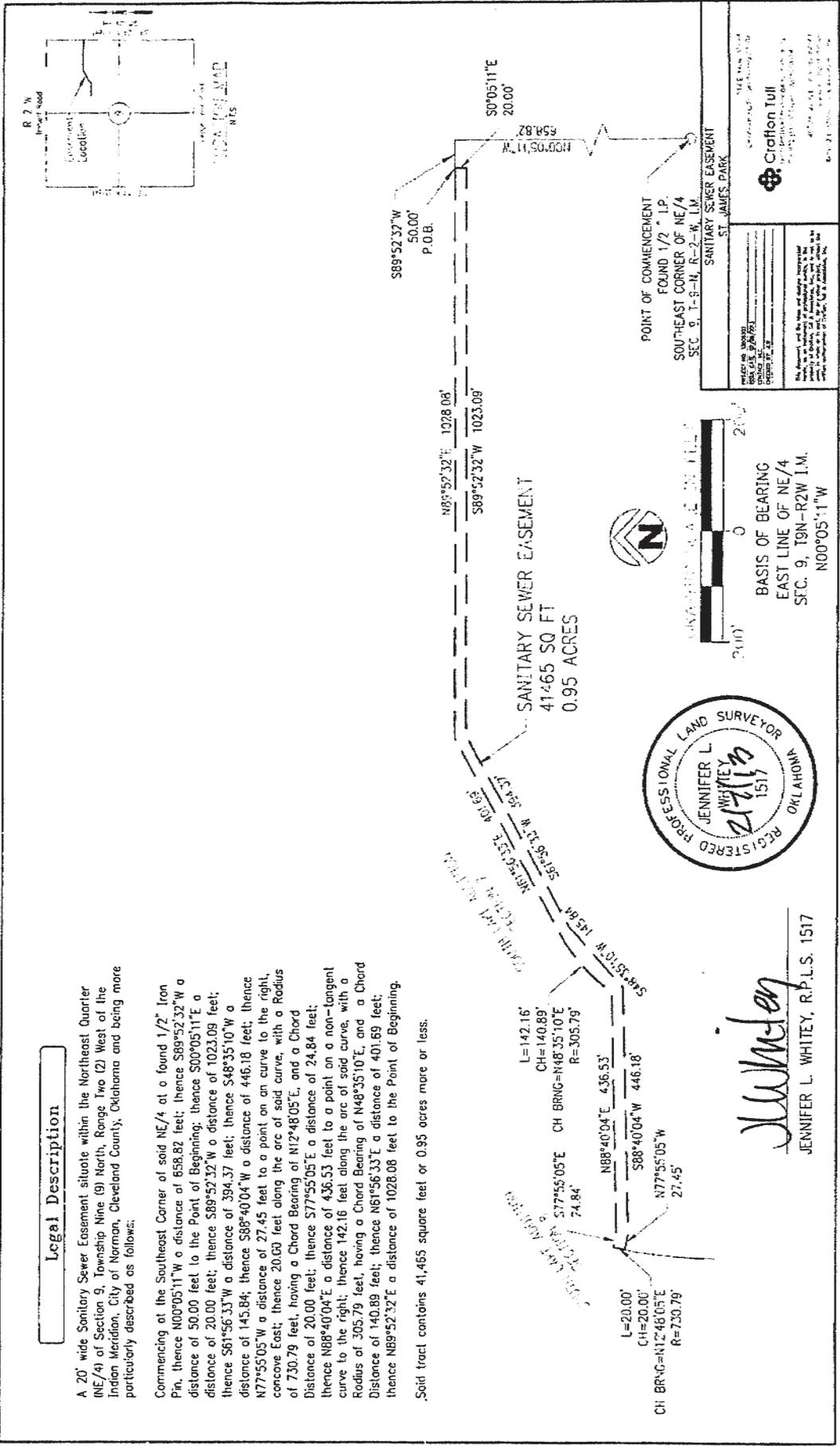


**Legal Description**

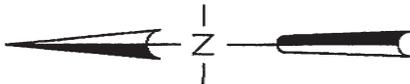
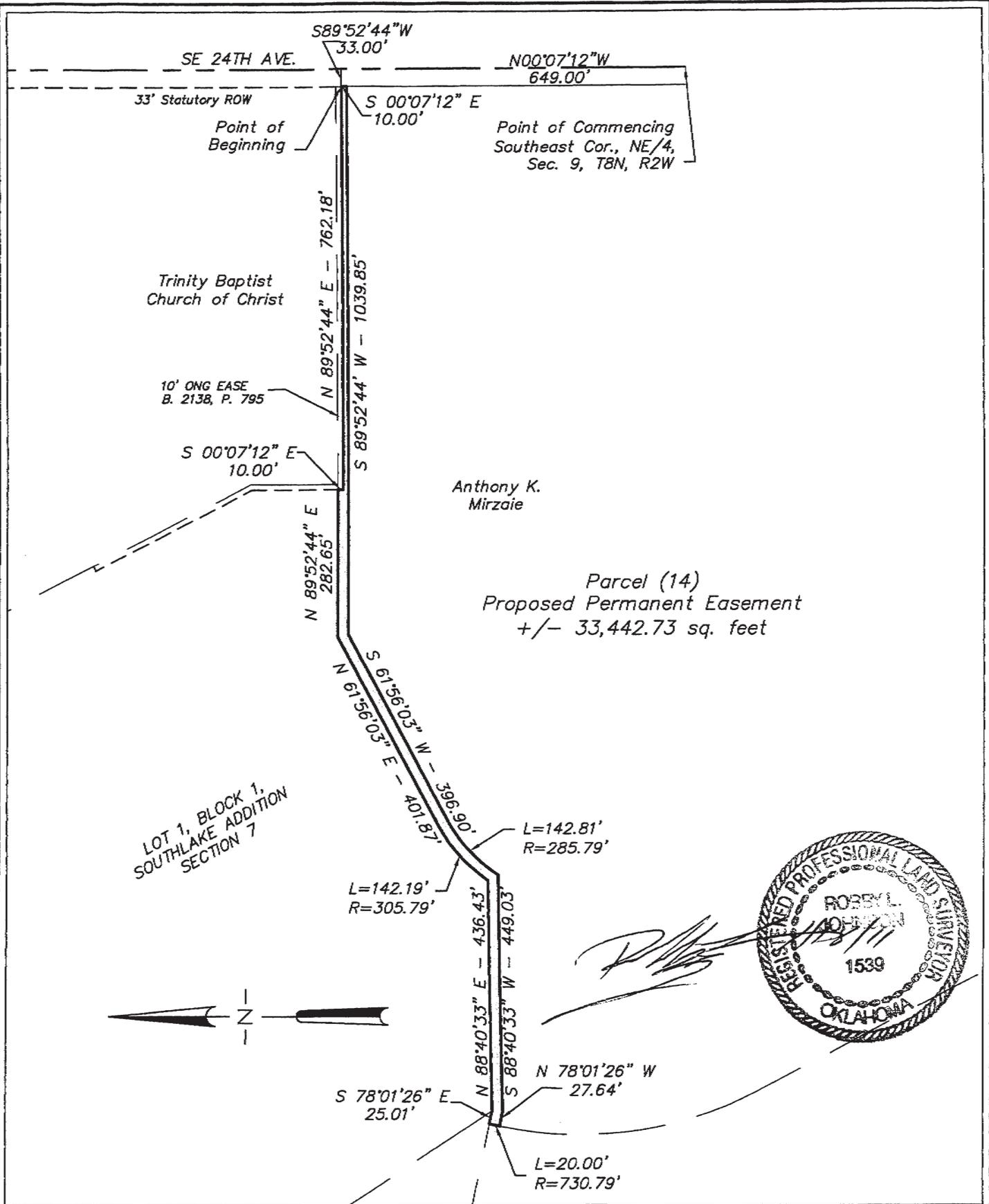
A 20' wide Sanitary Sewer Easement situate within the Northeast Quarter (NE/4) of Section 9, Township Nine (9) North, Range Two (2) West of the Indian Meridian, City of Norman, Cleveland County, Oklahoma and being more particularly described as follows:

Commencing at the Southeast Corner of said NE/4 at a found 1/2" Iron Pin, thence N00°05'11"W a distance of 658.82 feet; thence S89°52'32"W a distance of 50.00 feet to the Point of Beginning; thence S00°05'11"E a distance of 20.00 feet; thence S89°52'32"W a distance of 1023.09 feet; thence S61°56'33"W a distance of 394.37 feet; thence S48°35'10"W a distance of 145.84; thence S88°40'04"W a distance of 446.18 feet; thence N77°55'05"W a distance of 27.45 feet to a point on an curve to the right, concave East; thence 20.00 feet along the arc of said curve, with a Radius of 730.79 feet, having a Chord Bearing of N12°48'05"E, and a Chord Distance of 20.00 feet; thence S77°55'05"E a distance of 24.84 feet; thence N88°40'04"E a distance of 436.53 feet to a point on a non-tangent curve to the right; thence 142.16 feet along the arc of said curve, with a Radius of 305.79 feet, having a Chord Bearing of N48°35'10"E, and a Chord Distance of 140.89 feet; thence N61°56'33"E a distance of 401.69 feet; thence N89°52'32"E a distance of 1028.08 feet to the Point of Beginning.

Solid tract contains 41,465 square feet or 0.95 acres more or less.



H:\04100\JLS-Data\Submitted\110118-CON PARCEL 14 & OVERALL MAP\Parcel 14.dwg Jan. 17, 2011 - 3:46pm



Parcel (14)  
Proposed Permanent Easement  
+/- 33,442.73 sq. feet

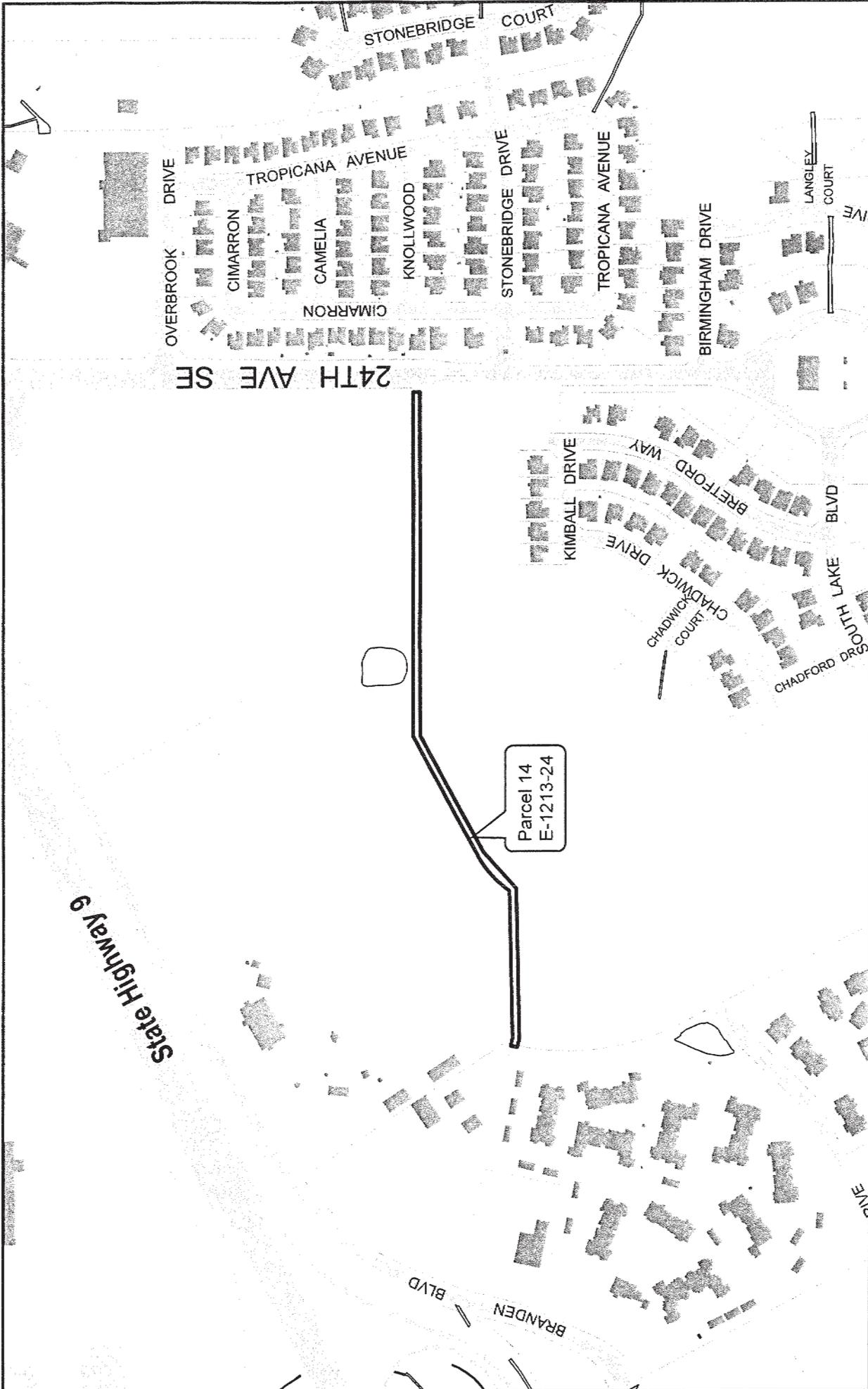
**LEMKE LAND SURVEYING, Inc.**

S	L
L	S

3228 BART CONNER DR., NORMAN, OK 73072  
PH.(405)366-8541 FAX(405)366-8540  
CA # 2054 EXP.DATE 6/30/12  
<http://www.lemke-ls.com>

Designed by:	Project:
Drawn By: RLJ	PARCEL (14) PROPOSED PERMANENT EASEMENT
Approved by: RLJ	Project Location: PART OF THE NE/4, SEC. 9, T8N, R2W OF THE I.M., CLEVELAND CO., OKLAHOMA
Date: 1/18/11	Client:
Scale: 1"=250'	
Project No: 04100	

Sheet Number
1
Sheet 1 of 1



March 15, 2013

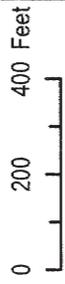
Map produced by the City of Norman  
GIS Services Division

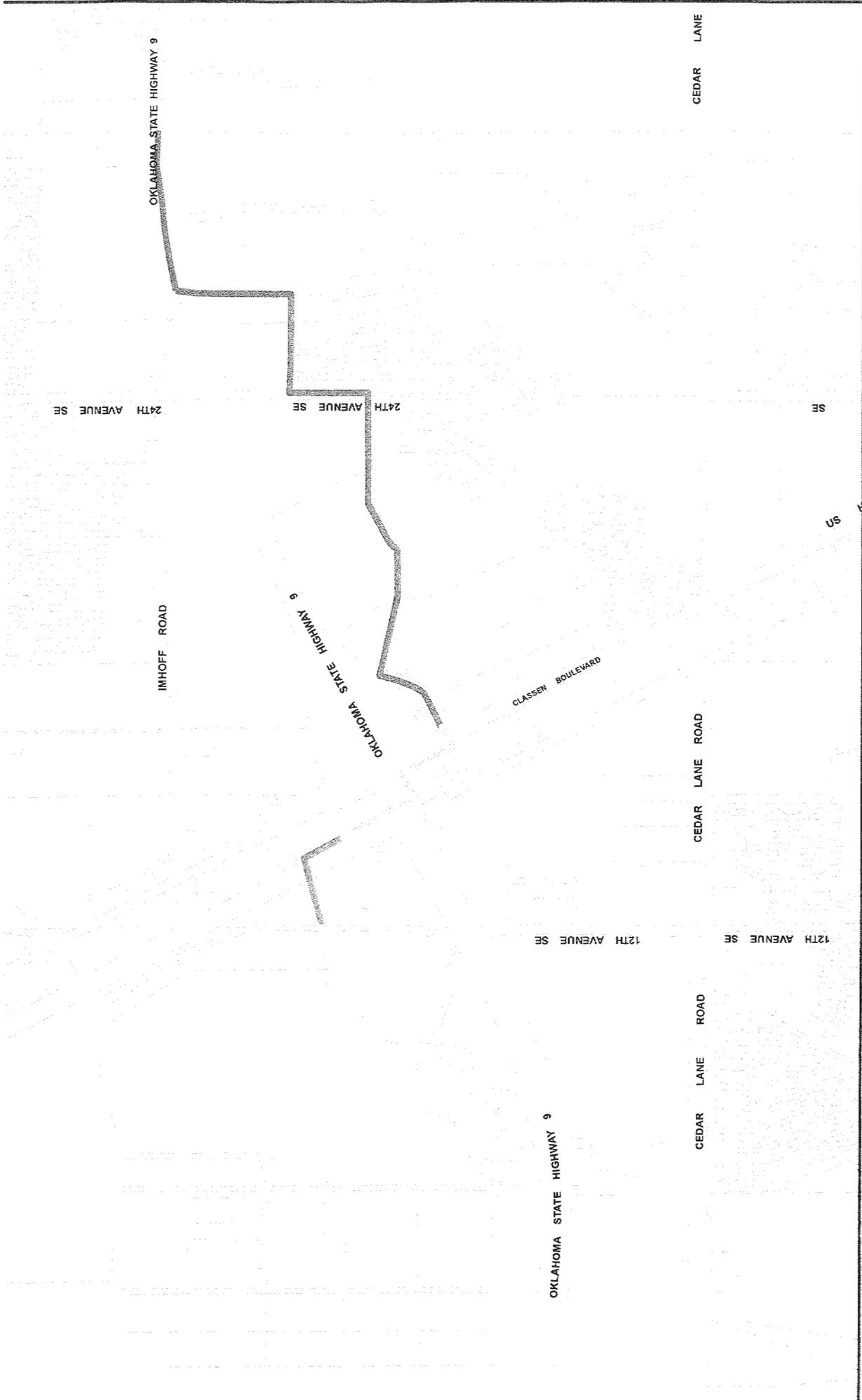
The City of Norman assumes no  
responsibility for errors or omissions  
in the information presented.



## SE Bishop Interceptor Parcel 14 Easement Map

-  Proposed Permanent Easement
-  Hydrology
-  Roads



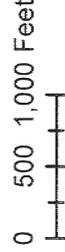
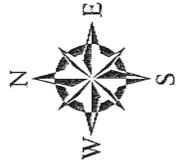


# Southeast Bishop Interceptor Project

June 7, 2013

Map produced by the City of Norman  
GIS Services Division

The City of Norman assumes no  
responsibility for errors or omissions  
in the information presented.



-  Phase 1
-  Phase 2, Section 1
-  Phase 2, Section 2A
-  Phase 2, Section 2B
-  Phase 2, Section 2C



# City of Norman, OK

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

## Master

**File Number: E-1213-25**

**File ID:** E-1213-25      **Type:** Easement      **Status:** Consent Item

**Version:** 1      **Reference:** Item No. 14      **In Control:** City Council

**Department:** Utilities Department      **Cost:**      **File Created:** 06/13/2013

**File Name:** Temporary Easement for SE Bishop Interceptor      **Final Action:**

**Title:** TEMPORARY EASEMENT NO. E-1213-25: A TEMPORARY CONSTRUCTION EASEMENT DONATED BY HERITAGE FINE HOMES, L.L.C., AND ANTHONY K. MIRZAI FOR THE SOUTHEAST BISHOP INTERCEPTOR PROJECT.

**Notes:** ACTION NEEDED: Motion to accept or reject Temporary Easement No. E-1213-25; and, if accepted, direct the filing thereof with the City Clerk.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 14

**Attachments:** Text File, E-1213-25, Legal description, Location map

**Project Manager:** Charlie Thomas, Capital Projects Engineer

**Entered by:** Ellen.Usry@mccinnovations.com

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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### Text of Legislative File E-1213-25

Body

**BACKGROUND:** The SE Bishop Interceptor project is located in southeast Norman near the intersection of State Highway 9 (SH 9) and US Highway 77 (Classen). A map is attached. In January 2004, Phase 1, serving the United States Postal Training Center was completed by Matthews Trenching Company. On March 23, 2004, Norman Utilities Authority (NUA) approved Contract K-0304-147 with Chiang, Patel & Yerby, Inc. (CP&Y) for design of Phase 2. In January 2007, Phase 2 Section 1 was completed by Jordan Contractors.

The remainder of Phase 2 consists of three (3) sections generally located as follows: A) 24-inch sewer extending north and west from Eagle Cliff subdivision to its connection to the Lower Bishop Interceptor; B) 24-inch sewer between Classen and Oak Tree just north of SH 9. and C) 18-inch sewer from east of 24th Avenue SE and Overbrook to Classen and Ann Branden. On December 18, 2012, NUA approved Contract K-1213-66 with Krapff-Reynolds Construction Co. for construction of Phase 2 Sections A and B. Construction is in progress, on schedule and within budget.

**DISCUSSION:** Easements allow installation and maintenance of public sewer lines. For large diameter sewers such as the subject project, additional temporary construction easements parallel to the permanent easements

are required only during the time construction is in progress. Several easements, both permanent and temporary, will be needed to complete the final project phase. Temporary easements are not filed with the County, but expire upon completion of construction.

No cost is associated with this agenda item, since the owners are donating both Permanent Easement No. E-1213-24 and Temporary Easement No. E-1213-25. The permanent easement is twenty feet (20') wide, with an area of about 41,465 square feet, or 0.95 acres; the temporary easement is forty feet (40') wide, with an area of about 82,470 square feet, or 1.9 acres, each as shown on its respective Exhibit A attached to the easement agreement.

**RECOMMENDATION:** Staff recommends acceptance of Sanitary Sewer Easement No. E-1213-24 and Temporary Easement No. E-1213-25.

TEMPORARY CONSTRUCTION EASEMENT

Parcel 14.1 - St. James  
City of Norman, Oklahoma  
SE Bishop Sewer Interceptor

KNOW ALL MEN BY THESE PRESENTS:

THAT Heritage Fine Homes, LLC, formerly Sterling, Inc. AND Anthony K. Mirzaie [Westpoint Homes], an undivided half (1/2) interest each (GRANTORS), 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, do hereby grant to the City of Norman (City), a temporary easement over, across and under the following described real estate to wit:

Part of NE/4 of Sec. 9-T8N-R2W, CLEVELAND COUNTY OK more particularly described on "Exhibit A"

with the right of ingress and egress to and from the same, for the purpose of surveying, laying out and constructing a public sanitary sewer line.

The sole purpose of this easement is to grant to the City the right to work on the above-described tract of land, and includes the right to use a reasonable amount of sand, rock, dirt, gravel and other natural materials from the above described tract of land in completing the portion of the SE Bishop Sewer Interceptor which is on the above described tract of land. The City and its contractor will maintain access to the above-described property to the maximum extent possible.

It is a condition of this easement that it shall not be filed for record and that all rights conveyed to the City by this instrument shall terminate upon completion of construction of the project.

SIGNED and delivered this 30 day of MAY, 2013.

Heritage Fine Homes, LLC

BY: [Signature]  
(signature of authorized person)

Don Cervi (Manager)  
(printed/typed name and title)

BY: Anthony K. Mirzaie OWNER  
Anthony K. Mirzaie Title

REPRESENTATIVE ACKNOWLEDGMENT

STATE OF OKLAHOMA COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said State and County, on this 30 day of MAY, 2013, personally appeared ANTHONY MIRZAIIE and DON CERVI, to me known to be the identical person(s) who executed the foregoing easement and who executed the same as a free and voluntary act and deed for the uses and purposes therein set forth.

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

Notary Public: [Signature]



My Commission Expires: \_\_\_\_\_ Seal: \_\_\_\_\_  
STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_, SS:

Before me, the undersigned, a Notary Public in and for said State and County, on this \_\_\_\_\_ day of \_\_\_\_\_, 2013, personally appeared \_\_\_\_\_, to me known to be the identical person(s) who executed the foregoing easement and who executed the same as a free and voluntary act and deed for the uses and purposes therein set forth.

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

Notary Public: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_ Seal: \_\_\_\_\_

Approved as to form and legality this 18 day of June 2013

[Signature]  
City Attorney

Approved and accepted by the Council of the City of Norman, this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

ATTEST: \_\_\_\_\_ Mayor

\_\_\_\_\_  
City Clerk SEAL:

# LEMKE LAND SURVEYING, Inc.

## Parcel (14.1) Proposed Temporary Construction Easement

A tract of land located in the Northeast Quarter of Section 9, Township 8 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows;

Commencing at the Southeast corner of said Northeast Quarter;

Thence North 00°07'12" West, along the East line of said Northeast Quarter, a distance of 639.00 feet; Thence South 89°52'44" West a distance of 33.00 feet to the Point of Beginning;

Thence South 00°07'12" East a distance of 40.00 feet;

Thence South 89°52'44" West a distance of 1029.90 feet;

Thence South 61°56'03" West a distance of 386.96 feet to a point of curvature;

Thence on a curve to the left, having a radius of 245.79 feet, a chord bearing of South 45°16'12" West, a chord length of 141.22 feet, an arc length of 143.24 feet;

Thence South 88°40'33" West a distance of 475.69 feet;

Thence North 78°01'26" West a distance of 31.25 feet to a point on a curve;

Thence on a non-tangent curve to the right, having a radius of 730.79 feet, a chord bearing of North 10°27'58" East, a chord length of 40.01 feet, an arc length of 40.02 feet;

Thence South 78°01'26" East a distance of 27.64 feet;

Thence North 88°40'33" East a distance of 449.03 feet to a point on a curve;

Thence on a non-tangent curve to the right, having a radius of 285.79 feet, a chord bearing of North 47°38'54" East, a chord length of 141.33 feet, an arc length of 142.81 feet;

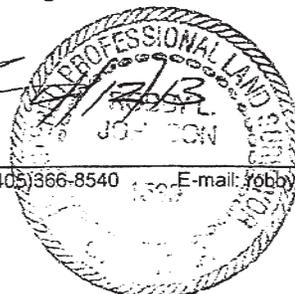
Thence North 61°56'03" East a distance of 396.90 feet;

Thence North 89°52'44" East a distance of 1039.85 feet to the Point of Beginning, containing 82,469.5 square feet more or less.

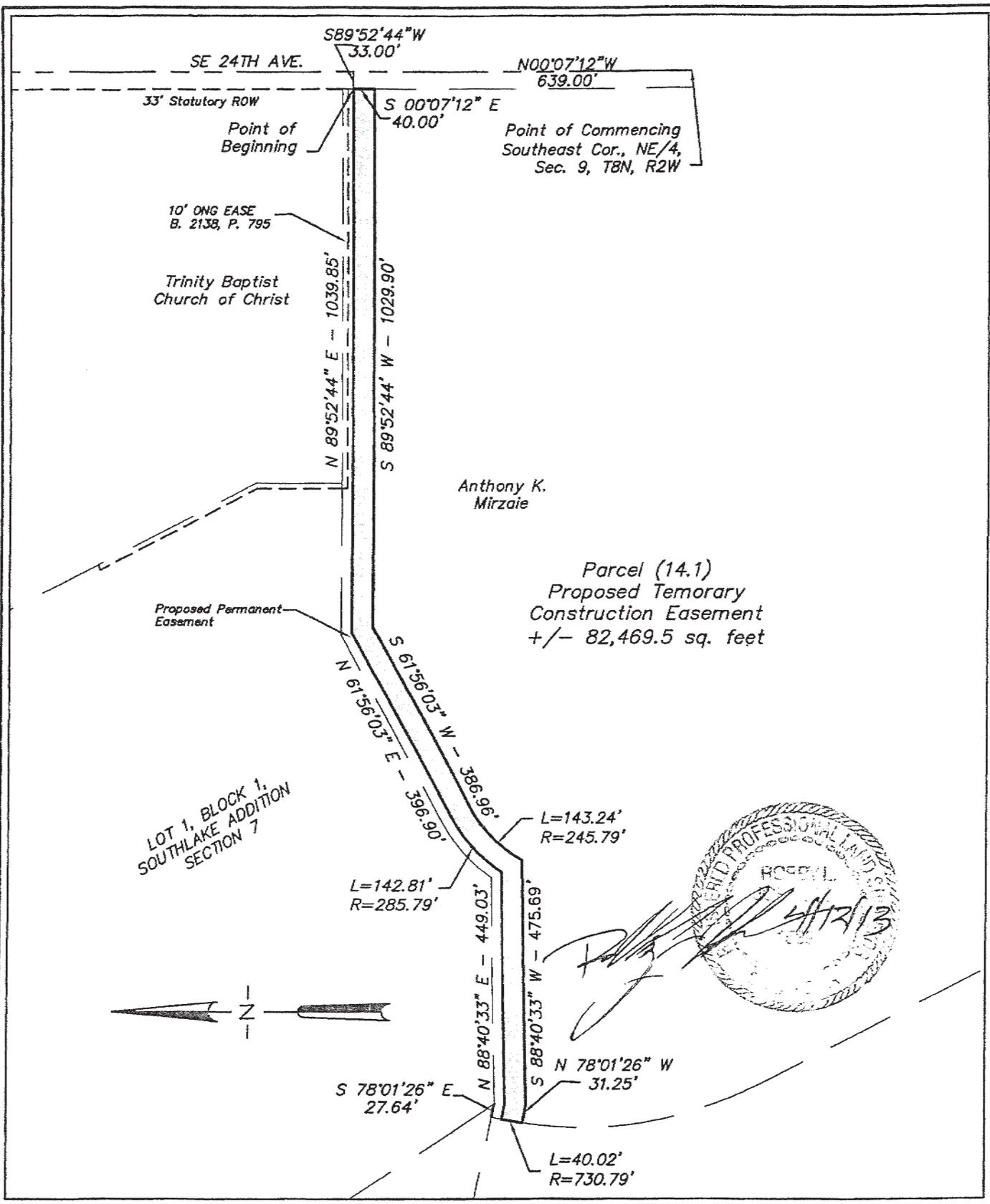
Basis of Bearings – Oklahoma State Plane Grid Bearings

This legal description created on 4/11/13 by

Robby L. Johnson, PLS 1539



G:\Projects\04100\LLS-Data\Final\User Directory\RLJ\130410 parcel updates\Parcel 14.1.dwg Apr 11, 2013 - 1:37pm



**LEMKE LAND SURVEYING, Inc.**

3228 BART CONNER DR., NORMAN, OK 73072  
 PH.(405)368-8541 FAX(405)368-8540  
 CA # 2054 EXP.DATE 6/30/14  
<http://www.lemke-ls.com>

Designed by:	Project:
Drawn By: RLJ	PARCEL (14.1) PROPOSED TEMPORARY CONSTRUCTION EASEMENT
Approved by: RLJ	Project Location: PART OF THE NE/4, SEC. 9, T8N, R2W OF THE I.M., CLEVELAND CO., OKLAHOMA
Date: 4/11/13	Client:
Scale: 1"=250'	Project No: 04100

Sheet Number	1
Sheet 1 of 1	



# City of Norman, OK

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

## Master

**File Number: GID-1213-140**

<b>File ID:</b> GID-1213-140	<b>Type:</b> Authorization for Purchase	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item No. 15	<b>In Control:</b> City Council
<b>Department:</b> Fire Department	<b>Cost:</b> \$1,038,060.00	<b>File Created:</b> 06/14/2013
<b>File Name:</b> Fire Apparatus Purchase	<b>Final Action:</b>	
<b>Title:</b> AUTHORIZATION TO PURCHASE TWO FIRE APPARATUS FROM CONRAD FIRE EQUIPMENT IN THE AMOUNT OF \$1,038,060 UTILIZING THE HOUSTON GALVESTON AREA CONTRACT (HGAC).		

**Notes:** ACTION NEEDED: Motion to approve or reject the purchase of two fire apparatus from Conrad Fire Equipment in the amount of \$1,038,060 utilizing the Houston Galveston Area Contract.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 15

**Attachments:** Norman Sky Boom Component List 6-20-2013,  
Norman Engine Component List 6-20-2013

**Project Manager:** James Fullingim, Fire Chief

**Entered by:** devra.smith@normanok.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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### Text of Legislative File GID-1213-140

Body

**BACKGROUND:** The Fire Department currently has a reserve apparatus fleet of three. Of the reserve fleet, one truck has been out of service for over one year needing repair in excess of \$30,000 and the other two are extremely unreliable. It is imperative that the Fire Department take delivery of a replacement truck for the out of service unit as quickly as possible.

The fiscal year 2012-2013 (FYE 13) budget includes funds to purchase two major replacement fire apparatus from Public Safety Sales Tax proceeds. At the request from City Council, staff delayed ordering the fire trucks in hopes that the expenditure of funds for this purchase would occur after the completion of Fire Station No. 9. While it was believed that Fire Station No. 9 would be completed by the end of this fiscal year, recent storm events have delayed completion of critical electric work on the project. Completion is now estimated to occur in July.

**DISCUSSION:** The City has purchased major fleet vehicles from the Houston Galveston Area Contract

(HGAC) in the past to satisfy the Norman Code requirements found in Section 8-204. Purchasing from state contracts provides the City with the benefit of a competitive bid process without the time and expense of acquiring separate bids. In this case, the HGAC has a much wider selection of competitively bid items available, including fire apparatus. The low bidder under the HGAC was Conrad Fire Equipment. The City has purchased several apparatus through Conrad Fire Equipment in the past with success.

In this case we have an opportunity to purchase the two apparatus budgeted for FYE 13 from Pierce Manufacturing through Conrad Fire Equipment utilizing the HGAC. Cost of the apparatus is \$449,112 and \$588,948, for a total of \$1,038,060. This will provide delivery of one unit in September 2013 and the other in December 2013, provided we meet the June 30, 2013 deadline to sign a contract.

Funds for these purchases are available in the FYE 13 Budget in Public Safety Sales Tax, Fire Suppression, Fire Trucks (015-6543-422.50-05) in the amount of \$1,042,550.

**RECOMMENDATION:** Staff recommends that City Council authorize the purchase of two fire apparatus from Conrad Fire Equipment utilizing the HGAC in the amount of \$1,038,060.



# Proposal Option List

6/20/2013

<b>Customer:</b>	Norman	<b>Bid Number:</b>	245
<b>Representative:</b>	Martin, Sammy	<b>Job Number:</b>	
<b>Organization:</b>	Conrad Fire Equipment	<b>Bid Date:</b>	05-14-2012
<b>Requirements Manager:</b>		<b>Stock Number:</b>	
<b>Description:</b>	Sky Boom 55 Foot	<b>DBVersion:</b>	02.00.0396.0000
<b>Body:</b>	Aerial, Sky-Boom 61'55', Alum Body		
<b>Chassis:</b>	Velocity Chassis, Aerials, 31K Single Axle (Med Block), 2010		

Line	Option	Type	Option Description	Qty
1	0584456		Manufacture Location: Appleton, Wisconsin	1
2	0584452		RFP Location: Appleton, Wisconsin	1
3	0588609		Vehicle Destination, US	1
4	0581830		Boiler Plates, Sky-Boom 55'	1
5	0018180		Single Source Compliance (Aerials)	1
6	0533316		Comply NFPA 1901 Changes Effective Jan 1, 2009, With Exceptions	1
7	0533351		Quint Fire Apparatus	1
8	0588612		Vehicle Certification, Aerial w/Pump	1
9	0681278		Agency, Apparatus Certification, Aerial w/Pump, U.L.	1
10	0008036		Career/Paid Department	1
11	0000114		Inspection Trip(s)	2
			Qty, - 02	
			Fill in Blank - (4)four	
12	0536644		Customer Service Website	1
13	0537375		Unit of Measure, US Gallons	1
14	0529326		Bid Bond, 10%, Pierce Built Chassis	1
15	0540326		Performance Bond, Not Requested	1
16	0000007		Approval Drawing	1
17	0002928		Electrical Diagrams	1
18	0597596		Velocity Chassis, Aerials, 31K Single Axle (Med Block), 2010	1
19	0000110		Wheelbase	1
			Wheelbase - 211.5	
20	0000070		GVW Rating	1
			GVW rating - 56,300	
21	0000203		Frame Rails, 13.38 x 3.50 x .375, DLX/Qtm/Enf/AXT/Imp/Vel/Dash CF	1
22	0060637		Frame Liner, Inv "L" 12.68" x 3.00" x .25", AXT/Vel/Imp, Full Length	1
23	0508849		Axle, Front, Oshkosh TAK-4, Non Drive, 22,800 lb, Imp/Vel	1
24	0010427		Suspension, Front TAK-4, 22,800 lb, DLX/Enf/Qtm/AXT/Imp/Vel/Dash CF	1
25	0087572		Shock Absorbers, KONI, on TAK-4 DLX/Qtm/AXT/Enf/Imp/Vel/Dash CF	1
26	0000322		Oil Seals, Front Axle	1
27	0521238		Tires, Front, Michelin, XFE (wb), 425/65R22.50, 20 ply	1
28	0019611		Wheels, Front, Alcoa, 22.50" x 12.25", Aluminum, Hub Pilot	1
29	0530467		Axle, Rear, Meritor RS30-185, 31,000 lb, Imp/Vel/Dash CF	1
30	0544250		Top Speed of Vehicle, 65 MPH	1
31	0122073		Suspen, Rear, Standens, Spring, 33,500 lb, Imp/Vel/Dash CF	1
32	0000485		Oil Seals, Rear Axle	1
33	0000482		Driver Controlled Differential Lock, Single Axle	1
34	0018974		Tires, Rear, Michelin, XZA1, 315/80R22.50, 20 ply, Single	1
35	0019668		Wheels, Rear, Alcoa, 22.50" x 9.00", Aluminum, Hub Pilot, Single	1
36	0568081		Tire Balancing, Counteract Beads	1
37	0545391		Tire Pressure Monitoring Valve Cap	1
			Qty, Tire Pressure Ind - 6	
38	0003245		Axle Hub Covers w/center hole, S/S, Front Axle	1
39	0003240		Axle Hub Covers, Rear, S/S Baby Moon (Pair)	1
40	0012001		Chains, Insta-Chain automatic tire, Custom	1
41	0002045		Mud Flaps, w/logo front & rear	1
42	0544802		Chocks, Wheel, SAC-44-E, Folding	1
			Qty, Pair - 01	
43	0544806		Mounting Brackets, Chocks, SAC-44-E, Folding, Horizontal	1
			Location, Wheel chock - Front of Rear Wheels on Drivers Side	

Line	Option	Type	Option Description	Qty
43			Qty, Pair - 01	
44	0010670		ABS Wabco Brake System, Single rear axle	1
45	0030185		Brakes, Knorr/Bendix 17", Disc, Frt, TAK-4, DLX/Enf/Qtm/AXT/Imp/Vel/Dash CF	1
46	0000740		Brakes, Meritor, Cam, Rear, 16.50 x 8.63"	1
47	0020784		Air Compressor, Brake, Cummins/Wabco 18.7 CFM	1
48	0000786		Brake Reservoirs, Four	1
49	0568012		Air Dryer, Wabco System Saver 1200, 2010	1
50	0000790		Brake Lines, Nylon	1
51	0000854		Air Inlet, w/Disconnect Coupling Location, Air Coupling(s) - a) DS Step Well Qty, Air Coupling (s) - 1	1
52	0070810		All Wheel Lockup (Aerial/Tanker Chassis)	1
53	0666640		Engine, Cummins ISL9, 450 hp, 1250 ft-lb, W/OBD, EPA 2013, Imp/Vel	1
54	0001244		High Idle w/Electronic Engine, Custom	1
55	0687994		Engine Brake, Jacobs Compression Brake, Cummins Engine Switch, Engine Brake - e) ISC/ISM/ISL9/ISX Hi Med Lo	1
56	0552334		Clutch, Fan, Air Actuated, Horton Drive Master	1
57	0123135		Air Intake, w/Ember separator, Imp/Vel	1
58	0597542		Exhaust System, 4", 2010 ISL9/ISC8.3 Engine, Horizontal, Officer Side	1
59	0521651		Exhaust, Modified for Plymovent System, 6.00", 2007/2010 Engines	1
60	0557543		Radiator, Imp/Vel	1
61	0511426		Cooling Hoses, Silicone	1
62	0001125		Fuel Tank, 65 Gallon, Left Side Fill	1
63	0001129		Lines, Fuel	1
64	0595087		DEF Tank, 4.5 Gallon, DS Fill, Forward of Rear Axle, DD13, ISL9, ISX	1
65	0552793		Not Required, Fuel Priming Pump	1
66	0582243		Shutoff Valves, Fuel Line @ Primary Filter, 2010 Cummins Engine	1
67	0699437		Cooler, Chassis Fuel, Not Req'd.	1
68	0551793		Trans, Allison Gen IV 3000 EVS P, Imp/Vel/Dash CF, With Prognostics	1
69	0011477		Transmission, Shifter, 5-Spd, Push Button Trans, ratio - 3000 EVS, 5Spd	1
70	0684459		Transmission Oil Cooler, Modine, External	1
71	0001370		Driveline, Spicer 1710	1
72	0669988		Steering, Sheppard M110 w/tilt, TAK-4, Eaton Pump, w/ Cooler	1
73	0001544		Not Required, Steering assist cylinder on front axle	1
74	0509230		Steering Wheel, 4 Spoke without Controls	1
75	0550144		Logo/Emblem, on Horn Button Text, Row One - NORMAN Text, Row Two - FIRE Text, Row Three - DEPARTMENT	1
76	0536235		Bumper, 19" Extended Steel Painted, Imp/Vel	1
77	0510226		Lift & Tow Package, Imp/Vel, AXT, Dash CF	1
78	0002270		Tow Hooks, Chrome	1
79	0511007		Tray, Hose center, 19" bumper w/outside Air Horns, Imp/Vel Grating, Bumper extension - Grating, Rubber Capacity, Bumper Tray - 09) 150' of 1.50"	1
80	0072354		Cover, Alum Treadplate, (notched), Hose Tray, D-Ring Location - center Qty, Hose Tray Covers - 1 Stay arm, Tray Cover - b) Pneumatic Stay Arm	1
81	0565519		Cab, Velocity 2010, 7000	1
82	0677478		Rear Wall, Exterior, Cab, Aluminum Treadplate	1
83	0122465		Cab Lift, Elec/Hyd, Imp/Vel	1
84	0123176		Grille, Bright Finished, Front of Cab, Impel/Velocity	1
85	0509756		Bright Finished Housing, Headlights & Front Directional, Velocity	1
86	0087357		Molding, Chrome on Side of Cab	1
87	0559132		Mirrors, Forward Mtd, Htd/Rmt, Pierce One-Eleven, LED Turn Signal Finish, Arm Cover - Chrome Finish, Mirror Head - Chrome	1
88	0525756		Door, Full Height, Velocity 4-Door Cab, Level Roof	1
89	0655511		Door Panel, Brushed Stainless Steel, Impel/Velocity 4-Door Cab	1

Line	Option	Type	Option Description	Qty
90	0550229		Storage Pockets w/ Elastic Cover, Recessed, Rotomolded, Imp/Vel	1
91	0510218		Controls, Electric Windows, All Cab Doors, Impel & Velocity	1
92	0555485		Steps, 4-Door Full Tilt Cab, Std, Imp/Vel	1
93	0509649		Lights, Cab and Crew Cab Access Steps, P25, LED w/Bezel, 1 Light Per Step	1
94	0002140		Fenders, S/S on Cab	1
95	0592071		No Windows, Side of Crew Cab, Vel/Imp	1
96	0568605		Not Required, Interior Trim, No Cab Side Windows	1
97	0509287		Windows, Rear CC, (2) 8" x 14", Imp/Vel	1
98	0553196		Trim, Cab Rear Windows, Velocity	1
99	0199687		Cab Interior, ABS Console, Vinyl Covered Walls, Velocity/Velocity SLT Color, Cab Interior Vinyl/Fabric - a) Silver/Gray	1
100	0509492		Cab Interior, paint color, Imp/Vel Color, Cab Interior Paint - a) gray	1
101	0509532		Floor, Rubber Padded Cab & Crew Cab, Imp/Vel, Dash CF	1
102	0122520		Heater/defroster, Imp/Vel	1
103	0559378		Air Conditioning, Imp/Vel/Vel SLT	1
104	0543257		Grab Handles, Driver Door Post & Passenger Dash panel, Imp/Vel	1
105	0002526		Light, Engine Compt, All Custom Chassis	1
106	0122516		Fluid Check Access, Imp/Vel, AXT	1
107	0583039		Not Required, Side Roll and Frontal Impact Protection	1
108	0000109		Seating Capacity, Cab Qty, - 05	5
109	0697009		Seat, Driver, Pierce PS6, Base, Air Ride Hi-Back	1
110	0122118		Seat, Officer, Pierce PS6, Base, SCBA	1
111	0510037		Radio Compt, Under Frt Passenger Seat, Imp/Vel	1
112	0199544		Cabinet, EMS, Rear Facing, DS, 26.75 W x 40.50 H x 30.50 D, Ext Access, Lt Featu Door, EMS Cabinet - Gortite Roll Up Door, w/lock Light, Short EMS Compt - Amdor, Left Side	1
113	0102783		Not Required, Seat, Rr Facing C/C, Center	1
114	0199547		Cabinet, EMS, Rear Facing, PS, 24.50 W x 40.50 H x 26.50 D, Ext Access, Lt Featu Door, EMS Cabinet - Gortite Roll Up Door, w/lock Light, Short EMS Compt - Amdor, Left Side	1
115	0123161		Seat, Forward Facing C/C, DS Outboard, Pierce PS6, Base, SCBA	1
116	0123170		Seat, Forward Facing C/C, Center, (1) Pierce PS6, Base, SCBA	1
117	0123164		Seat, Forward Facing C/C, PS Outboard, Pierce PS6, Base, SCBA	1
118	0511300		Upholstery, Seats In Cab, All Imperial 1200, Pierce PS6 Color, Cab Interior Vinyl/Fabric - h) Gray/Black	1
119	0543991		Bracket, Air Bottle, Hands-Free II, Cab Seats Qty, - 04	4
120	0553393		Seat Belt Height Adjustment, Imp/Vel, Dash CF Qty, - 04	4
121	0547293		Seat Belts, Red	1
122	0566465		Seat Belt Monitoring, NFPA 2009, Command Zone Color Display	1
123	0543917		Helmet Storage, Provided by Fire Department	1
124	0509978		Lights, Dome, Weldon, LED, Two (2) Lights, Dual Light and Lens	1
125	0509984		Lights, Dome CC, (2) Weldon, 8081-8000-13, LED, Red/Clear, Gry Bezel	1
126	0544341		Portable Hand Light, Provided by Fire Department, Quint NFPA Classification	1
127	0568369		Cab Instruments, Ivory Gauges, Chrome Bezels, Impel/Velocity 2010, Dash CF	1
128	0509511		Air Restriction Indicator, Imp/Vel, AXT, Dash CF	1
129	0543751		Light, Do Not Move Apparatus Alarm, Do Not Move Truck - a)alarm	1
130	0509042		Messages, Open Door/Do Not Move Truck, Imp/Vel, Vel SLT, AXT, Dash CF	1
131	0509921		Switching, Cab, Membrane, Impel/Velocity/Quantum, AXT MUX, Dash CF Location, Emerg Sw Pnls - Driver's Side Overhead	1
132	0555915		Wiper Control, 2-Speed with Intermittent, Impel/Velocity, Dash CF	1
133	0002565		Hourmeter, Aerial Inside Cab	1
134	0002615		Switch, Aerial 12V Master	1
135	0002617		PTO switch, w/light - aerial	1
136	0548006		Wiring, Spare, 15 A 12V DC 2nd Qty, - 01 12vdc power from - Battery direct	1

Line	Option	Type	Option Description	Qty
136			Wire termination - t) terminal strip Location - on engine beside the EMS Cabinet on officer side	
137	0594194		Radio, Panasonic CD, NOAA Weatherband, MP3 Speakers, AM/FM Radio - c) Two (2) pairs of speakers Antenna, AM/FM Radio - a) Side-mounted antenna on DS Location, AM/FM Radio - a) within reach of the driver	1
138	0087852		Vehicle Information Center, 7" Color Display, MUX	1
139	0543930		Vehicle Data Recorder, Dual Module	1
140	0682830		Antenna Only, GPS, For Standard NMO Mount Location - standard location	1
141	0003757		Antenna, Std and Add'l Mts Only, 2-way Radio,Cust,Spl Cable Routing Location - Passenger side Qty, - 01 Location 1 - to be determined	1
142	0509965		Pierce Command Zone, Advanced Electronics and Control System, Diagnostic LEDs	1
143	0509732		Electrical System, Impel/Velocity/Velocity SLT	1
144	0079166		Batteries, (4) Exide Grp 31, 950 CCA each, Threaded Stud	1
145	0008621		Battery System, Single Start, All Custom Chassis	1
146	0123174		Battery Compartment, Imp/Vel	1
147	0531324		Charger, Sngl Sys, Kussmaul, 1000, 091-56-12 w/ Battery Saver	1
148	0012782		Location, Charger, Left Side Body Compartment Location - front compartment upper drivers side	1
149	0536099		Location, Battery Charger Indicator, Driver's Step Area	1
150	0016848		Shoreline, 20A 120V, Kussmaul Auto Eject Color, Kussmaul Cover - d) yellow Connection, Shoreline - to battery charger Qty, Shoreline - 1	1
151	0026800		Shoreline Location Location, Shoreline (s) - 25) DS Cab Side	1
152	0121711		Alternator, 320 amp, Leece-Neville 4962PA, Sgl Sys	1
153	0092582		Load Manager/Sequencer, MUX Enable/Disable Hi-Idle - e)High Idle enable	1
154	0511224		Lighting, FMVSS, Cab, P25 LED Clrnc/ID, Imp/Vel	1
155	0511567		Lights, Identification/Clearance, Rear, Truck-Lite, 15050R and P25 LED	1
156	0535835		Lights, Tail, Weldon 3884 Tri-Light Cluster, LED Stop, Turn, Back Up	1
157	0085910		Lights, Backup Included in Signal Cluster	1
158	0664481		Bracket, License Plate & Light, P25 LED	1
159	0589905		Alarm, Back-up Warning, PRECO 1040	1
160	0521285		Light, Directional/Marker, Intermediate Light, Truck-Lite Model 60115Y LED	1
161	0536455		Lights, Perimeter Scene Cab Exits, Amdor Lumabar, AY-9500-020, 20" Qty, Lights - 04 location -	4
162	0665638		Lights, Perimeter Scene, Amdor Lumabar AY-9500-020 LED, PS PP, Rear Steps, 3 Lts Switch, Lt Control 1 DC,1 - a) DS Switch Panel Switch, Lt Control 2 DC,2 - e) No Control Switch, Lt Control 3 DC,3 - d) No Control Switch, Lt Control 4 DC,4 - p) Park Brake	1
163	0556360		Lights, Step, P25 LED 4lts	1
164	0583073		Light, Whelen, 12V PCP2 Pioneer LED Fld/Spt, PBA206 Bail Brkt, 1st Location, lights - top of compartments both sides Qty, - 02 Switch, Lt Control 1 DC,1 - a) DS Switch Panel Switch, Lt Control 2 DC,2 - f) Pump Operator's Panel Switch, Lt Control 3 DC,3 - d) No Control Switch, Lt Control 4 DC,4 - d) No Control	2
165	0005955		Lights, Deck, Unity (2) AG, Rear, (1) Spot, (1) Flood	1
166	0011270		Aerial, Sky-Boom 61'/55', Alum Body	1
167	0554269		Body Skirt Height, 18"	1
168	0053388		Tank, Water, 500 Gallon, Poly, Sky-Boom	1
169	0003405		Overflow, 4" Water Tank, Poly	1

Line	Option	Type	Option Description	Qty
170	0028104		Foam Cell Required	1
171	0553729		Not Required, Restraint, Water Tank, Heavy Duty	1
172	0003429		No Direct Tank Fill Req'd	1
173	0003477		Alum Hose Bed Construction, Sky-Boom	1
174	0003480		Hose Bed Capacity, Std, 1500' of 2.5", 400' of 1.5"	1
175	0581948		Hose Restraint, Hosebed, Aerial, Front Velcro Strap, 1" Heavy Nylon Web Rear Qty, - 02	2
176	0003513		Running Boards, Sky-Boom	1
177	0689408		Tailboard, Sky-Boom	1
178	0690021		Wall, Rear, Body Material, Sky-Boom Material Trim/Scuffplate - b) S/S, Brushed	1
179	0013549		Tow Hooks, Painted, (2), Sky-Boom	1
180	0013643		Construction, Compt, Alum, Sky-Boom	1
181	0033456		Compt, DS FH Frt/Rr w/1 Lift, Sky-Boom	1
182	0069518	SP	Compt, PS FH Frt/Rr, Lap, No HLR, Sky-Boom	1
183	0666787		Doors, Lap w/"D" Handles, Aluminum, Side Compartments	1
184	0689545		Lights, Compt, Pierce LED, NFPA 2009 Minimum Location - three in drivers side and two on passenger side Qty, - 05	5
185	0687146		Shelf Tracks, Painted Qty, Shelf Track - 02 location - Drivers side front and rear	2
186	0687112		Shelves, Adjustable, 500 lb Capacity, Full Width/Depth, Painted Qty, Shelf - 02 Location, Shelf - drivers side front and rear	2
187	0659095		Pegboard, 3/16" Alum, Rear Wall Compt, w/Track Location - over wheels Qty, Comp. Accessory - 02 Hole Diameter, Pegboard/Toolboard - .203" diameter Finish, Pegboard/Toolboard - Painted	2
188	0004016		Rubrail, Aluminum Extruded, Side of Body	1
189	0510626		Fender Crowns, Rear, S/S, Wider Than Std.	1
190	0519849		Not Required, Hose, Hard Suction	1
191	0556208		Handrails, Side Pump Panels (5)	1
192	0004126		Handrail, Beavertail -Std.	1
193	0004210		Compt, Air Bottle in Fender Panel Location, Bracket/comp. - passenger side rear Qty, Air Bottle Comp - 1	1
194	0070089		Compt, Air Bottle in Fender Panel, Dbl Wide, Full Width Door Location, Bracket/comp. - front both sides Qty, Air Bottle Comp - 2	2
195	0004225		Ladder, 24' Duo-Safety 900A 2-Sect	1
196	0004230		Ladder, 14' Duo-Safety 775A Roof	1
197	0024233		Not Required, Attic Extension Ladder	1
198	0071357	SP	Ladders, Roof & Extn, Btwn Tank & Side Sheet, Raised PH	1
199	0014246		Ladder, Folding, 10' 585A, Duo, Sky-Boom Location, Fold Ladder - a) Right Compt	1
200	0504484		Pole, Pike 8' Akron, Fiberglass, I Beam, Aerial Qty, - 1	1
201	0504483		Pole, Pike 6' Akron, Fiberglass, I Beam, Aerial Qty, - 1	1
202	0651506		Bell, 12" Chrome w/Gold Eagle Location, Acc. Misc. - b) passenger's side	1
203	0024388		No Steps Required, Front Of Body	1
204	0054389		Steps, Rear of Body, Sky-Boom	1
205	0004425		Pump, 1500 CSU Single Stage, Waterous	1
206	0004482		Seal, Mechanical, Waterous	1
207	0091446		Pump Setup Charges N/A	1
208	0559769		Transmission, Pump, Waterous C20 Series	1
209	0535256		Shift, Air w/ Manual Over, Split Shaft PTO, Waterous	1
210	0003148		Transmission Lock-up, EVS	1

Line	Option	Type	Option Description	Qty
211	0004547		Auxiliary Cooling System	1
212	0014486		(No Transfer Valve Required on 1 Stage Pump)	1
213	0004517		Valve, Relief Intake, Elkhart	1
214	0536322		Controller, Pressure, Pierce, Custom Chassis	1
215	0072153		Primer, Trident, Air Prime, Air Operated	1
216	0058516		Manuals, Pump (2), CD	1
217	0089351		Plumbing, Stainless Steel & Hose (Control Zone)	1
218	0089437		Plumbing without Foam System	1
219	0004645		Inlets, 6.00" - 1250 GPM or Larger Pump	1
220	0004646		Cap, Long Handle Pump Inlet, NST - VLH	1
221	0084610		Valves, Akron 8000 series- All	1
222	0004660		Inlet, LH Side, 2.50" Gated	1
223	0004680		Inlet, RH Side, 2.50" Gated	1
224	0004685		Valve, Inlet(s) - Outside Panel	1
225	0004700		Control, Inlet, at Valve	1
226	0092569		No Rear Inlet (Large Dia) Requested	1
227	0092696		No Rear Suction Cap	1
228	0064116		No Rear inlet Actuation Required	1
229	0009648		No Rear Intake Relief Valve Req'd	1
230	0092568		No Rear Auxiliary Inlet Requested	1
231	0563738		Valve, .75 Bleeder, Aux. Side Inlet, Swing Handle	1
232	0029043		Line, (1) 3.00" Tank to Pump	1
233	0004905		Outlet, 1.50" Tank Fill	1
234	0004940		Outlet(s), LH Side, 2.50"	2
			Qty, Discharges - 02	
235	0092570		No Additional LH Outlets Requested	1
236	0004945		Outlet(s), RH Side, 2.50"	2
			Qty, Discharges - 02	
237	0092571		No Additional RH Outlets Requested	1
238	0008731		Outlet, 5.00" w/4.00" Right, Handwheel	1
			Valve, Brand - Elkhart	
239	0024934		Outlet, Front, 1.50" w/2.00" Plumbing, Swivel Top of Bumper	1
			Location, Outlet - b) driver's side	
			Qty, - 1	
240	0004995		Outlet, Rear, 2.50"	1
			Qty, Discharges - 01	
			Location, Outlet - b) driver's side	
241	0092574		No Rear Outlet (Added) Requested	1
242	0092573		No Hosebed/Running Board Outlet Requested	1
243	0085076		Caps for 1.50" - 3.00" Discharges - VLH	1
244	0563739		Valve, .75 Bleeder, Discharges, Swing Handle	1
245	0005091		Elbows, 45 Degree - 2.50" Outlets LH - VLH	1
246	0035094		No Elbows Req'd (Added LH Outlets)	1
247	0025091		Elbows, 45 Degree - 2.50" Outlets RH - VLH	1
248	0089584		No Elbow req'd (Added RH Outlet not requested)	1
249	0045091		Elbows, 45 Degree - 2.50" Outlets Rear - VLH	1
250	0085695		No Elbows Req'd, Added Rear, Large Outlet	1
251	0005099		Elbow, 30 Degree - 5.00"(F) X 5.00" Storz	1
252	0062133		Control, Outlets, Manual, Pierce HW if applicable	1
253	0029106		No Deluge Riser Requested	1
254	0029302		No Monitor Requested	1
255	0029304		No Nozzle Req'd	1
256	0029107		No Deluge Mount	1
257	0075914		Waterway Outlet & Control, Waterous, (Sky-Boom)	1
258	0029167		Crosslays Sngl Sheet unpainted, (2+) 1.50", Std. Cap	2
			Qty, Crosslays - 2	
259	0029203		Crosslay, (1) 2.50" Std Cap, Pan Style	1
260	0029260		Not Required, Speedlays	1
261	0591145		Hose Restraint, Crosslay/Deadlay, Top and Ends, Elastic Netting	3
			Qty, - 03	

Line	Option	Type	Option Description	Qty
262	0015215		Reel, Booster, Over Pump, Pass. Side, Steel Finish, Reel - Painted Job Color	1
263	0011060		Switch, Reel Rewind - One at Pump Panel	1
264	0005300		Hose, Booster - 150' of 1.00"/800 PSI	1
265	0005244		Capacity, Hose Reel 200' of 1"	1
266	0007428		Nozzle for Booster Reel Not Req'd	1
267	0095358		Foam Sys, Husky 12, (Single Agent) Discharge - both 1 1/2 discharge front discharge Amount of Disc. W/Foam - 3	1
268	0012126		Not Required, CAF Compressor	1
269	0552481		Refill, Foam Tank, Single Tank, Husky 12, Class A Foam	1
270	0031896		Demonstration, Foam System, Dealer Provided	1
271	0005447		Foam Cell, 30 Gallon Type of Foam - Class "B" Foam, Brand Name - US Foam AFFF 3-6%	1
272	0505016		Drain, 1.00", Foam Tank #1, Husky 12 Foam System	1
273	0091079		Not Required, Foam Tank #2	1
274	0091112		Not Required, Foam Tank Drain	1
275	0057375		Pump House, Side Control, 54", "Control Zone"	1
276	0032479		Pump Panel Configuration, Control Zone	1
277	0562698		Step, Slide-Out Pump Op. Platform (Aerial), 2010 Engine	1
278	0667237		Light, Slide-Out Pump Operator Step, Amdor, LumaBar H2O, AY-9500-020, Short Step	1
279	0005520		Panel, Pump and Gauge, Black Vinyl	1
280	0005578		Panel, Pump Access - Pass Side Only	1
281	0035501		Pump House Structure, Std Height	1
282	0005945		Light, Pump Compt	1
283	0586382		Engine Indicators, Included With Pressure Controller	1
284	0005601		Throttle Included w/ Pressure Controller	1
285	0549333		Indicators, Engine, Included with Pressure Controller	1
286	0511078		Gauges, 4.0" Master, Class 1, 30"-0-600psi	1
287	0511100		Gauge, 2.0" Pressure, Class 1, 30"-0-400psi	1
288	0536428		Gauge, Water Level, Pierce, In pressure Controller	1
289	0062992		Gauge, Foam Level, (1) Tank, Class 1	1
290	0593161		Light Shield, S/S LED	1
291	0508025		Air Horns, (2) Hadley 6" Round in Bumper Outside Frame Location, Air Horn (bmpr) - outside frame	1
292	0006063		Control, Air Horn, Horn Ring, PS Foot Sw	1
293	0688049		Siren, Federal EQ2B-200, 200 Watt	1
294	0510206		Location, Elect Siren, Recessed Overhead in Console Location, Elec Siren - Overhead, DS Inside Sw Pnl	1
295	0006145		Control, Elec Siren, Horn Ring, PS Foot Sw	1
296	0550171		Speaker, Federal BP200-Q	1
297	0548352		Location, Recessed in the Front Bumper, Driver Side	1
298	0691959		Lightbar, Whelen, Freedom, 2-24" 2-R, 2-RC Color, Lens, LED's - m)match LED's	1
299	0018953		Light, GTT, Opticom, Wiring Only, Special Switching & Labeling Location - to be determined	1
300	0519378		Light, Front Zone, Whelen Super 600 LED, 1pr, VEL/IMP Flange Kit, Whelen 6E - w)6E or 64 Flange Kit Color,Whln Sup600 LED - a) rd/rd	1
301	0076042		Lights, Side Zone Lower, Whelen Super 600 LED, 2pr Location, lights rear - over wheel wheel Location, lights frt side - b)each side bumper Flange Kit, 2pr - w)with a flange Color,Whln Sup600 LED,BCK - a) rd/rd Color,Whln Sup600 LED,FRT - a) rd/rd	1
302	0076758		Lights, Rear Zone Lower, Wheien Super 600 LED Flange Kit - w)with flange Color,Whln Sup600 LED - a) rd/rd	1

Line	Option	Type	Option Description	Qty
303	0057366		Light, Rear Zone Upper, Whelen RB6T Beacon Color, Dome, Rear Warning - b)both domes red	1
304	0006551		Not Required, Lights, Rear Upper Zone Blocking	1
305	0040934		Rear Warn Lights Std Mount, S/S Brkts	1
306	0529684		Light, Traffic Directing, Whelen TAL65, 36.01" Long LED Activation, Traffic Dir L - e)with emergency master	1
307	0530074		Location, Traf Dir Lt, On Top of Body Below Turntable with Trdplt Box	1
308	0530280		Location, Traf Dir Lt Controller, Overhead Switch Panel DS Center	1
309	0006646		Electrical System, A/C, General Design	1
310	0563275		Generator, Harrison 6kW MSV, Hydraulic, Hotshift PTO Generator Interlocks - Parking Brake	1
311	0006645		Location, Hydraulic Generator Above Pump Location, Generator - dunnage area above pump	1
312	0016752		Starting Sw, Truck Engine Powered Gen, Cab Sw Pnl	1
313	0016757		Not Required, Remote Start, Generator	1
314	0016740		Not Required, Fuel System	1
315	0016767		Not Required, Oil Drain Extension, Generator	1
316	0016771		Not Required, Routing Exhaust, Generator	1
317	0036738		Circuit Breaker Panel, Included With PTO Generator Location, CB Panel - drivers side front compartment upper	1
318	0056604		Pump, Thru-Pump, For Hydraulic Driven Generators	1
319	0066622		Receptacle, 20A 120V 3 Prong SB Dup, Generator Ext Location, Receptacles - front bulkheads officers and passenger side one on rear officers side Qty, Receptacles - 03	3
320	0519934		Not Required, Brand, Hydraulic Tool System	1
321	0015687		Aerial, 55' Sky-Boom	1
322	0000042		Boom Support, Rear of the Chassis Cab	1
323	0680821		Boom Panel, Pair Paint, Color - red	1
324	0526894		Indicator, Extension, Vinyl, Sky-Boom Color - 2) red	1
325	0592991		Steps, Folding, Two, Aerial Device, Trident Coating, Step - black	1
326	0056911		Control Station, Rear, Direct Hydraulic, Sky-Boom (std)	1
327	0199153		Stabilizers, One Set, Sky-Boom, Composite Stabilizer Pads Material, Stabilizer Pad - Composite	1
328	0548895		No Door, Stabilizer Control Box	1
329	0596606		Hydraulic System, Sky-Boom	1
330	0031881		Swivels, Sky-Boom (28 Collector Rings)	1
331	0664776	SP	Spotlights, Unity AG-S-7682 Halogen Trk Lts, Whelen PFP1P LED Tip Lts (HAL/PAL) Location, Sw, Arl DC Lts - i) 4 locations	1
332	0006929		Not Required, 120v To Tip	1
333	0046920		Intercom, 2-Way Atkinson, Sky-Boom	1
334	0540933		Not Required, Breathing Air to Tip, Sky-Boom	1
335	0024742		Not Required, Mask, Breathing Air To Tip	1
336	0056927		Raised Pedestal, Sky-Boom	1
337	0589790		Lights, Amdor LumaBar H2O, AY-9500-012, 12" LED, Stabilizer Scene, IPOS Qty, - 02	2
338	0690481		Lights, Truck-lite 44308C, LED Grommet Mt, Stabilizer Scene, IPOS Qty, - 02	2
339	0542622		Turntable Access, Fold Down Handrail, Sky-Boom	1
340	0046903		Water System/Ladder, Sky-Boom	1
341	0540625		Monitor, Akron 3350 Tuckaway w/5177 Nozzle, Sky-Boom	1
342	0066973		Flowminder, Class 1, Waterway (Sky-Boom)	1
343	0017683		Inlet/Outlet, One (1) 4.00" at Rear, Sky-Boom	1
344	0056944		Valve, Butterfly, Handwheel, Waterway, Sky-Boom	1
345	0559495		Manuals and Training, 3 Days, Sky-Boom	1
346	0007150		Bag of Nuts and Bolts Qty, Bag Nuts and Bolts - 1	1
347	0532894		NFPA Required Loose Equipment, Quint, Provided by Fire Department	1

Line	Option	Type	Option Description	Qty
348	0544724		Soft Suction Hose, Provided by Fire Department, Quint NFPA Classification	1
349	0027023		No Strainer Required	1
350	0533273		Extinguisher, Dry Chemical, Quint, Provided by Fire Department	1
351	0533283		Extinguisher, 2.5 Gal. Pressurized Water, Quint, Provided by Fire Department	1
352	0007482		Not Required, Crowbars	1
353	0007484		Not Required, Claw Tools	1
354	0533261		Axe, Flathead, Quint, Provided by Fire Department	1
355	0533267		Axe, Pickhead, Quint, Provided by Fire Department	1
356	0007494		Not Required, Sledgehammers	1
357	0559573		Paint, Single Color, Custom	1
			Paint, Color - Red	
358	0017241		Paint Chassis Frame Assy. Black, Std.	1
359	0693797		No Paint Required, Aluminum Front Wheels	1
360	0693792		No Paint Required, Aluminum Rear Wheels	1
361	0007230		Compartment, Painted, Spatter gray	1
362	0591412		Sky-Boom Paint	1
			Paint Color, Aerial Device - Silver/gray 224	
363	0544111		Reflective Band, 10"	1
			Color, Reflect Band - A - g) yellow	
364	0568574		Stripe, Reflective, Chevron, Front Bumper	1
			Color, Reflect Band - A - g) yellow	
			Color, Reflect Band - B - r) yellow	
			Size, Chevron Striping - 06	
365	0543756		Stripe, Chevron, Rear, Diamond Grade, Sky-Boom	1
			Color, Rear Chevron DG - yellow	
366	0598032		Stripe, Reflective/Diamond Grade, Stabilizers, SkyBoom	1
			Color, Reflect Band - A - g) yellow	
367	0065687		Stripe, Reflective, Cab Doors Interior	1
			Color, Reflective - g) yellow	
368	0027372		Lettering Specifications, (GOLD STAR Process)	1
369	0686428		Lettering, Gold Leaf, 3.00", (41-60)	1
			Outline, Lettering - Outline and Shade	
370	0684020		Lettering, Vinyl, 8.00", (21-40)	1
			Outline, Lettering - No Outline or Shade	
371	0666414		Emblem, Freedom Flag, Each	2
			Qty, - 02	
			Location, Emblem - between the cab doors as high as possible	
			Size, Flag - 12" - 14"	
372	0008566		2% Handling Charge on 55' Sky-Boom	1
373	0031972		Manuals, Two (2), Fire Apparatus Parts, Custom Chassis	1
374	0002905		Manuals, Two (2) Chassis Service, Custom	1
375	0032433		Manuals, Two (2) Chassis Operation, Custom	1
376	0030008		Warranty, Basic, 1 Year, Apparatus, WA0008	1
377	0553301		Warranty, Chassis, 3 Year, Velocity/Impel, WA0037	1
378	0696698		Warranty, Engine, Cummins, 5 Year, WA0181	1
379	0684953		Warranty, Steering Gear, Sheppard M110, 3 year WA0201	1
380	0595767		Warranty, Frame, 50 Year, Velocity/Impel, Dash CF, WA0038	1
381	0595245		(No Pick Required)	1
382	0595698		Warranty, Axle, 3 Year, TAK-4, WA0050	1
383	0530524		Warranty, Axle, 2 Year, Meritor, General Service, WA0046	1
384	0652758		Warranty, ABS Brake System, 3 Year, Meritor Wabco, WA0232	1
385	0019914		Warranty, Structure, 10 Year, Custom Cab, WA0012	1
386	0595813		Warranty, Paint, 10 Year, Cab, Pro-Rate, WA0055	1
387	0524627		Warranty, Electronics, 5 Year, MUX, WA0014	1
388	0046369		Warranty, 5-year EVS Transmission, Standard Custom, WA0187	1
389	0685945		Warranty, Transmission Cooler, WA0216	1
390	0688798		Warranty, Water Tank, Lifetime, UPF, Poly Tank, WA0195	1
391	0596025		Warranty, Structure, 10 Year, Body, WA0009	1
392	0693127		Warranty, Gortite, Roll-up Door, 6 Year, WA0190	1
393	0063510		Warranty, Pump, Waterous, 5 Yrs Parts, WA0225	1
394	0032998		Warranty, 10 Year S/S Pumbing, WA0035	1

Line	Option	Type	Option Description	Qty
395	0657846		Warranty, Foam System, Husky 12	1
396	0006999		Warranty, Structure, 20 Year, Aerial Device, WA0052	1
397	0687388		Warranty, Swivels, 5 Year, Aerial Device, WA0197	1
398	0685727		Warranty, Hydraulic System and Components, 3 Year/5 Year, WA0200	1
399	0687327		Warranty, Waterway, 10 Year, Aerial Device, WA0198	1
400	0595860		Warranty, Paint, 4 Year, Aerial Device, Pro-Rated, WA0047	1
401	0595588		Warranty, Generator, 2 Year, Harrison Hydra-Gen, WA0051	1
402	0595820		Warranty, Paint, 10 Year, Body, Pro-Rate, WA0057	1
403	0595421		Warranty, Goldstar, 3 Year, Apparatus, WA0018	1
404	0683627		Certification, Vehicle Stability, CD0089	1
405	0592199		Certification, Engine Installation, Imp/Vel, ISL9, CD0090	1
406	0686786		Certification, Power Steering, CD0098	1
407	0543951		Certification, Cab Integrity, Velocity	1
408	0548950		Certification, Cab Door Durability, Velocity/Impel, CD0001	1
409	0548967		Certification, Windshield Wiper Durability, Impel/Velocity, CD0005	1
410	0548951		Certification, Electric Window Durability, Velocity/Impel, CD0004	1
411	0549273		Certification, Seat Belt Anchors and Mounting, Impel/Velocity/Velocit SLT	1
412	0548947		Certification, Cab Heater and Defroster, Velocity/Impel, CD0015	1
413	0548940		Certification, Cab Air Conditioning Performance, Velocity/Impel, CD0016	1
414	0545073		Amp Draw Report, NFPA 2009 Edition	1
415	0002758		Amp Draw, NFPA Radio Allowance	1
416	0000088		SKY PRODUCTS	1
417	0000012		PIERCE CHASSIS	1
418	0004713		ENGINE, OTHER	1
419	0046395		EVS 3000 Series TRANSMISSION	1
420	0020011		WATEROUS PUMP	1
421	0020009		POLY TANK	1
422	0028048		FOAM SYSTEM	1
423	0020006		SIDE CONTROL	1
424	0020007		AKRON VALVES	1
425	0020015		ABS SYSTEM	1
426	0658751		Manufacturing Attribute	1



# Proposal Option List

6/20/2013

**Customer:** Norman  
**Representative:** Martin, Sammy  
**Organization:** Conrad Fire Equipment  
**Requirements Manager:** Rothe, Craig  
**Description:** Pumper 2012  
**Body:** Pumper, Med, Alum, 2nd Gen  
**Chassis:** Arrow-XT Chassis MUX, 2010

**Bid Number:** 233  
**Job Number:** 26901  
**Bid Date:** 05-18-2012  
**Stock Number:**  
**DBVersion:** 02.00.0396.0000

Line	Option	Type	Option Description	Qty
1	0671399		Boiler Plates, Pumper Fire Department/Customer - Norman Operating/In conjunction W-Service Center - In Conjunction Miles - 250 Miles Number of Fire Dept/Municipalities - 10 Bidder/Sales Organization - .Conrad(HGAC) Delivery - Delivery representative Dealership/Sales Organization, Service - .	1
2	0661794		Single Source Compliance	1
3	0584456		Manufacture Location: Appleton, Wisconsin	1
4	0584452		RFP Location: Appleton, Wisconsin	1
5	0588609		Vehicle Destination, US	1
6	0533316		Comply NFPA 1901 Changes Effective Jan 1, 2009, With Exceptions	1
7	0533347		Pumper/Pumper with Aerial Device Fire Apparatus	1
8	0588611		Vehicle Certification, Pumper	1
9	0661778		Agency, Apparatus Certification, Pumper/Tanker, U.L.	1
10	0008036		Career/Paid Department	1
11	0000114		Inspection Trip(s) Qty, - 02 Fill in Blank - four	2
12	0536644		Customer Service Website	1
13	0537375		Unit of Measure, US Gallons	1
14	0529326		Bid Bond, 10%, Pierce Built Chassis	1
15	0540326		Performance Bond, Not Requested	1
16	0000007		Approval Drawing	1
17	0002928		Electrical Diagrams	1
18	0559955		Arrow-XT Chassis MUX, 2010	1
19	0000110		Wheelbase Wheelbase - 188.50	1
20	0000070		GVW Rating GVW rating - 49,800	1
21	0000203		Frame Rails, 13.38 x 3.50 x .375, DLX/Qtm/Enf/AXT/Imp/Vel/Dash CF	1
22	0050817		Frame Liner, Inv "L" 12.68" x 3.00" x .25", AXT, Front Reinforcement	1
23	0018453		Axle, Front, Oshkosh TAK-4, Non Drive, 22,800 lb, DLX/Enf/Qtm/AXT/DCF	1
24	0010427		Suspension, Front TAK-4, 22,800 lb, DLX/Enf/Qtm/AXT/Imp/Vel/Dash CF	1
25	0087572		Shock Absorbers, KONI, on TAK-4 DLX/Qtm/AXT/Enf/Imp/Vel/Dash CF	1
26	0000322		Oil Seals, Front Axle	1
27	0521238		Tires, Front, Michelin, XFE (wb), 425/65R22.50, 20 ply	1
28	0019611		Wheels, Front, Alcoa, 22.50" x 12.25", Aluminum, Hub Pilot	1
29	0530472		Axle, Rear, Meritor RS26-185, 27,000 lb	1
30	0544250		Top Speed of Vehicle, 65 MPH	1
31	0515564		Suspen, Rear, Standens, Spring, 27,000 lb	1
32	0000485		Oil Seals, Rear Axle	1
33	0000482		Driver Controlled Differential Lock, Single Axle	1
34	0532538		Tires, Rear, Michelin, XDS, 12R22.50, 16 ply, Single	1
35	0019625		Wheels, Rear, Alcoa, 22.50" x 8.25", Aluminum, Hub Pilot, Single	1
36	0568081		Tire Balancing, Counteract Beads	1
37	0545391		Tire Pressure Monitoring Valve Cap Qty, Tire Pressure Ind - 6	1
38	0003245		Axle Hub Covers w/center hole, S/S, Front Axle	1

Line	Option	Type	Option Description	Qty
39	0003240		Axle Hub Covers, Rear, S/S Baby Moon (Pair)	1
40	0012001		Chains, Insta-Chain automatic tire, Custom	1
41	0002045		Mud Flaps, w/logo front & rear	1
42	0558288		Chocks, Wheel, AC-44	1
			Qty, Pair - 01	
43	0558291		Mounting Brackets, Chocks, AC-44, Vertical	1
			Location, Wheel chock - front of rear wheel drivers side	
			Qty, Pair - 01	
44	0010670		ABS Wabco Brake System, Single rear axle	1
45	0030185		Brakes, Knorr/Bendix 17", Disc, Frt, TAK-4, DLX/Enf/Qtm/AXT/Imp/Vel/Dash CF	1
46	0509206		Brakes, Meritor, EX225, Disc Plus, Rear, Single Axle	1
47	0020784		Air Compressor, Brake, Cummins/Wabco 18.7 CFM	1
48	0000785		Brake Reservoirs, Three	1
49	0568012		Air Dryer, Wabco System Saver 1200, 2010	1
50	0000790		Brake Lines, Nylon	1
51	0000854		Air Inlet, w/Disconnect Coupling	1
			Location, Air Coupling(s) - a) DS Step Well	
			Qty, Air Coupling (s) - 1	
52	0666644		Engine, Cummins ISL9, 450 hp, 1250 ft-lb, W/OBD, EPA 2013, AXT	1
53	0001244		High Idle w/Electronic Engine, Custom	1
54	0687994		Engine Brake, Jacobs Compression Brake, Cummins Engine	1
			Switch, Engine Brake - e) ISC/ISM/ISL9/ISX Hi Med Lo	
55	0552334		Clutch, Fan, Air Actuated, Horton Drive Master	1
56	0043422		Air Intake, w/Ember separator, AXT	1
57	0597542		Exhaust System, 4", 2010 ISL9/ISC8.3 Engine, Horizontal, Officer Side	1
58	0521651		Exhaust, Modified for Plymovent System, 6.00", 2007/2010 Engines	1
59	0557525		Radiator, AXT	1
60	0001091		Cooling Hoses, Silicone - Custom	1
61	0051125		Fuel Tank, 75 Gallon, Left Side Fill, DLX/Qtm/AXT/Vel/Imp/Dash CF	1
62	0001129		Lines, Fuel	1
63	0582182		DEF Tank, 4.5 Gallon, DS Fill, Rearward of Rear Axle, DD13, ISL9, ISX, Common Dr	1
64	0552793		Not Required, Fuel Priming Pump	1
65	0552712		Not Required, Shutoff Valve, Fuel Line	1
66	0699437		Cooler, Chassis Fuel, Not Req'd.	1
67	0551791		Trans, Allison Gen IV 3000 EVS P With Prognostics	1
68	0011477		Transmission, Shifter, 5-Spd, Push Button	1
			Trans, ratio - 3000 EVS, 5Spd	
69	0001475		Transmission Oil Cooler, Internal	1
70	0001370		Driveline, Spicer 1710	1
71	0669988		Steering, Sheppard M110 w/tilt, TAK-4, Eaton Pump, w/ Cooler	1
72	0001544		Not Required, Steering assist cylinder on front axle	1
73	0509230		Steering Wheel, 4 Spoke without Controls	1
74	0550144		Logo/Emblem, on Horn Button	1
			Text, Row One - NORMAN	
			Text, Row Two - FIRE	
			Text, Row Three - DEPARTMENT	
75	0557075		Bumper, 16" Extended Steel Painted, AXT, Dash CF	1
76	0510226		Lift & Tow Package, Imp/Vel, AXT, Dash CF	1
77	0522573		No Tow Hooks Required, Due to Lift and Tow package	1
78	0022253		Tray, Hose center, 16" bumper w/outside Air Horns	1
			Grating, Bumper extension - Grating, Rubber	
			Capacity, Bumper Tray - 19) 100' of 1.75"	
79	0072354		Cover, Alum Treadplate, (notched), Hose Tray, D-Ring	1
			Location - front hose tray	
			Qty, Hose Tray Covers - 1	
			Stay arm, Tray Cover - b) Pneumatic Stay Arm	
80	0663052		Coating, Top Flange, Front Bumper, Outside Exterior, Line-X Coating, Gray	1
81	0559290		Cab, Arrow-XT 2010, 6710 Raised Roof	1
82	0677478		Rear Wall, Exterior, Cab, Aluminum Treadplate	1
83	0562663		Cab Lift, Elec/Hyd, 2010 AXT	1
84	0087357		Molding, Chrome on Side of Cab	1

Line	Option	Type	Option Description	Qty
85	0012179		Mirrors, Ramco, 6001CCHR, Heated/Remote, w/Manual Convex, Cab Corner Mnt	1
86	0563095		Door, Half-Height, Arrow-XT 4-Door Cab, 10" Raised Roof	1
87	0655603		Door Panel, Brushed Stainless Steel, Arrow-XT 4-Door Cab	1
88	0554539		Controls, Electric Roll-Up Windows, 4dr, 1 Driver Control, AXT	1
89	0563603		Steps, 4-Door Cab, Std, AXT	1
90	0509649		Lights, Cab and Crew Cab Access Steps, P25, LED w/Bezel, 1 Light Per Step	1
91	0005772		Fenders, S/S on cab, w/Radius corner, 2.00" wide	1
92	0042105		No Windows, Side of Crew Cab	1
93	0012090		Not Required, Windows, Front/Side of raised roof	1
94	0050359		Windows, Rear CC, (2) stationary, 11.29"W x 17.95"H, AXT	1
95	0534151		Cab Interior, Vinyl, AXT MUX Color, Cab Interior Vinyl/Fabric - a) Silver/Gray	1
96	0012430		Cab Interior, paint color Color, Cab Interior Paint - a) gray	1
97	0032100		Floor, Rubber Padded Cab & Crew Cab - DLX/Enf/AXT	1
98	0043079		Heater/defroster, AXT	1
99	0565450		Air Conditioning, Arrow-XT 2010, Center Mount	1
100	0002478		Brush Guard, 4-way, Air Conditioning Condenser, Cab Roof	1
101	0069332		Grab Handles, Driver Side Low & Officer Dash Panel	1
102	0002526		Light, Engine Compt, All Custom Chassis	1
103	0122516		Fluid Check Access, Imp/Vel, AXT	1
104	0583039		Not Required, Side Roll and Frontal Impact Protection	1
105	0000109		Seating Capacity, Cab Qty, - 05	5
106	0697004		Seat, Driver, Pierce PSV, Air Ride Hi-Back	1
107	0565224		Seat, Officer, Pierce PSV, Fixed, SCBA	1
108	0002518		Radio Compt w/Non Air Ride Seat Radio Compt Size, Officer - d) Arrow-XT	1
109	0678216	SP	Cabinet, EMS, Rear Facing, DS, 22 W x 42.5 H x 26 D, Roll, Ext Acc, AXT Door, EMS Cabinet - Amdor Roll Up Dr, w/Lock Light, Short EMS Compt - Amdor, Left Side	1
110	0102783		Not Required, Seat, Rr Facing C/C, Center	1
111	0564725	SP	Cabinet, EMS, Rear Facing, PS, 19 W x 42.50 H x 24 D, Roll, Ext Acc, AXT Door, EMS Cabinet - Amdor Roll Up Dr, w/Lock Light, Short EMS Compt - Amdor, Left Side	1
112	0565242		Seat, Forward Facing C/C, DS Outboard, Pierce PSV, SCBA, Foldup	1
113	0565286		Seat, Forward Facing C/C, Center, (1) Pierce PSV, SCBA	1
114	0565253		Seat, Forward Facing C/C, PS Outboard, Pierce PSV, SCBA, Foldup	1
115	0566653		Upholstery, Seats In Cab, Turnout Tuff Color, Cab Interior Vinyl/Fabric - m) Gray	1
116	0543991		Bracket, Air Bottle, Hands-Free II, Cab Seats Qty, - 04	4
117	0553381		Seat Belt Height Adjustment, AXT/QTM	1
118	0547293		Seat Belts, Red	1
119	0566465		Seat Belt Monitoring, NFPA 2009, Command Zone Color Display	1
120	0543917		Helmet Storage, Provided by Fire Department	1
121	0509978		Lights, Dome, Weldon, LED, Two (2) Lights, Dual Light and Lens	1
122	0509984		Lights, Dome CC, (2) Weldon, 8081-8000-13, LED, Red/Clear, Gry Bezel	1
123	0544332		Portable Hand Light, Provided by Fire Department, Pumper NFPA Classification	1
124	0567651		Cab Instruments, Ivory Gauges, Chrome Bezels, AXT MUX 2010	1
125	0509511		Air Restriction Indicator, Imp/Vel, AXT, Dash CF	1
126	0543751		Light, Do Not Move Apparatus Alarm, Do Not Move Truck - a)alarm	1
127	0509042		Messages, Open Door/Do Not Move Truck, Imp/Vel, Vel SLT, AXT, Dash CF	1
128	0509921		Switching, Cab, Membrane, Impel/Velocity/Quantum, AXT MUX, Dash CF Location, Emerg Sw Pnls - Driver's Side Overhead	1
129	0541842		Wiper Control, 2-Speed with Intermittent, AXT MUX	1
130	0548004		Wiring, Spare, 15 A 12V DC 1st Qty, - 01 12vdc power from - Battery direct Wire termination - t) terminal strip	1

Line	Option	Type	Option Description	Qty
130			Location - Behind Officer Seat	
131	0594194		Radio, Panasonic CD, NOAA Weatherband, MP3 Speakers, AM/FM Radio - c) Two (2) pairs of speakers Antenna, AM/FM Radio - a) Side-mounted antenna on DS Location, AM/FM Radio - c) swivel bracket	1
132	0087852		Vehicle Information Center, 7" Color Display, MUX	1
133	0543930		Vehicle Data Recorder, Dual Module	1
134	0682830		Antenna Only, GPS, For Standard NMO Mount Location - drivers side	1
135	0062356		Antenna, Mount Only, VariableThickness, Custom Location - best location Qty, - 01	1
136	0509965		Pierce Command Zone, Advanced Electronics and Control System, Diagnostic LEDs	1
137	0599703		Electrical System, Arrow-XT MUX 2010	1
138	0079166		Batteries, (4) Exide Grp 31, 950 CCA each, Threaded Stud	1
139	0008621		Battery System, Single Start, All Custom Chassis	1
140	0567608		Battery Compartment, Arrow-XT 2010	1
141	0531324		Charger, Sngl Sys, Kussmaul, 1000, 091-56-12 w/ Battery Saver	1
142	0012782		Location, Charger, Left Side Body Compartment Location - IN THE UPPER SECTION	1
143	0536099		Location, Battery Charger Indicator, Driver's Step Area	1
144	0016848		Shoreline, 20A 120V, Kussmaul Auto Eject Color, Kussmaul Cover - d) yellow Connection, Shoreline - to battery charger Qty, Shoreline - 1	1
145	0026800		Shoreline Location Location, Shoreline (s) - 25) DS Cab Side	1
146	0121711		Alternator, 320 amp, Leece-Neville 4962PA, Sgl Sys	1
147	0092582		Load Manager/Sequencer, MUX Enable/Disable Hi-Idle - e)High Idle enable	1
148	0051716		Cab Lighting, LED, AXT	1
149	0511567		Lights, Identification/Clearance, Rear, Truck-Lite, 15050R and P25 LED	1
150	0535835		Lights, Tail, Weldon 3884 Tri-Light Cluster, LED Stop, Turn, Back Up	1
151	0085910		Lights, Backup Included in Signal Cluster	1
152	0664481		Bracket, License Plate & Light, P25 LED	1
153	0589905		Alarm, Back-up Warning, PRECO 1040	1
154	0521285		Light, Directional/Marker, Intermediate Light, Truck-Lite Model 60115Y LED	1
155	0536455		Lights, Perimeter Scene Cab Exits, Amdor Lumabar, AY-9500-020, 20" Qty, Lights - 04 location -	4
156	0547523		Lights, Perimeter Scene, (4) Amdor Lumabar, H2O, AY-9500-020 LED w/Bracket Switch, Location, Perim - Parking brake	1
157	0556360		Lights, Step, P25 LED 4lts	1
158	0589238		Light, Visor, Whelen, 12V PFP2B Pioneer LED Warn, Floodlt, Blk 1st Qty, - 01 Location, driver's/passenger's/center - centered Switch, Lt Control 1 DC,1 - a) DS Switch Panel Switch, Lt Control 2 DC,2 - g) PS Switch Panel Switch, Lt Control 3 DC,3 - d) No Control Control, Front Scene Warning - c) Seperate Sw	1
159	0597697		Light, Whelen, 12V PFP2B Pioneer LED Floodlight, PBA206B Bail Brkt, Blk 1st Location, lights - one each side of front of body on catwalk Qty, - 02 Switch, Lt Control 1 DC,1 - d) DS Cab Scene Lt Control Switch, Lt Control 2 DC,2 - f) Pump Operator's Panel Switch, Lt Control 3 DC,3 - d) No Control Switch, Lt Control 4 DC,4 - d) No Control	2
160	0689891		Lights, Deck, Whelen (2) PFBP12C LED Rear Flood Lights Switch, Scene Lt Cntrl - h)switch at rear	1
161	0060115		Pumper, Med, Alum, 2nd Gen	1
162	0554271		Body Skirt Height, 20"	1
163	0028245		Tank, Water, 750 Gallon, Poly, Med	1

Line	Option	Type	Option Description	Qty
164	0003405		Overflow, 4" Water Tank, Poly	1
165	0028104		Foam Cell Required	1
166	0553729		Not Required, Restraint, Water Tank, Heavy Duty	1
167	0003429		No Direct Tank Fill Req'd	1
168	0003424		(No Dump Valve required)	1
169	0048710		Jet Assist Not Req'd	1
170	0030007		(No Dump Chute Required)	1
171	0514778		Not Required, Switch, Tank Dump Master	1
172	0126633		Hose Bed, Alum, Pumper	1
173	0003480		Hose Bed Capacity, Std, 1500' of 2.5", 400' of 1.5"	1
174	0003488		Divider, Hose Bed, Unpainted	2
			Qty, Hosebed Dividers - 2	
175	0589278		Hose Restraint, Hosebed, Velcro Strap on Top, 2" Heavy Nylon Web at Rear	1
			Type of fastener - 2" cam buckle	
			Nylon Web Color - Black	
			Type of fastener, Rear - 2" cam buckle - bottom of hosebed	
176	0661439		Cross-divider, Hose Bed, Location Feature	1
			Location - to mount the Husky Foam Syatem Reservoir	
177	0013512		Runningboard, 12.75" Deep	1
178	0689621		Tailboard, 16" Deep	1
179	0690037		Wall, Rear, Smooth Aluminum/Body Material	1
			Material Trim/Scuffplate - b) S/S, Brushed	
180	0003531		Tow Bar, Under Tailboard	1
181	0003561		Construction, Compt, Alum, Pumper	1
182	0063610		DS 152" Lap, Full Height Front & Rear, FDLER	1
183	0063624		PS 152" Lap, Full Height Front & Rear, FDLER	1
184	0063911		Doors, Lap w/ "D" Handles - Side Compartments	1
185	0083701		Rear - Rollup Dr/44.50" FF	1
186	0692746		Doors, Gortite, Roll-up, Rear Compartment	1
			Color, Gortite, Roll-up Door - Painted	
			Latch, Gortite, Roll-up - Non-locking Liftbar	
187	0554995		No Body Modification Required	1
188	0689545		Lights, Compt, Pierce LED, NFPA 2009 Minimum	7
			Location - each compartment	
			Qty, - 07	
189	0687146		Shelf Tracks, Painted	5
			Qty, Shelf Track - 05	
			location - one in each compartment upper section	
190	0687112		Shelves, Adjustable, 500 lb Capacity, Full Width/Depth, Painted	5
			Qty, Shelf - 05	
			Location, Shelf - one in each compartment in the upper section	
191	0062238		Pegboard, 3/16" Alum, Side Wall Compt, w/Track	2
			Location - over rear wheels	
			Qty, Comp. Accessory - 02	
			Hole Diameter, Pegboard/Toolboard - .203" diameter	
			Finish, Pegboard/Toolboard - Painted	
192	0004016		Rubrail, Aluminum Extruded, Side of Body	1
193	0004024		Fender Crowns, Rear, S/S	1
194	0519849		Not Required, Hose, Hard Suction	1
195	0578764		Handrails, Side Pump Panels (4), Per Print	1
196	0004126		Handrail, Beavertail -Std.	1
197	0004146		Handrail, Rear Below Hose Bed, Full Width	1
198	0657651		Compt, Air Bottle, Double, Fender Panel	3
			Qty, Air Bottle Comp - 3	
			Door Finish, Fender Compt - Polished	
			Location, Fender Compt - Double - DS Fwd, Double - PS Fwd and Double	
			- PS Rear	
			Location, Fender Compt - Double - DS Fwd, Double - PS Fwd and Double	
			- PS Rear	
			Location, Fender Compt - Double - DS Fwd, Double - PS Fwd and Double	
			- PS Rear	
			Latch, Air Bottle Compt - Flush Lift & Turn	

Line	Option	Type	Option Description	Qty
198			Insert, Air Bottle Compt - Rubber Matting	
199	0004225		Ladder, 24' Duo-Safety 900A 2-Sect	1
200	0004230		Ladder, 14' Duo-Safety 775A Roof	1
201	0697450	SP	Ladders/Backboard Btwn Tank & S.Sht, Ext'd Rr,Encl'd Complete,RPH,PS,Sm Alum Ext	1
			Fill in Blank - STANDARD SIZE	
			Door, Material, Ladder Storage - c) smooth aluminum	
			Latch, Door Ladder Storage - b) "D" Handle latch	
202	0014245		Ladder, Folding, 10' 585A, Duo-Safety, w/Mtg	1
			Location, Fold Ladder - d) Ladder comp	
203	0533377		Pole, Pike 8', Pumper, Provided by Fire Department	1
204	0533375		Pike Pole, 6', Pumper, Provided by Fire Department	1
205	0004361		Tubes, Alum, Pike Pole Storage	2
			Location - Ladder storage area	
			Qty, Pike Pole Tubes - 02	
206	0651506		Bell, 12" Chrome w/Gold Eagle	1
			Location, Acc. Misc. - b) passenger's side	
207	0024388		No Steps Required, Front Of Body	1
208	0592995		Steps, Combo Folding Trident w/ LED & Corner, Rear Body	1
			Coating, Step - black	
209	0004415		Pump, 1250 CS Single Stage,Waterous	1
210	0004482		Seal, Mechanical, Waterous	1
211	0091446		Pump Setup Charges N/A	1
212	0559769		Transmission, Pump, Waterous C20 Series	1
213	0535256		Shift, Air w/ Manual Over, Split Shaft PTO,Waterous	1
214	0003148		Transmission Lock-up, EVS	1
215	0004547		Auxiliary Cooling System	1
216	0014486		(No Transfer Valve Required on 1 Stage Pump)	1
217	0004517		Valve, Relief Intake, Elkhart	1
218	0536322		Controller, Pressure, Pierce, Custom Chassis	1
219	0072153		Primer, Trident, Air Prime, Air Operated	1
220	0058516		Manuals, Pump (2), CD	1
221	0089351		Plumbing, Stainless Steel & Hose (Control Zone)	1
222	0064656		Not Required, Black Iron Pipe with S/S Plumbing	1
223	0004645		Inlets, 6.00" - 1250 GPM or Larger Pump	1
224	0004646		Cap, Long Handle Pump Inlet, NST - VLH	1
225	0084610		Valves, Akron 8000 series- All	1
226	0004660		inlet, LH Side, 2.50" Gated	1
227	0004680		Inlet, RH Side, 2.50" Gated	1
228	0016158		Valve, inlet(s) Recessed, Side Cntrl, "Control Zone"	1
			Qty, Inlets - 1	
229	0004700		Control, Inlet, at Valve	1
230	0092569		No Rear Inlet (Large Dia) Requested	1
231	0092696		No Rear Suction Cap	1
232	0064116		No Rear Inlet Actuation Required	1
233	0009648		No Rear intake Relief Valve Req'd	1
234	0092568		No Rear Auxiliary Inlet Requested	1
235	0563738		Valve, .75 Bleeder, Aux. Side Inlet, Swing Handle	1
236	0029043		Line, (1) 3.00" Tank to Pump	1
237	0004905		Outlet, 1.50" Tank Fill	1
238	0004940		Outlet(s), LH Side, 2.50"	2
			Qty, Discharges - 02	
239	0092570		No Additional LH Outlets Requested	1
240	0004945		Outlet(s), RH Side, 2.50"	2
			Qty, Discharges - 02	
241	0092571		No Additional RH Outlets Requested	1
242	0048832		Outlet, 4.00" w/3.50", Right, Handwheel	1
			Valve, Brand - Akron	
243	0649939		Outlet, Front, 1.50" w/2.00" Plumbing	1
			Location, Front - top of left bumper	
			Fitting, Outlet - 1.50" NST with 90 degree swivel	

Line	Option	Type	Option Description	Qty
243			Drain, Front Outlet - Class 1 Automatic	
244	0004995		Outlet, Rear, 2.50"	1
			Qty, Discharges - 01	
			Location, Outlet - b) driver's side	
245	0092574		No Rear Outlet (Added) Requested	1
246	0092573		No Hosebed/Running Board Outlet Requested	1
247	0085076		Caps for 1.50" - 3.00" Discharges - VLH	1
248	0563739		Valve, .75 Bleeder, Discharges, Swing Handle	1
249	0005091		Elbows, 45 Degree - 2.50" Outlets LH - VLH	1
250	0035094		No Elbows Req'd (Added LH Outlets)	1
251	0025091		Elbows, 45 Degree - 2.50" Outlets RH - VLH	1
252	0089584		No Elbow req'd (Added RH Outlet not requested)	1
253	0045091		Elbows, 45 Degree - 2.50" Outlets Rear - VLH	1
254	0085695		No Elbows Req'd, Added Rear, Large Outlet	1
255	0005097		Elbow, 30 Degree - 4.00"(F) X 5.00" Storz	1
256	0062133		Control, Outlets, Manual, Pierce HW if applicable	1
257	0005065		Outlet, 3.00" Deluge Riser	1
258	0029302		No Monitor Requested	1
259	0029304		No Nozzle Req'd	1
260	0005070		Deluge Mount, NPT	1
261	0029167		Crosslays Sngl Sheet unpainted, (2+) 1.50", Std. Cap	2
			Qty, Crosslays - 2	
262	0029203		Crosslay, (1) 2.50" Std Cap, Pan Style	1
263	0029260		Not Required, Speedlays	1
264	0591145		Hose Restraint, Crosslay/Deadlay, Top and Ends, Elastic Netting	2
			Qty, - 02	
265	0526958		Reel, Booster, Over Pump, Passenger's Side, Akron	1
			Finish, Reel - Painted Job Color	
266	0011060		Switch, Reel Rewind - One at Pump Panel	1
267	0005300		Hose, Booster - 150' of 1.00"/800 PSI	1
268	0526942		Capacity, Akron, Hose Reel 150' of 1.00"	1
269	0007428		Nozzle for Booster Reel Not Req'd	1
270	0095358		Foam Sys, Husky 12, (Single Agent)	1
			Discharge - front discharge , bith 1 1/2 crosslays	
			Amount of Disc. W/Foam - 3	
271	0012126		Not Required, CAF Compressor	1
272	0552481		Refill, Foam Tank, Single Tank, Husky 12, Class A Foam	1
273	0031896		Demonstration, Foam System, Dealer Provided	1
274	0005447		Foam Cell, 30 Gallon	1
			Type of Foam - Class "B"	
			Foam, Brand Name - US Foam	
275	0505016		Drain, 1.00", Foam Tank #1, Husky 12 Foam System	1
276	0091079		Not Required, Foam Tank #2	1
277	0091112		Not Required, Foam Tank Drain	1
278	0007590		Pump House, Side Control, 52", "Control Zone"	1
279	0032479		Pump Panel Configuration, Control Zone	1
280	0005520		Panel, Pump and Gauge, Black Vinyl	1
281	0005578		Panel, Pump Access - Pass Side Only	1
282	0037731		Pump House Structure, Raised , Included with Ladder Storage	1
283	0005945		Light, Pump Compt	1
284	0586382		Engine Indicators, Included With Pressure Controller	1
285	0005601		Throttle Included w/ Pressure Controller	1
286	0549333		Indicators, Engine, Included with Pressure Controller	1
287	0511078		Gauges, 4.0" Master, Class 1, 30"-0-600psi	1
288	0511100		Gauge, 2.0" Pressure, Class 1, 30"-0-400psi	1
289	0536428		Gauge, Water Level, Pierce, In pressure Controller	1
290	0092704		Gauge, Foam Level, FRC, Tank Vision, WL2000 series	1
291	0593161		Light Shield, S/S LED	1
292	0003930		Microphone & Speaker w/Plain Door - Pump Operator's Position, Body Bulkhead	1
293	0066052		Air Horns, (2) Grover in Bumper Outside Frame	1
			Location, Air Horn (bmpr) - outside frame	

Line	Option	Type	Option Description	Qty
294	0006063		Control, Air Horn, Horn Ring, PS Foot Sw	1
295	0006100		No Electronic Siren	1
296	0046133		No Siren Location	1
297	0076155		No Siren Switch	1
298	0006188		No Speaker	1
299	0550461		Location, Not Required, No Speaker (Q2B)	1
300	0686334		Siren, Aux Federal EQ2B-200, 200 Watt, Control Head and Amplifier	1
301	0686830		Location, Aux Elect Siren, Behind PS Seat	1
302	0688013		Speaker, Aux, Siren, Federal BP200-EF	1
303	0687950		Recessed into Bumper, Left Side, Outside Position	1
304	0554049		Lightbar, Whelen, Freedom, FN**QLED, 4-R, 2-W, 2-RC, LED Opt Length, WIn Lightbar - 72" Opticom Priority - b) High Color, Lens, LED's - c)clear	1
305	0026618		Brush Guard, any Lightbars, Cab Roof	1
306	0016380		No Additional Lights Req'd, Side Zone Upper	1
307	0077009		Light, Front Zone, Whelen Super 600 LED Flange Kit, Whelen 6E - w)6E or 64 Flange Kit Color,WhIn Sup600 LED - a) rd/rd	1
308	0653937		Flasher, Headlight Alternating Headlt flash deactivation - a)w/high beam	1
309	0076042		Lights, Side Zone Lower, Whelen Super 600 LED, 2pr Location, lights rear - above rear wheel Location, lights frt side - b)each side bumper Flange Kit, 2pr - w/with a flange Color,WhIn Sup600 LED,BCK - a) rd/rd Color,WhIn Sup600 LED,FRT - a) rd/rd	1
310	0076758		Lights, Rear Zone Lower, Whelen Super 600 LED Flange Kit - w)with flange Color,WhIn Sup600 LED - a) rd/rd	1
311	0524850		Light, Rear Zone Upper, Whelen MCSLED2R LED Beacon, Red Color, Dome, Rear Warning - b)both domes red	1
312	0006551		Not Required, Lights, Rear Upper Zone Blocking	1
313	0056611		Mtg, Rear Warn Lts, Top Compt w/Brush Guard	1
314	0529684		Light, Traffic Directing, Whelen TAL65, 36.01" Long LED Activation, Traffic Dir L - e)with emergency master	1
315	0529861		Location, Traf Dir Lt, Surface Mounted Over Rear Door with Treadplate Box	1
316	0529654		Location, Traf Dir Lt Controller, Heavy Duty Swivel Bracket Centered	1
317	0006646		Electrical System, A/C, General Design	1
318	0563275		Generator, Harrison 6kW MSV, Hydraulic, Hotshift PTO Generator Interlocks - Parking Brake	1
319	0006645		Location, Hydraulic Generator Above Pump Location, Generator - above pump	1
320	0016752		Starting Sw, Truck Engine Powered Gen, Cab Sw Pnl	1
321	0016757		Not Required, Remote Start, Generator	1
322	0016740		Not Required, Fuel System	1
323	0016767		Not Required, Oil Drain Extension, Generator	1
324	0016771		Not Required, Routing Exhaust, Generator	1
325	0036738		Circuit Breaker Panel, Included With PTO Generator Location, CB Panel - front compartment upper drivers side	1
326	0066622		Receptacle, 20A 120V 3 Prong SB Dup, Generator Ext Location, Receptacles - one each side front bulkhead and one on the rear drivers side Qty, Receptacles - 03	3
327	0519934		Not Required, Brand, Hydraulic Tool System	1
328	0007150		Bag of Nuts and Bolts Qty, Bag Nuts and Bolts - 1	1
329	0532883		NFPA Required Loose Equipment, Pumper, Provided by Fire Department	1
330	0540114		Soft Suction Hose, Provided by Fire Department, Pumper NFPA Classification	1
331	0027023		No Strainer Required	1
332	0533269		Extinguisher, Dry Chemical, Pumper, Provided by Fire Department	1
333	0533278		Extinguisher, 2.5 Gal. Pressurized Water, Pumper, Provided by Fire Department	1

Line	Option	Type	Option Description	Qty
334	0532921		Axe, Flathead, Pumper, Provided by Fire Department	1
335	0532924		Axe, Pickhead, Pumper, Provided by Fire Department	1
336	0559573		Paint, Single Color, Custom	1
			Paint, Color - Red to match Other Norman Pumpers	
337	0017241		Paint Chassis Frame Assy. Black, Std.	1
338	0693797		No Paint Required, Aluminum Front Wheels	1
339	0693792		No Paint Required, Aluminum Rear Wheels	1
340	0007230		Compartment, Painted, Spatter gray	1
341	0544129		Reflective Band, 1"-6"-1"	1
			Color, Reflect Band - A - g) yellow	
			Color, Reflect Band - B - r) yellow	
			Color, Reflect Band - C - zc) yellow	
342	0007356		Reflective across Cab Face	1
343	0536954		Stripe, Chevron, Rear, Diamond Grade, Pumper	1
			Color, Rear Chevron DG - yellow	
344	0545179		Stripe, Diamond Grade, Chevron, Front Bumper	1
			Size, Chevron Striping - 04	
			Color, Chevron DG - Yellow	
			Color, Chevron DG - B - Red	
345	0065687		Stripe, Reflective, Cab Doors Interior	1
			Color, Reflective - g) yellow	
346	0027372		Lettering Specifications, (GOLD STAR Process)	1
347	0686428		Lettering, Gold Leaf, 3.00", (41-60)	1
			Outline, Lettering - Outline and Shade	
348	0666386		Emblem, Flag, Generic, Each	2
			Qty, - 02	
			Location, Emblem - Side of Cab to the back of rear door	
			Size, Flag - 12" - 14"	
349	0031972		Manuals, Two (2), Fire Apparatus Parts, Custom Chassis	1
350	0002905		Manuals, Two (2) Chassis Service, Custom	1
351	0032433		Manuals, Two (2) Chassis Operation, Custom	1
352	0030008		Warranty, Basic, 1 Year, Apparatus, WA0008	1
353	0595239		(No Pick Required)	1
354	0696698		Warranty, Engine, Cummins, 5 Year, WA0181	1
355	0684953		Warranty, Steering Gear, Sheppard M110, 3 year WA0201	1
356	0596017		Warranty, Frame, 50 Year, Custom Chassis, WA0013	1
357	0595245		(No Pick Required)	1
358	0595698		Warranty, Axle, 3 Year, TAK-4, WA0050	1
359	0530524		Warranty, Axle, 2 Year, Meritor, General Service, WA0046	1
360	0652758		Warranty, ABS Brake System, 3 Year, Meritor Wabco, WA0232	1
361	0019914		Warranty, Structure, 10 Year, Custom Cab, WA0012	1
362	0595813		Warranty, Paint, 10 Year, Cab, Pro-Rate, WA0055	1
363	0524627		Warranty, Electronics, 5 Year, MUX, WA0014	1
364	0046369		Warranty, 5-year EVS Transmission, Standard Custom, WA0187	1
365	0688798		Warranty, Water Tank, Lifetime, UPF, Poly Tank, WA0195	1
366	0596025		Warranty, Structure, 10 Year, Body, WA0009	1
367	0693127		Warranty, Gortite, Roll-up Door, 6 Year, WA0190	1
368	0063510		Warranty, Pump, Waterous, 5 Yrs Parts, WA0225	1
369	0032998		Warranty, 10 Year S/S Pumbing, WA0035	1
370	0657846		Warranty, Foam System, Husky 12	1
371	0595588		Warranty, Generator, 2 Year, Harrison Hydra-Gen, WA0051	1
372	0595820		Warranty, Paint, 10 Year, Body, Pro-Rate, WA0057	1
373	0595421		Warranty, Goldstar, 3 Year, Apparatus, WA0018	1
374	0683627		Certification, Vehicle Stability, CD0089	1
375	0595694		Certification, Engine Installation, AXT, ISL9, CD0091	1
376	0686786		Certification, Power Steering, CD0098	1
377	0543934		Certification, Cab Integrity, AXT	1
378	0548949		Certification, Cab Door Durability, AXT, CD0002	1
379	0548968		Certification, Windshield Wiper Durability, AXT, CD0006	1
380	0548952		Certification, Electric Window Durability, AXT, CD0003	1
381	0549275		Certification, Seat Belt Anchors and Mounting, AXT	1

Line	Option	Type	Option Description	Qty
382	0694929		Certification, Cab Heater and Defroster, AXT, CD0094	1
383	0545073		Amp Draw Report, NFPA 2009 Edition	1
384	0002758		Amp Draw, NFPA Radio Allowance	1
385	0000018		PUMPER, 2ND GEN	1
386	0000012		PIERCE CHASSIS	1
387	0004713		ENGINE, OTHER	1
388	0046395		EVS 3000 Series TRANSMISSION	1
389	0020011		WATEROUS PUMP	1
390	0020009		POLY TANK	1
391	0028048		FOAM SYSTEM	1
392	0020006		SIDE CONTROL	1
393	0020007		AKRON VALVES	1
394	0020015		ABS SYSTEM	1
395	0658751		Manufacturing Attribute	1



# City of Norman, OK

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

## Master

**File Number: GID-1213-128**

<b>File ID:</b> GID-1213-128	<b>Type:</b> Permits	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item No. 16	<b>In Control:</b> City Council
<b>Department:</b> Utilities Department	<b>Cost:</b>	<b>File Created:</b> 06/06/2013
<b>File Name:</b> Tecumseh Interceptor ODEQ Permit		<b>Final Action:</b>
<b>Title:</b> SUBMISSION OF SEWER LINE PERMIT NO. SL000014130220 ISSUED BY THE STATE OF OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ) FOR THE TECUMSEH INTERCEPTOR PROJECT.		

**Notes:** ACTION NEEDED: Motion to acknowledge receipt of the permit and direct the filing thereof.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 16

**Attachments:** Text File, K-1213-128\_ODEQ\_Permit.pdf

**Project Manager:** Jim Speck, Capital Projects Engineer

**Entered by:** jim.speck@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-1213-128

Body

**BACKGROUND:** The Tecumseh Interceptor project (WW0262) begins at the existing Tecumseh Lift Station, extends across Tecumseh Road and then generally northeast through Tecumseh Road Business Park and Founders Park Addition before connecting to the Little River Interceptor west of 12th Avenue NW. The Tecumseh Lift Station and storage lagoon will be abandoned upon completion of the interceptor.

The Wastewater Master Plan (WWMP) identified sewer interceptor needs throughout Norman to accommodate full build-out of the Norman 2020 Land Use and Transportation Plan. One of the projects identified in the WWMP was the construction of the Tecumseh Interceptor.

On July 12, 2005, the Norman Utilities Authority (NUA) approved contract K-0506-53, with Garver Engineers, LLC to complete preliminary design, final design, bidding, and construction management services for the Industrial and Tecumseh Interceptors. The Industrial Interceptor project (capital project WW0302) construction project was completed June 8, 2009.

**DISCUSSION:** As a part of the project requirements, a permit from the Oklahoma Department of Environmental Quality (ODEQ) is required. Staff submitted design plans to the ODEQ on March 14, 2013 and the plans were approved by ODEQ on April 24, 2013.

**RECOMMENDATION:** Staff recommends that receipt of ODEQ Permit No. SL000014130220 issued April 24, 2013 be noted, and made a matter of permanent record.



STEVEN A. THOMPSON  
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

MARY FALLIN  
Governor

**PERMIT NO.: SL000014130220**

**SEWER LINES**

**FACILITY NO.: S-20616**

**PERMIT TO CONSTRUCT**

April 24, 2013

Pursuant to O.S. 27A 2-6-304, the Norman Utilities Authority is hereby granted this Tier I Permit for demolition of an existing lift station; construction of approximately 65 L. F. of eight (8) inch and 3,500 L. F. of twelve (12) inch sewer lines; and appurtenances to serve the City of Norman Tecumseh Interceptor Project, located in part of S-1/2 of Section 12 and NW-1/4, NE-1/4, NW-1/4 of Section 13, T-12-N, R-3-W, I. M., Cleveland County, Oklahoma, in accordance with the plans approved on April 24, 2013.

By acceptance of this permit, the permittee agrees to operate and maintain the facilities in accordance with the "Oklahoma Pollutant Discharge Elimination System Standards - OPDES" (OAC 252:606) rules and to comply with the state certification laws, Title 59, Section 1101-1116 O.S. and the rules and regulations adopted thereunder regarding the requirements for certified operators.

This permit is issued subject to the following provisions and conditions.

- 1) That the recipient of the permit is responsible that the project receives supervision and inspection by competent and qualified personnel.
- 2) That construction of all phases of the project will be started within one year of the date of approval or the phases not under construction will be resubmitted for approval as a new project.
- 3) That no significant information necessary for a proper evaluation of the project has been omitted, or invalid information has been presented in applying for the permit.
- 4) That tests will be conducted as necessary to insure that the construction of the sewer lines will prevent excessive infiltration and that the leakage will not exceed 10 gallons per inch of pipe diameter per mile per day.
- 5) That the Oklahoma Department of Environmental Quality shall be kept informed of occurrences which may affect the eventual performance of the works or that will unduly delay the progress of the project.
- 6) That the permittee will take steps to assure that the connection of house services to the sewers is done in such a manner that the functioning of the sewers will not be impaired and that earth and ground water will be excluded from the sewers when the connection is completed.
- 7) The issuance of this permit does not relieve the responsible parties of any obligations or liabilities which the permittee may be under pursuant to prior enforcement action taken by the Department.





STEVEN A. THOMPSON  
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

MARY FALLIN  
Governor

PERMIT NO.: SL000014130220

SEWER LINES

FACILITY NO.: S-20616

PERMIT TO CONSTRUCT

- 8) That any deviations from approved plans or specifications affecting capacity, flow or operation of units must be approved by the Department before any such deviations are made in the construction of this project.
- 9) That the recipient of the permit is responsible for the continued operation and maintenance of these facilities in accordance with rules and regulations adopted by the Environmental Quality Board, and that this Department will be notified in writing of any sale or transfer of ownership of these facilities.
- 10) That the permittee is required to inform the developer/builder that a DEQ Storm Water Construction Permit is required for a construction site that will disturb one (1) acre or more in accordance with OPDES, 27A O.S. 2-6-201 *et. seq.* For information or a copy of the GENERAL PERMIT (GP-005) FOR STORM WATER DISCHARGES FROM CONSTRUCTION ACTIVITIES, Notice of Intent (NOI) form, Notice of Termination (NOT) form, or guidance on preparation of a Pollution Prevention Plan, contact the Storm Water Unit of the Water Quality Division at P.O. Box 1677, Oklahoma City, OK 73101-1677 or by phone at (405) 702-8100.
- 11) That all manholes shall be constructed in accordance with the standards for Water Pollution Control Facility Construction (OAC 252:656-5-3), as adopted by the Oklahoma Department of Environmental Quality.
- 12) That when it is impossible to obtain proper 10-foot horizontal and 2-foot vertical separation between water mains and sewer lines as stipulated in Water Pollution Control Facility Construction OAC 252:656-5-4(c)(1) and OAC 252:656-5-4(c)(2), respectively, the sewer shall be designed and constructed equal to water pipe, and shall be pressure tested with no detectable leakage prior to backfilling, in accordance OAC 252:656-5-4(c)(3).

Failure to appeal the conditions of this permit in writing within 30 days from the date of issue will constitute acceptance of the permit and all conditions and provisions.

Rocky Chen, P.E., Engineering Manager, Construction Permit Section  
Water Quality Division





# City of Norman, OK

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

## Master

**File Number: GID-1213-77**

<b>File ID:</b> GID-1213-77	<b>Type:</b> Development, Deferrals and Variances	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item No. 17	<b>In Control:</b> City Council
<b>Department:</b> Public Works Department	<b>Cost:</b>	<b>File Created:</b> 04/17/2013
<b>File Name:</b> Revocable Utility Permit-Cascade Addn	<b>Final Action:</b>	

**Title:** CONSIDERATION OF APPROVAL OF A REVOCABLE UTILITY INSTALLATION PERMIT FOR CASCADE ADDITION TO INSTALL IRRIGATION DISTRIBUTION SYSTEMS IN PUBLIC RIGHTS-OF-WAY.

**Notes:** ACTION NEEDED: Motion to approve or reject a Revocable Utility Installation Permit for Cascade Homeowners Association to install irrigation distribution systems in the public rights-of-way.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 17

**Attachments:** Text File, Cascade Revocable Utility Installation Permit Application, Map.pdf, ATT Letter of No Objection, Cox Letter of No Objection, ONG Letter of No Objection, OGE Letter of No Objection, OEC Letter of No Objection, Cascade Water Lines SS PowerPoint

**Project Manager:** Scott Sturtz, City Engineer

**Entered by:** pam.jones@normanok.gov

**Effective Date:**

### History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	06/25/2013					

### Text of Legislative File GID-1213-77

body

**BACKGROUND:** During its March meeting, the Council Oversight Committee discussed domestic water wells for non-potable use and related permit requirements. Specifically, the Committee discussed a request by a neighborhood association (Cascade Addition Homeowner's Association) to install a water well for irrigation use. Staff was directed to move forward with a proposed ordinance that would modernize the City's regulations regarding domestic water wells consistent with State law.

On Tuesday, March 26, 2013, Mr. Vince DiCastro, President of the Cascade Addition Homeowner's Association, contacted the Public Works Department requesting permission for the HOA to install five (5) underground street crossings in the public right of way for a private irrigation system to be used by the HOA to irrigate several common areas within the residential subdivision. A map is attached indicating the location of the areas to be irrigated and the proposed locations where the distribution lines will cross the public right-of-way. Cascade Addition is located south of Tecumseh Road and west of 36th Avenue NW. Mr. DiCastro related that he and his HOA Board of Directors have been working for some time on a project to convert these five irrigation "zones" located throughout the subdivision to one irrigation zone. The current five zones are served by water service lines connected to the City water system. The proposed single irrigation zone will be served by one new private water well. In order to connect the five current irrigation zones, the HOA is asking to bore 3-inch irrigation pipelines under five existing public streets.

At the request of Council Members Williams and Castleberry, the City Manager directed staff from the Public Works, Legal, Planning and Utilities Departments to research concerns and options to address the request from the Cascade HOA. Private sprinkler systems are commonly installed in the public rights-of-way without the City's knowledge or consent, but this is the first request Staff is aware of to install a private raw water distribution system throughout a neighborhood and requiring boring under five public streets.

The City has allowed use of the public rights-of-way in limited circumstances. Above ground encroachments into the public rights-of-way have been allowed upon execution of a revocable license. Council approved GID-1213-8 in August 2012 for a revocable license allowing the placement of archways within the right of way at the entrance to Fountain View Addition. Council has also approved revocable licenses for patios located within the public right of way for La Baguette, In the Raw, and Blackbird Gastropub. In all of these examples, the City's interests were protected by the language in the license. The essential terms of the licenses were as follows:

The City was required to inspect and approve plans for the encroachments

The City was allowed to inspect the encroachments any time after construction to ensure they were being maintained in a safe, sanitary and sightly condition.

The licensee agreed that the City and any other franchised utilities may do work in the right of way and will not be liable for any damage to the licensee's improvements located within the right-of-way.

The licensee agreed to indemnify, hold harmless, and defend the City against all actions or causes of actions, claims, liability, loss, damage or expense.

Additionally, an annual license fee was required.

Requests for below-ground encroachments into the right-of-way by entities other than franchised utilities are rare. In fact, Staff was only able to find one other instance of such a request. In 2009, Chickasaw Telecommunications and Norman Regional Health System applied for Revocable Utility Installation Permits to install fiber optic conduit in the public right-of-way connecting the Hospital's main campus at Robinson and Porter with the west campus at 36th Avenue West and Tecumseh Road. The permit contained special conditions to protect the City's interests including:

- Submittal of half size (11"x 17") plans and digital as-builts
- Traffic controls where necessary during work in the right of way
- Permittee required to leave property above in solid and safe conditions, and restore all sodded areas to original condition
- Permittee required to indemnify, protect and save harmless the City against any and all damages, claims, demands, suits, actions and causes of action.

Additionally, the following items were required with the application for the permit:

- Signed and sealed construction plans
- Proof of insurance policy (original) with standard comprehensive public liability coverage, including contractual liability insurance, covering bodily injuries and property damage naming the applicant/permittee and the City of Norman as co-insured, issued by an insurance company authorized to do business within the state of Oklahoma.
- Payment of a permit fee

- Letters of no objections from other franchised utilities in the right-of-way

This information and the Cascade Addition request was presented to the Council Oversight Committee on April 10, 2013. A copy of the presentation from this meeting is attached for further information. The Oversight Committee requested that the item be brought before the City Council in the Council Study Session on April 16, 2013. Representatives of Oklahoma Electric Cooperative (OEC) and Oklahoma Gas & Electric (OG&E) attended the Council Study Session to discuss their concerns with the Council. Written responses from OEC and OG&E are attached indicating their concerns with use of the right-of-way for irrigation distribution lines. During the Study Session, Council expressed a desire to move forward with this item acknowledging that even if the permit was approved by Council, all of the conditions for application and granting of the permit would have to be met before the permit could become effective.

**DISCUSSION:** Based on the Council Direction the City Attorney's office has prepared a Revocable Utility Installation Permit for the installation of the irrigation distribution lines to be located within the City rights-of-way. This Revocable Permit contains provisions to protect the City of Norman and franchise utilities. In addition to the items that were required for the Revocable Utility Installation Permit for the Norman Regional Hospital outlined above, this Permit requires:

- Applicant's participation in the One Call system to ensure both the City and the Permittee that work done within the right of way will not interfere with the irrigation lines or other utilities.
- Applicant's compliance with the City of Norman Water Conservation Plan as adopted now, and as may be amended in the future.

Additionally, the permit expressly forbids other property owners from tapping into the line under any circumstances.

It should be noted that the Applicant is also in the process of obtaining a water well permit for this project. Although the permit will likely be considered before changes to Section 21-404 are effective, the Applicant has agreed to comply with the changes outlined in Ordinance No. O-1213-48, which is on Council's agenda for consideration on June 25, 2013. The water well permit will be considered administratively by City staff.

**RECOMMENDATION:** The applicant has met all of the provisions of the Revocable Utility Installation Permit. Staff recommends approval of the Revocable Utility Installation Permit.

**APPLICATION DIRECTIONS FOR REVOCABLE UTILITY INSTALLATION  
PERMIT IN PUBLIC RIGHTS OF WAY AND EASEMENTS**

1. Submit four (4) completed revocable utility installation permit application forms executed and containing original signature of the president or vice-president of the company. If signed by an agent other than the president or vice-president of the company, a power of attorney statement as filed of record in Cleveland County, Oklahoma is required.
2. Submit three (3) copies of detailed construction drawings signed and sealed by a professional engineer. Plans should show the property lines, all existing utility lines, curb, centerline of streets, right of way widths, utility and or drainage easements, driveways, and/or sidewalks, and the proposed alignment of the line. Dimensions should be included to show the relationship of the proposed improvements, curb line, property line and centerline of adjacent streets. Other dimensions, as applicable, should be shown in developed areas of the City. Standard plan and profile sheets are required.
3. Should a utility line during its course cross more than one street right of way or public easement, include all crossings on one application. Street and driveway crossings shall be by the boring method. Cutting pavement on streets requires special approval and is an exception rather than a standard practice.
4. Submit letters of no objection from franchised utility companies.  
(See "City of Norman Utility Contacts")
5. Submit with the application a check payable to the City of Norman in the amount set forth in Section 3001.8 of the City of Norman STANDARD SPECIFICATIONS AND CONSTRUCTION DRAWINGS as amended.
6. Submit proof of insurance policy (original) with standard comprehensive public liability coverage in the amount of \$1,000,000, including contractual liability insurance, covering bodily injuries and property damage naming the applicant/permittee and the City of Norman as co-insured, issued by an insurance company authorized to do business within the state of Oklahoma.
7. As soon as staff is available, the location of the proposed utility line(s) will be field checked and plans will be reviewed by other city departments responsible for potentially effected public facilities.
8. After the review process is completed, the fee paid and any deficiencies are corrected, the permit will be issued.

**CITY OF NORMAN — REVOCABLE UTILITY INSTALLATION PERMIT**

Permit No. \_\_\_\_\_

Location: Crossing of Dornoch Lane corner of Astor Dr, Crossing of Pinehill Rd corner of Astor Dr, Crossing of Teton Lane (both South and North at Astor Dr, Crossing of Astor Dr south of Cascade Blvd, Crossing of Crudend Dr at Cascade Blvd.

Applicant: Cascade Home Owners Association Phone: 405 610 6222

Business Address: Neighborhood Services Constr. Cost \$ 4,000.00  
2288 W Lindsey Ste #113  
Norman Ok 73609 Fee \$ 108.00

*(schedule on back)*

The description of proposed utility line is as follows:

PVC pipe to connect all HOA sprinklers to one line  
See Attached

The work authorized by this permit shall be complete on or before 8/30/2013  
(Date inserted by City)

The location and depth of proposed line and all existing utilities are shown on the attached plans. It is mutually agreed the Special conditions *(on back)* for issuance of City of Norman - Revocable Utility Installation Permit apply to this permit.

Vernon DeLoach  
President Cascade Estate HOA Signature of Applicant  
[Signature] Approved by  
6/17/2013 Date



### **Special conditions for issuance of City of Norman – Revocable Utility Installation Permit**

This permit is made by the City of Norman (City) and accepted by said Company or their assignee upon the terms set forth herein and subject to the following conditions:

1. The method of construction of said line along, over and across the property above described shall be subject to the approval of the City Engineer. Said line shall be constructed at such grade that the top thereof shall not be less than forty-eight (48) inches below the surface of said property as above described as not located, and shall thereafter be maintained at such grade.
2. Said lines shall be constructed, repaired, and renewed and maintained by the Company, at the Company's sole cost and expense, in a safe, proper and workmanlike manner, and at such times and in such manner as not to prevent or interfere with the safe, proper and convenient movement of traffic along, over and across said property above described..
3. No other property owner may connect or tap in to said lines under any circumstances.
4. The Company agrees that it will at all times hereafter indemnify, protect and save harmless the City of Norman from and against any and all damages, claims, demands, suits, actions, and causes or action arising from or growing out of all injuries to or deaths of persons, or loss or destruction of or damage to property, caused or contributed by the negligence or default of Company, its contractors, agents, or employees, in the construction, maintenance, operation, altering, repairing or renewing of said line.
5. The company shall backfill all trenches, fill all holes caused by shrinkage, remove all excess dirt, and leave the property above described in a solid and safe condition. The Company shall restore all sodded areas to its original condition by placing slab sod on all disturbed area and subject to the inspection and approval of the City Engineer. If the Company shall fail to make any repairs or to any work required of said Company by the provisions of this permit within ten (10) days after receipt of written notice from the City calling attention thereto and requesting such repairs or work to be done, then the City shall have the right to make such repairs or do such work at the expense of the Company, and the Company shall reimburse the City for the cost and expense of such repairs or work promptly upon receipt of a bill therefore from the City.
6. This permit shall inure to the benefit of the successors; lessees and assigns of the Company hereto only upon consent thereto in writing duly executed by the City.
7. It is understood and agreed by the parties hereto that this permit to the Company is subject to any and all Ordinances now in force or hereafter enacted by the City and to any and all existing rights of any public utility under and by virtue of permits or franchises heretofore granted and executed by said City, and that this permit is revocable at any time by the City upon notice thereof to the Company. All other permits as required by other government bodies or agencies will be required (i.e. Oklahoma Department of Transportation, BNSF Railroad, Cleveland County, etc).
8. It is further expressly agreed that the Company will commence said work within ten (10) days of the date hereof and will prosecute the same vigorously and continuously and complete same on or before the date stipulated in the permit.
9. Where openings are made in or adjacent to any street, alley or public right of way, the Company shall, at his own expense, furnish such barricades, fences, lights and danger signals, shall provide such watchmen, and shall take such other precautionary measures for the protection of persons, or property, as are necessary. Design of the traffic controls must be submitted to and approved by the City of Norman Traffic Engineer.

Neither the materials excavated nor machinery used in the construction of the work shall be placed so as to endanger the work, or prevent free access to all water valves, gas valves, manholes, or electric, telephone or telegraph conduits, or fire alarms or police call boxes in the vicinity. The City reserves the right to remedy a neglect on the part of the Company as regards to protection of the work at the Company's expense.

10. It is expressly agreed that in the event the City revokes this permit or directs Company to relocate all or a portion of the line(s) authorized under this permit, Company will, at its sole expense, remove or relocate its line(s) as directed by City.
11. All street crossings will require dry boring and/or tunneling below the street surface (minimum 48"), unless special permission is received from the City Engineer to open-cut.
12. This permit authorizes Company to use and occupy a portion of certain streets, alleys, easements and other public right-of-ways, for the location of its line(s) in a manner which will not interfere with the public use of said rights of way.
13. It is expressly understood, that this permit conveys no property interest in or to any street, alley, easement or other public right of way subject hereto.
14. Issuance of this permit does not constitute any express or implied warranties as to the legal title to, right to legal possession or the physical condition of any property subject to this permit.
15. Half size (11" x 17") and digital As-Builts are required.
16. Permit Fee Schedule As of April 28, 1998 the adopted fees for permit are:

Cost of Construction Fee		Maximum
Up to \$2,000*	4.25%	\$ 84.80
\$2,001 to \$5,000	3.60%	\$108.00
\$5,001 to \$10,000	3.03%	\$151.00
\$10,001 to \$25,000	2.42%	\$363.00
\$25,001 to \$50,000	1.82%	\$455.00
Over \$50,000	1.21%	
*Minimum charge \$15.00		Inspection fee \$7.50 per inspection or reinspection.

17. Applicant agrees to follow all measures taken by the City of Norman in accordance with its Water Conservation Plan, as enacted, and as hereinafter may be amended.
18. Applicant will participate in the statewide on-call notification center in accordance with the Underground Facilities Damage Prevention Act and shall have on file with the notification center a notice that it has underground facilities, the location of said facilities, and the address and phone number of the person or persons from whom information about such facilities may be obtained.
19. This permit shall be subject to annual renewal at the option of the City and upon payment of an annual fee by the Applicant equal to \$0.15 per square foot of right-of-way (minimum of 5 feet in width) granted for use by Applicant.

**CITY OF NORMAN  
UTILITY PROJECTS**

COX

Jodie Finney  
6301 Waterford Blvd. Suite 200  
Oklahoma City, OK 73118  
[jodie.finney@cox.com](mailto:jodie.finney@cox.com)

Oklahoma Electric Cooperative

Thad Peterson  
OEC  
PO Box 1028  
Norman, Oklahoma 73070  
[tpeterson@okcoop.org](mailto:tpeterson@okcoop.org)

OGE

Tim Bailey  
PO Box 321  
Oklahoma City, Oklahoma 73101-0321  
[baileytj@oge.com](mailto:baileytj@oge.com)

Oklahoma Natural Gas

Jay Sullivan  
ONG  
625 N. Berry  
Norman, OK 73069  
[jsullivan@oneok.com](mailto:jsullivan@oneok.com)

AT&T

Terri Hayes  
6100 S. Walker  
Oklahoma City, OK 73109  
[terri.hayes@att.com](mailto:terri.hayes@att.com)

Contractor shall call OKIE two days prior to starting to dig.  
OKIE: 840-5032



Map prepared by the City of Astoria  
 on 08/11/2010  
 1:10,000 scale  
 1 inch = 300 feet

- Legend**
- San Swr Manhole
  - San Swr Main
  - Fire Hydrant
  - Water Main
  - Water Valve
  - Storm Swr Point
  - Storm Swr Line
  - ★ STREET BORE

1 inch = 300 feet



Charles Truesdell  
Manager – Engineering Design  
300 S Broadway St, 111E  
Moore, OK 73160

T: 405.291-1171  
F: 405.228-3464  
Cl2329@att.com

P

4/18/2013

To Whom It May Concern,

RE: Request for Letter of No Objection VIA Email, received on April 18, 2013.

AT&T, Engineering/Construction has no objection to granting this revocable permit/letter of no objection to place private water lines in the Cascades Subdivision, as depicted and described in your request. Petitioner agrees to hold harmless AT&T and AT&T's contractor's for any future damages to petitioner's water lines resulting from any placement or maintenance of AT&T facilities.

It is your responsibility to obtain locates and you are still responsible for any cable that might be underground.

All conditions for calling OKIE-ONE (1-800-522-OKIE) for getting facility locations marked are still in effect to protect our telephone facilities. Any damages, exposing of facilities, and/or relocating or lowering/raising facilities will be at your liability/cost or the contractor doing the work.

If there are any questions concerning this matter, please call me at 405-291-1171.

Sincerely,  
Charles Truesdell  
Manager, Engineering & Design  
AT&T Engineering/Construction



April 30, 2013

City of Norman  
Public Works Department  
Engineering Division  
201 West Gray Street  
Building A  
Norman, Oklahoma 73069

Attn: Chris Serrano - Utility Coordinator

RE: Cascade Estates Located at Tecumseh Road and 36<sup>th</sup> Avenue NW, Norman, Oklahoma

Mr. Serrano:

Cox Communications no objection to the City of Norman granting a revocable permit to the HOA for Cascade Estates to construction water valves to complete the irrigation system for the green spaces of Cascade Estates. The HOA President Vince DiCastro has agreed to become a member of OKIE ONE and to assume all responsibility for any damages done to any Cox Communications facilities in the areas of the irrigation system.

Prior to beginning any digging and /or trenching activities, please call OKIE-OKE 1-800-522-6543 for exact location of our facilities. Cost to repair ANY Cox Communications facility damage caused during construction of this project or any future maintenance 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 E-mail [COXCOMM@norman.ok.gov](mailto:COXCOMM@norman.ok.gov).

Sincerely,

A handwritten signature in cursive script that reads "Jodie Finney".

Jodie Finney  
Cox Communications  
Network Services  
Construction Service Support Specialist II / Right of Way

Cox Communications 6301 Waterford Blvd, Suite 200, Oklahoma City, Oklahoma 73118



# OKLAHOMA NATURAL GAS

A DIVISION OF ONE OK

May 6th, 2013

Mr. Vince DiCastro  
President Cascade Estates  
3109 Ladybank Lane  
Norman, OK 73072

Dear Mr. DiCastro:

## LETTER OF NO OBJECTION FOR A REVOCABLE PERMIT

THIS REQUEST IS TO CROSS SIX RESIDENTIAL STREETS IN CASCADE ESTATES FOR THE PURPOSE OF CONNECTING A SPRINKLER SYSTEM, WHICH WILL BE FEED OFF A WATER WELL.

The streets involved will be Teton Road (crossing in 2 places), Astor at Cascade Blvd, Pine Hill Road (south of the Pool), Dornoch Lane, and Cruden Drive at Cascade Blvd.

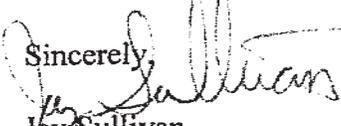
We do have a natural gas distribution line and service lines in the area. Because of this, if any maintenance needs to be done to our main or service lines and it becomes necessary to temporarily disconnect your sprinkler system, all cost associated with the replacement will be incurred by Cascade Estates.

We have located a natural gas transmission line in the vicinity and it will be necessary for you to obtain a letter of no objection from the transmission department prior to any excavation.

We also 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, your 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.

Sincerely,

  
Jay Sullivan

Operations Manager

Oklahoma Natural Gas – 625 N. Berry Road – Norman, OK 73069  
Phone (405)366-2450 – Fax (405)366-2440

May 20, 2013

To: City of Norman c/o City Clerk  
Norman City Hall  
PO Box 370  
201 W. Gray  
Norman, Oklahoma 73070



Re: Cascade Addition application for permit to use the dedicated public utility easements

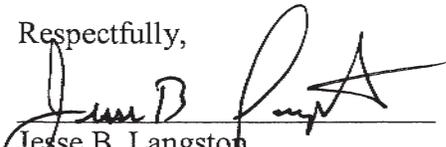
Ladies and Gentlemen,

As you know, the Cascade Addition Home Owners Association ("CHOA") has petitioned the City for a permit to drill under the streets and through the existing public utility easements at certain location in the neighborhood to install, own and maintain water irrigation lines. Oklahoma Gas and Electric Company ("OG&E") provides electric service in this addition and has installed, owns, operates and maintains an underground electric distribution system within the dedicated public utility easements throughout the subdivision. OG&E appreciates the opportunity to provide you with the Company's thoughts and concerns regarding the present request.

First and foremost, for OG&E, this is a safety issue. In any subdivision with underground utilities there can be any combination of electric, natural gas, water, telephone and cable all occupying the confined and dedicated utility easement. Caution and care must be taken to avoid injuries to persons and utility property when working in and around these easements. Secondly, as the use of the public utility easements is strictly controlled by municipal ordinances and other applicable law, any use of the dedicated public utility easement granted to CHOA must be conditioned upon its strict adherence to all applicable regulations. In addition to any such regulations, OG&E recommends that the following criteria also be satisfied. In order to help assure a safe crossing the minimum depth of five feet below grade should be maintained. Next the CHOA should be required to put in place and maintain general liability insurance with minimum coverage of \$1,000,000 to insure against damage to public utility property. Finally, the CHOA should be required to comply with all requirements, policies, procedures, and ordinances of the City of Norman, all construction codes and relevant safety procedures for working around public utility facilities, including specifically but not limited to the CALL OKIE statutory provisions.

The Company appreciates the opportunity to share its concerns regarding this request by the CHOA.

Respectfully,

  
\_\_\_\_\_  
Jesse B. Langston  
Vice President, Retail Energy

RECEIVED IN THE OFFICE  
OF THE CITY CLERK  
ON 5-29-13

**HEIPLE LAW OFFICES, INC.**

218 East Eufaula  
P. O. Box 847  
Norman, OK 73070  
(405) 321-0090

FAX (405) 321-9763  
heiplelaw@cox.net

TO: City of Norman, c/o City Clerk, Norman City Hall (Hand-delivered)

RE: Limited letter of no-objection to Cascade Addition HOA application for permit to install irrigation lines at 6 specific locations under City of Norman streets

Date: **May 6, 2013**

Ladies and Gentlemen,

*(Introductory Note: Because this is the first of what may be a number of requests by organizations in Norman to install irrigation lines under City streets, be aware that any future letters will contain the same introductory paragraph as appears below.)*

The captioned organization has applied to the City of Norman for a permit to drill under City streets at designated locations for the purpose of installing water irrigation lines. So long as the Applicant installs its irrigation water lines at a depth safely below all existing utility lines at each of the crossing locations, provides insurance and, also, fully complies with all requirements, policies, procedures, and ordinances of the City of Norman, Oklahoma Electric Cooperative (“OEC”) offers no objection to this specific Application. It is the present, and continuing, position of OEC that, under these facts, said organization will, in fact, qualify as a “Utility Company”, and be subject to all applicable laws, regulations and ordinances pertaining to and controlling the use of streets and other public ways for installation and operation of utility lines, including (but not limited to) the requirement that any such Utility Company must have a Franchise approved by the voters. This approval by OEC extends only to irrigation lines carrying water which does not come from the Garber-Wellington aquifer. More specifically, this approval does not, and will not, extend to installation of any electric, natural gas, oil, telephone, fiber optic, cable television or other types of utility lines, without voter-approved franchises.

Attached to this letter, and made a part hereof, is a copy of the map submitted by the Applicant showing the specific locations where Applicant intends and requests to install irrigation water lines under the streets. This letter covers and relates only to those specific locations.

OKLAHOMA ELECTRIC COOPERATIVE

by: [Signature]  
(title) VP Engineering

Approved: [Signature]  
(Attorney)

FILED IN THE OFFICE  
OF THE CITY CLERK  
ON 5-7-13

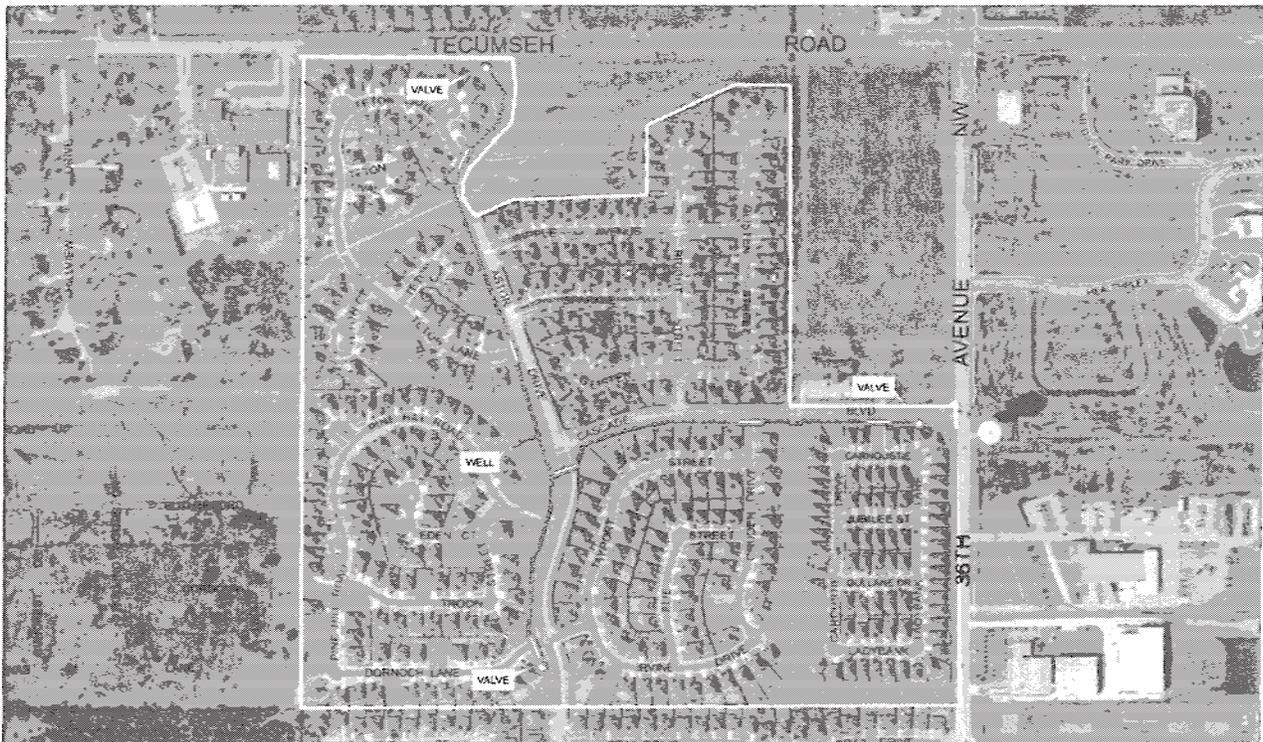
# Council Study Session

## Cascade Addition Irrigation Distribution System in Public Right-of-Way

Tuesday, April 16, 2013  
5:30 p.m.

Presented by:

Shawn O'Leary, Director of Public Works  
Scott Sturtz, City Engineer  
Kathryn Walker, Assistant City Attorney



CASCADES ESTATES  
401 BUILT LOTS  
29 EMPTY LOTS

1 inch = 300 feet

# Public Right-of-Way Management

- City Responsibility: Public Works Department
- City Codes, Ordinances, Policies
- Franchise Agreements
- Public street right-of-way is city-owned; public utility easements are owned by private landowner
- Multiple city staff resources devoted to R/W management, coordination, relocation
- Legal precedents: 2012 Buckmaster Tort Claim

• 3



• 4



# Franchise Utility Agreements

- 10 primary users:

OG&E	City Water
ONG	City Wastewater
Cox	City Storm Water
At&t	City Traffic
OEC	City Fiber Network

- Other Non-Franchise Utilities:

Western Farmer's Electric Co-op  
Multiple oil/gas pipeline companies (DCP, Trinity, Plains, Southern Star, Copano, etc.)  
University of Oklahoma

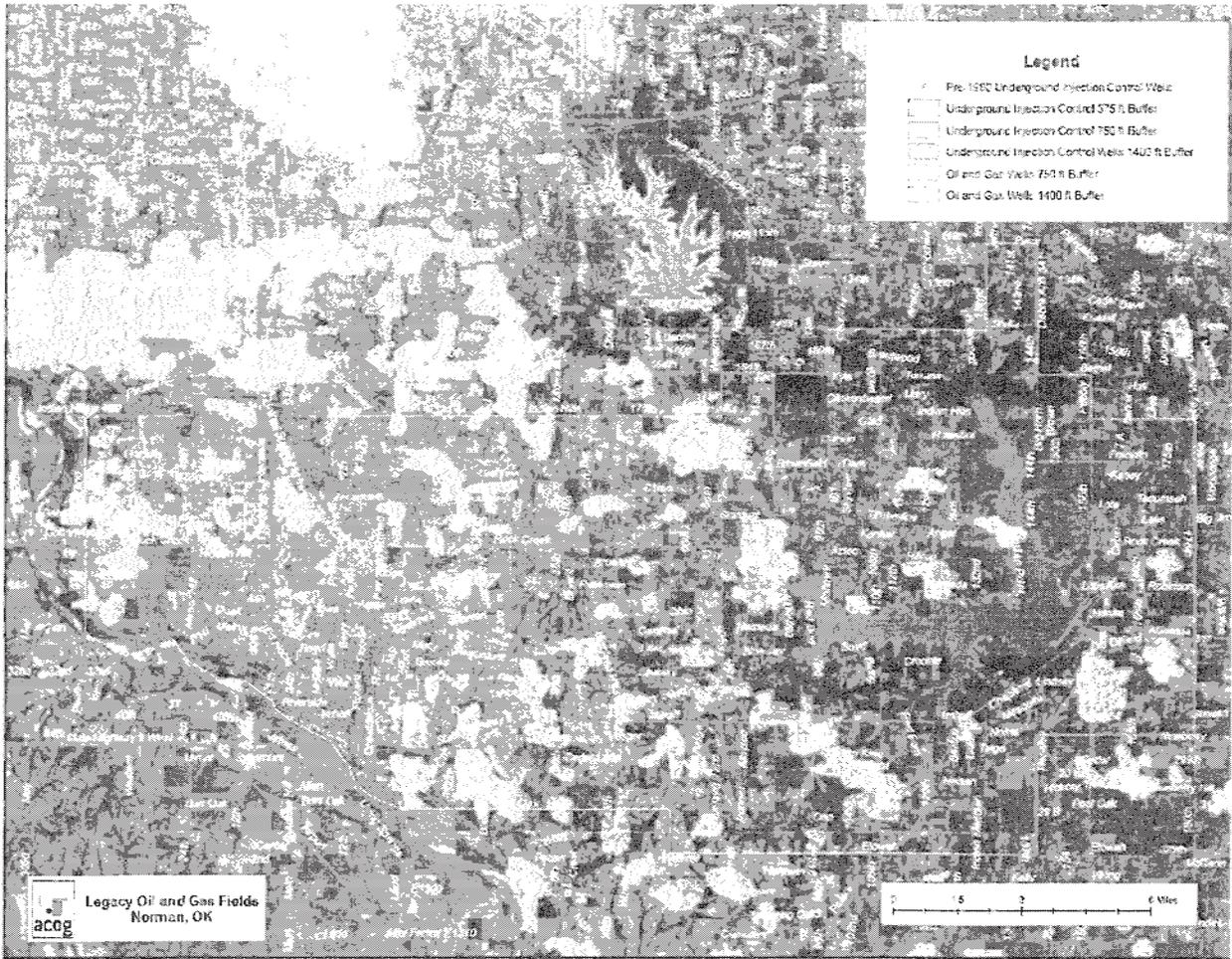
- Total Annual Revenue: \$7,210,000 (FYE 2013)

# Public Water System Concerns

- No cross connections of City and raw water
- Remove all existing water service lines to water main
- 2-foot vertical and 10-foot horizontal separation of raw water and public water pipelines according to ODEQ
- Sewer fee for private pool

## Revocable Utility Installation Permit

- 2009 Chickasaw Telecommunications/Norman Regional Health System case
- Engineering plans and as-builts
- Leave R/W in safe condition
- Hold harmless clause
- Proof of insurance
- Permit fee
- Letters of no objection from franchise utilities
- Member – Oklahoma One Call System – [www.CALL OKIE.com](http://www.CALL.OKIE.com)





# City of Norman, OK

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

## Master

**File Number: LL-1213-12**

<b>File ID:</b> LL-1213-12	<b>Type:</b> Limited License	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item No. 18	<b>In Control:</b> City Council
<b>Department:</b> Planning and Community Development Department	<b>Cost:</b>	<b>File Created:</b> 06/13/2013
<b>File Name:</b> Limited License Banners United Way		<b>Final Action:</b>

**Title:** LIMITED LICENSE NO. LL-1213-12: LIMITED LICENSE TO PLACE NINE (9) "DESIGNATE NORMAN" GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE UNITED WAY OF NORMAN.

**Notes:** ACTION NEEDED: Motion to approve or reject Limited License No. LL-1213-12 to place nine (9) "DESIGNATE NORMAN" ground banners within the public rights-of-way pursuant to a request from the United Way of Norman; and, if approved, authorize the issuance thereof.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 18

**Attachments:** Text File, Letter of Request United Way, Application United Way, List of Locations, United Way - Commuter Banners

**Project Manager:** Wayne Stenis, Planner II

**Entered by:** Ellen.Usry@mccinnovations.com

**Effective Date:**

### History of Legislative File

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

### Text of Legislative File LL-1213-12

Body

**BACKGROUND:** Section 18-308 states:

**Festival or Public Event Banners.**

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

**DISCUSSION:** The United Way of Norman, a 501 (c)(3) organization, will host their annual community fund drive. Funds support community social service agencies. They have requested permission to place nine

banners at various locations around the community to inform the public of this event. The signs are 5 x 7 in size, and are vinyl material attached to aluminum frames. They will be in place for approximately four months, before and during the event, and will be removed right after the event (June 1, 2013 to October 31, 2013). Text on the banner will be: Designate Norman (7100), Give Where You Live [logo].

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

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

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

June 13, 2013

Dear Ellen:

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

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

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

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

A list of locations for each type of sign is attached. Please note that these are the same locations approved for our 2012 campaign.

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

Sincerely,

Candice Jones  
VP, Resource Development

APPLICATION FOR LIMITED LICENSE FOR FESTIVAL OR PUBLIC EVENT BANNER/SIGN

Date June 13, 2013

Name of Applicant United Way of Norman

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

Number of Banners 9

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

Sent in previous e-mail with letter to Ellen Usry.

Banner/Sign Size 5' x 7'

Type of Banner/Sign Vinyl banner with aluminum frame

Wording of Banner/Sign Designate Norman (7100)  
Give where you live - United Way logo

Duration of Use 7/2013 - 10/2013

**United Way of Norman Designate Norman Banners  
July 2013 – Oct. 2013**

1. Robinson & Interstate Drive intersection  
(West of bus stop, targeted for traffic heading towards north I-35)
2. 36<sup>th</sup> Avenue NW and Indian Hills Road  
(NW Corner, targeted for traffic heading North and West)
3. 36<sup>th</sup> NW & Tecumseh Road  
(NE corner, targeted for traffic heading towards north I-35)
4. 48<sup>th</sup> Avenue NW and Robinson  
(NW Corner, targeted for traffic heading North & West to Oklahoma City)
5. Main and 24<sup>th</sup> Ave NW  
(NW Corner by IBC Bank)
6. Lindsey & 24<sup>th</sup> Avenue S.W. intersection  
(SW corner, targeted for traffic heading towards north I-35)
7. 12<sup>th</sup> Avenue N.E.  
(Recreation Center, near Rec sign)
8. Flood & Rock Creek intersection  
(NE corner, 30' back from each curb... northbound traffic)
9. 12<sup>th</sup> Avenue NE and Rock Creek Road  
(NE Corner, targeted for traffic taking Sooner Road to Oklahoma City)

Candice Jones  
(405) 329-2025

**LIMITED LICENSE NO. 1213-12**

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

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

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

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

License limited for a one hundred twenty-seven (153) day period from June 1 through October 31, 2013.

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

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

Approved this 25th day of June, 2013.

CITY OF NORMAN

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



# City of Norman, OK

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

## Master

**File Number: GID-1213-135**

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<b>File ID:</b> GID-1213-135	<b>Type:</b> Acceptance of Funds	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item No. 19	<b>In Control:</b> City Council
<b>Department:</b> Fire Department	<b>Cost:</b>	<b>File Created:</b> 06/11/2013
<b>File Name:</b> FMAG DR-2941 Reimbursement	<b>Final Action:</b>	

**Title:** CONSIDERATION OF ACCEPTANCE OF REIMBURSEMENT OF FUNDS IN THE AMOUNT OF \$1,220.74 ELIGIBLE UNDER THE FIRE MUTUAL AID ASSISTANCE GRANT (FMAG) PROGRAM FOR MUTUAL AID ASSISTANCE BY THE NORMAN FIRE DEPARTMENT TO A WILD FIRE IN CANADIAN COUNTY, OKLAHOMA, DR-2941.

**Notes:** ACTION NEEDED: Motion to accept or reject reimbursement of funds in the amount of \$1,220.74 from Canadian County eligible under the FMAG Program for Mutual Aid Assistance by the Norman Fire Department to a wild fire in Cache, Oklahoma; and, if accepted, increase Other Agency Reimbursements (010-0000-366.12-39) by \$1,220.74.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 19

**Attachments:** Text File, FMAG DR-2941 - Canadian County

**Project Manager:** James Fullingim, Fire Chief

**Entered by:** devra.smith@normanok.gov

**Effective Date:**

### History of Legislative File

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Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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### Text of Legislative File GID-1213-135

body

**BACKGROUND:** In March of 2011, a wildfire occurred in Canadian County, Oklahoma and the Norman Fire Department responded to a mutual aid request as a member of Cleveland County Task Force.

**DISCUSSION:** During the stated timeframe, the Norman Fire Department responded to a mutual aid call involving a wildfire in Canadian County, Oklahoma. The Fire Department utilized equipment and overtime labor to respond. The response was eligible for reimbursement under the Fire Mutual Aid Assistance Grant (FMAG) Program, DR-2941. The reimbursable amount was \$1,220.74.

**RECOMMENDATION:** It is recommended that City Council accept reimbursement in the amount of \$1,220.74 and receipt funds into the General Fund, Other Agency Reimbursements account (010-0000-366.12-39).

Canadian County Clerk

Warrant Date 05-06-2013

1304300021

PO Num	Inv Date	Inv No.	Amount
2013-7549	04-23-2013	FMAG DR-2941	1,220.74

WARNING: DO NOT ACCEPT THIS CHECK UNLESS YOU CAN SEE A TRUE WATERMARK WHEN HOLDING THE CHECK TO THE LIGHT AND PINK LOCK AND KEY ICONS THAT FADE WHEN WARMED

Shelley Dickerson  
 Canadian County Clerk  
 PO Box 458  
 El Reno, OK 73036

Bank Of Okla. (Old)  
 201 Robert S Kerr  
 PO Box 24128  
 Oklahoma City, OK 73124  
 86-3/1039

Warrant No. 1304300021

Payment Number

Void 1 Year from Date Issued

Date:

05-06-2013

Amount:

1,220.74

CanadianCounty.org

One Thousand Two Hundred Twenty And 74/100 Dollars

ATTEST: I truly certify that the purpose stated is, in summary, as disclosed on the face of the claim and that the amount thereof is within the sum available therefor.

*David Anderson*  
Chairman, Board of County Commissioners

Chairman, Board of County Commissioners

TO THE  
 ORDER  
 OF  
 City Of Norman  
 City Of Norman - All Departments/Divis  
 PO Box 370/201 West Gray  
 Norman, OK 73070/73069

*Shelley Dickerson*  
County Clerk

*Leanne M Beck*  
County Treasurer

Warrant Registered:

Funds Available: Yes

by Deputy

[Redacted Signature]

RUB OR BREATHE ON THE PINK LOCK & KEY ICONS. COLOR WILL FADE AND RETURN ON AN AUTHENTIC CHECK. IF COLOR DOES NOT FADE DO NOT ACCEPT.



# City of Norman, OK

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

## Master

**File Number: GID 1213-145**

<b>File ID:</b> GID 1213-145	<b>Type:</b> Grant	<b>Status:</b> Agenda Ready
<b>Version:</b> 1	<b>Reference:</b> Item No. 20	<b>In Control:</b> City Council
<b>Department:</b> Fire Department	<b>Cost:</b> \$24,964.19	<b>File Created:</b> 06/14/2013
<b>File Name:</b> Citizens CORPS Grant #280.541 Additional Funds		<b>Final Action:</b>

**Title:** CONSIDERATION OF ACCEPTANCE OF ADDITIONAL GRANT FUNDS IN THE AMOUNT OF \$24,964.19 AS PART OF AN OKLAHOMA OFFICE OF HOMELAND SECURITY GRANT TO BE USED BY THE FIRE DEPARTMENT TO PURCHASE ADDITIONAL EDUCATIONAL MATERIALS TO DISTRIBUTE TO THE PUBLIC, SAFETY CLOTHING FOR VOLUNTEERS, AND EQUIPMENT AND TEMPORARY LABOR TO ASSIST WITH THE VOLUNTEER PROGRAM AND ADOPT RESOLUTION R-1213-153 APPROPRIATING FUNDS.

**Notes:** ACTION NEEDED: Motion to accept or reject additional grant funds in the amount of \$24,964.19 from the Oklahoma Department of Homeland Security to be used to purchase additional educational materials, safety clothing for volunteers, and equipment and temporary labor to assist with the Volunteer Program; and, if accepted, adopt Resolution No. R-1213-153 appropriating said funds.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 20

**Attachments:** Text File, Grant Supplemental Funds, R-1213-153

**Project Manager:** David Grizzle

**Entered by:** devra.smith@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 1213-145

body

**BACKGROUND:** During January 2013, the Oklahoma Office of Homeland Security provided a notice of funding availability for local Citizen CORPS programs. City Council accepted a grant in the amount of \$3,508.10 to purchase equipment needed by the Norman Emergency Response Volunteers and the Cleveland County Medical Reserve CORPS to support community events and disaster response. The grant allowed for the purchase of several Quick Series publications for community outreach and education; a portable screen and speakers to support mobile training; replacement of uniforms for volunteers; replacement of the laptop for the volunteer program; and temporary labor to assist in the volunteer program. Also, the grant purchased equipment to support animal control emergency response, and provided for registration to the National Tornado Summit. Further this grant replaced the body wrap on the Emergency Management trailer and provided

equipment to support cooling stations.

**DISCUSSION:** In June of 2013 the City was awarded an additional \$24,964.19 to purchase further educational materials to distribute to the public, safety clothing for volunteers, and equipment and temporary labor to assist in the volunteer program.

**RECOMMENDATION:** It is recommended that City Council accept the grant in the amount of \$24,964.19 under the FYE 2010 Homeland Security Grant Program; receipt into Other Revenue: Emergency Management Grant (022-0000-331.13-60) and appropriate funds as follows.

<u>Account#</u>	<u>Amount</u>
022-9508-422.30-15	\$19,305.19
022-9508-422.35-03	\$1,289.00
022-9508-422.36-10	\$2,420.00
022-9508-422.41-01	\$1,950.00

The expenditure and revenue accounts project number is GF0069.



# Resolution

R-1213-153

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, INCREASING SPECIAL REVENUE FUND: OTHER REVENUE/HOMELAND SECURITY GRANT BY \$24,964.19 AND APPROPRIATING THOSE FUNDS TO VARIOUS ACCOUNTS TO ALLOW THE FIRE DEPARTMENT TO UTILIZE ADDITIONAL GRANT FUNDING FROM THE OKLAHOMA OFFICE OF HOMELAND SECURITY TO PURCHASE ADDITIONAL EDUCATIONAL MATERIALS, SAFETY CLOTHING AND EQUIPMENT FOR VOLUNTEERS, AND PAY FOR TEMPORARY LABOR TO ASSIST IN THE VOLUNTEER PROGRAM.

- § 1. WHEREAS, the Norman Office of Emergency Management recently received approval of a grant from the Office of Homeland Security in the amount of \$3,508.10; and
- § 2. WHEREAS, additional grant funding has been received in the amount of \$24,964.19 to be used to purchase additional educational materials to distribute to the public, purchase safety clothing and equipment for volunteers, and for temporary labor to assist in the volunteer program; and
- § 3. WHEREAS, it is necessary to deposit those funds into Other Revenue/Homeland Security Grant (022-0000-331.13-60) and appropriate the funds into the accounts listed below.

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

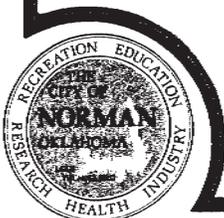
- § 4. That the following appropriations be made for the reason as stated above:

<u>Account Names</u>	<u>Losing Account</u>	<u>Gaining Account</u> Project No. GF0069, Emer Mgmt/Citizen Corps	<u>Amount</u>
Other Supplies/Materials/Food & Bev	022-0000-331.13-60	022-9508-422.30-15	\$19,305.19
Uniform & Clothing/Apparel	022-0000-331.13-60	022-9508-422.35-03	\$ 1,289.00
Minor Equipment & Tools	022-0000-331.13-60	022-9508-422.36-10	\$ 2,420.00
Business Services/Temporary Employ	022-0000-331.13-60	022-9508-422.41-01	\$ 1,950.00

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk





# City of Norman, OK

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

## Master

**File Number: K-1213-177-FINAL**

<b>File ID:</b> K-1213-177-FINAL	<b>Type:</b> Contract	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item No. 21	<b>In Control:</b> City Council
<b>Department:</b> Public Works Department	<b>Cost:</b> \$150,720.00	<b>File Created:</b> 05/31/2013
<b>File Name:</b> SOUTH SHILOH STORM SEWER - FINAL	<b>Final Action:</b>	

**Title:** CONSIDERATION OF FINAL ACCEPTANCE OF CONTRACT NO. K-1213-177 BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CMP REPAIR L.L.C., FOR THE SOUTH SHILOH STORM SEWER REHABILITATION PROJECT.

**Notes:** ACTION NEEDED: Motion to accept or reject the project.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 21

**Attachments:** Text File, Location map, Final Costs

**Project Manager:** Greg Hall

**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:
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### Text of Legislative File K-1213-177-FINAL

Body

**BACKGROUND:** The FYE 2013 CIP Drainage Projects is an annual funding program for the repair or replacement of existing storm drainage infrastructure, typically located in existing neighborhoods. These projects are identified by staff or citizens because flooding or nuisances have begun to occur. Typical projects involve the repair or replacement of underground storm pipelines or storm inlets or concrete-lined drainage channels. The projects are constructed using in-house labor and equipment from the City Storm Water Division or a combination of in-house and contract services.

On April 9, 2013, City Council approved Contract Number K-1213-177 for the South Shiloh Storm Sewer Rehabilitation Project. The rehabilitation of the underground storm water system from Andover Drive to the Anitol detention basin located just west of Triad Village Drive within an existing public drainage easement was included in this project.

**DISCUSSION:** The South Shiloh Storm Sewer Rehabilitation Project was awarded to CMP Repair LLC in the amount of \$150,720. Payments were made throughout the construction process out of Project No. SC0552, South Shiloh improvements, Construction (050-9906-451.61-01). The project has been completed and on April 22, 2013, Storm Water staff inspected this project and found it to be complete per specifications.

**RECOMMENDATION:** Staff recommends the South Shiloh Storm Sewer Rehabilitation Project be accepted.



<b>SOUTH SHILOH STORM SEWER REHABILITATION PROJECT</b>	
<b>INVOICES PAID</b>	
<b>K-1213-177 - CMP REPAIR LLC</b>	
<b>SC0552 050-9906-451.61-01</b>	
<b>INVOICE 132002</b>	<b>\$ 70,000.00</b>
<b>INVOICE 132003</b>	<b>\$ 80,720.00</b>
<b>CONSTRUCTION COSTS</b>	<b>\$ 150,720.00</b>
Completed the repair of 471' of corrugated metal pipe	
Coated the new invert.	



# City of Norman, OK

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

## Master

**File Number: K-1213-205**

<b>File ID:</b> K-1213-205	<b>Type:</b> Contract	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item No. 22	<b>In Control:</b> City Council
<b>Department:</b> Utilities Department	<b>Cost:</b>	<b>File Created:</b> 06/03/2013
<b>File Name:</b> Contract for Lab Services with Ana-Lab		<b>Final Action:</b>

**Title:** CONTRACT NO. K-1213-205: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND ANA-LAB CORPORATION TO PROVIDE PROFESSIONAL ANALYTICAL SERVICES FOR THE INDUSTRIAL AND MUNICIPAL WASTEWATER, SLUDGE, AND SOIL MONITORING PROGRAMS FOR THE NORMAN WATER RECLAMATION FACILITY.

**Notes:** ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Contract No. K-1213-205 with Ana-Lab Corporation; and, if approved, authorize the execution thereof.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 22

**Attachments:** Text File, K-1213-205 Ana Lab, Exhibit A K-1213-205 Ana Lab

**Project Manager:** Steve Hardeman, Water Reclamation Facility Superintendent

**Entered by:** Ellen.Usry@mccinnovations.com

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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### Text of Legislative File K-1213-205

Body

**BACKGROUND:** The Norman Water Reclamation Facility (NWRf), Water Treatment Facility and Environmental Services Division use many outside lab services to perform a variety of lab analysis throughout the year. Each division is required by local, state and federal law to perform certain analysis to meet either water quality standards or wastewater discharge requirements. The lab analysis required varies based on regulations imposed by the Environmental Protection Agency (EPA). EPA plans to impose additional testing requirements beginning July 2013. During the past year, the NUA spent approximately \$70,000 to \$75,000 on meeting local, state, and federal laws testing requirements. As the requirements change, it is expected that the expenditures on testing will increase.

**DISCUSSION:** All three divisions conducted a joint request for proposals (RFP) in March and four different lab services companies answered the request. They were Environmental Testing, Inc. of Oklahoma City, Red River Laboratory Company of Oklahoma City, Accurate Labs of Stillwater, Oklahoma and Ana-Lab Corporation of Kilgore, Texas who has a regional office in Norman. Ana-Lab Corporation and Accurate Labs were selected based on ranking criteria which included Oklahoma Department of Environmental Quality certification, price, EPA performance evaluation results and reporting capabilities. Red River and Environmental Testing may be

used in special circumstances but labs services contracts will be signed with Ana-Lab and Accurate Labs for all three divisions. Should additional testing be required under new state or federal regulations, such tests will be provided at the costs set forth in the contracts with Ana-Lab Corporation and Accurate Labs.

Funds are budgeted in the FYE 2014 Budget in the following accounts for these services:

Water Reclamation Fund - Laboratory Testing (032-5544-432.40-20) - \$4,580  
Water Reclamation Fund - Sludge Testing (032-5545-432.40-20) - \$32,600  
Water Reclamation Fund - Industrial Pretreatment Testing (032-5543-432.40-20) - \$27,010  
Water Fund - Laboratory Testing (031-5536-461.40-20) - \$47,766

**RECOMMENDATION:** Staff recommends Norman Utilities Authority approve Contract No. K-1213-205 with Ana-Lab Corporation and Contract No. K-1213-206 with Accurate Environmental Laboratories and authorize staff to encumber funds on an as needed basis not-to-exceed budgeted amounts.

CONTRACT

THIS CONTRACT made and entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between Ana- Lab Corporation as Party of the First Part, hereinafter designated as the CONTRACTOR, and the Norman Utilities Authority, a public trust having the City of Norman, Oklahoma as its beneficiary, hereinafter designated as the NUA, Party of the Second Part.

WITNESSETH

WHEREAS, the NUA has caused to be prepared in accordance with law, specifications, and other documents for the work hereinafter described and has approved and adopted all of said documents, and has caused Request for Proposals 1213-67 (RFP) to be given and advertised as required by law, and has received proposals for the furnishing of all labor and materials for the following project:

Laboratory Services for the Water Treatment Facility,  
Water Reclamation Facility and Environmental Services

as outlined and set out in the RFP and in accordance with the terms and provisions of said CONTRACT; and,

WHEREAS, the CONTRACTOR in response to said RFP, has submitted to the NUA on the manner and at the time specified, a proposal in accordance with the terms of this Contract; and,

WHEREAS, the NUA, in the manner provided by law, has publicly opened, examined, and canvassed the proposals submitted and has determined and declared the above-named CONTRACTOR to be the ranking firm on the above prepared project, and has duly awarded this CONTRACT to said CONTRACTOR;

NOW, THEREFORE, for and in consideration of the mutual agreements and covenants herein contained, the parties in this CONTRACT have agreed, and hereby agree, as follows:

1) The CONTRACTOR shall, in a good and first-class, workman-like manner at the CONTRACTOR'S own cost and expense, furnish all labor, materials, tools, equipment, sample pick up, and transportation as required to satisfactorily perform and complete said laboratory analysis.

2a) All laboratory analysis shall be conducted in strict accordance with specifications outlined in the City of Norman's Oklahoma Pollutant Discharge Elimination System (OPDES) permit #OK0029190 and acceptable to the Environmental Protection Agency and Oklahoma Department of Environmental Quality. OPDES permit #0029190, Code of Federal Regulations Chapter 40 Part 136 (40 CFR Part 136), 40 CFR Part 503 are made a part of this CONTRACT as fully as if the same were set out at length.

2b) All laboratory testing for drinking water samples shall be conducted in strict accordance with specifications outlined in Standard Methods for the Examination of Water and Wastewater, 21<sup>st</sup> edition and/or 40 CFR Part 141.

3) That the NUA shall pay the CONTRACTOR for the work performed as follows:

a. Payment for the unit price items shall be at the unit price set forth in the price schedule attached hereto as Exhibit A.

b. Should any defective work or materials be discovered or should a reasonable doubt arise as to the quality of any work completed, an amount equal to the value of the defective or questionable work shall not be paid until the defects are remedied.

4) That the NUA reserves the right to add to or subtract from the estimated quantities or amount of work as discussed in the RFP. The work to be performed or deducted shall be at the unit price listed in the price schedule in section 3.a.

5) The NUA designates the following people as designated representatives for the purposes of this contract unless otherwise stated:

- a. Utilities Superintendent, Water Treatment/Water Reclamation Divisions
- b. Utilities Supervisor, Water Treatment /Water Reclamation Divisions
- c. Environmental Services Coordinator
- d. Assistant Environmental Services Coordinator
- e. Senior Laboratory Technician, Water Reclamation Division
- f. Laboratory Manager, Water Treatment Division

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 the NUA through one of its designated representatives; and that in the event any additional work or materials are provided by the CONTRACTOR without such authorization, 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 one of the NUA's designees, the CONTRACTOR shall be compensated therefore at the unit price and as agreed to by both parties.

Performing a replicate analysis on a sample shall not result in an additional charge unless agreed to in advance by an authorized representative of the NUA.

8) The CONTRACTOR shall maintain certification with the Oklahoma Department of Environmental Quality (ODEQ) to perform all of the laboratory analysis agreed to by this contract. If this certification is terminated for whatever reason, the CONTRACTOR shall immediately notify the NUA. Loss of ODEQ certification may be grounds for termination of this contract.

9) The CONTRACTOR will provide electronic copies of analytical reports with original signatures to the NUA designee within 10 working days of receipt of samples. Failure to do so will result in a deduction of (20%) twenty percent of the cost of the work, per day of delay,

up to the full price of the work. Repeated failures to provide data in a timely manner may be grounds for termination of this contract

10) Standard turnaround time is 7-10 days however, if the NUA requests expedited turnaround time for data reporting on a sample analysis, the NUA will pay at a higher rate, as specified below, than listed in the schedule at 3.a. No same day rush is available in Oklahoma. The cost for a (24) twenty-four hour turnaround time will be the list price x 2.0. The cost for a (48) forty-eight hour turnaround time will be the list price x 1.75. The cost for a (3) three-day turnaround time will be the list price x 1.5. The cost for a (5) five-day turnaround time will be the list price x 1.25.

11) The NUA will provide the CONTRACTOR with a minimum of (4) four hours verbal notice for sample pick up, not prescheduled or routine. Such notice will be made to the CONTRACTOR'S Oklahoma Regional Office.

12) All analytical data supplied by the CONTRACTOR shall be legally defensible. Failure to provide legally defensible data may be grounds for termination of this contract.

13) The CONTRACTOR or the CONTRACTOR'S employees shall conduct all analysis of samples, unless otherwise agreed to by the NUA.

14) All samples will be appropriately stored to preserve the integrity of the sample for a minimum of 30 days by the CONTRACTOR.

15) IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed, in four (4) duplicate originals, the day and year first above written and shall be in effect for a period of one (1) year.

16) Unless written notice of termination or renegotiations of any or all portions of this contract, including unit cost, is given by the NUA or CONTRACTOR at least (60) sixty days prior to the expiration date of this contract, the contract shall be renewed and provisions thereof shall continue in full force and effect for a (12) twelve month period, with provisions for automatic renewal to apply to each successive (12) twelve month period thereafter.

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 NUA 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 afford a defense against any obligation owed or assumed by such third person to the NUA or in any way to restrict the freedom of the NUA to exercise full discretion in its dealing with the CONTRACTOR.

17) The sworn statement below must be signed and notarized before this Contract will become effective.

STATE OF Texas )  
COUNTY OF Gregg ) SS

O. H. Whiteside, 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 NUA. 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 NUA any money or other thing of value, either directly or indirectly, in the procuring of the CONTRACT.

O. H. Whiteside

Subscribed and sworn to before me this 23<sup>rd</sup> day of May, 2013.

Bobbie Renee Johnson

Notary Public



My Commission Expires: 10/16/2016

IN WITNESS WHEREOF, the said parties of the First and Second Part have hereunto set their hands and seals respectively the 23 day of May, 2013 and the 23 day of May, 2013

(Corporate Seal)(where applicable)

ATTEST:

Bobbie Renee Johnson  
Corporate Secretary (where applicable)

Ana-Lab Corporation

Principal

Signed: O. H. Whiteside  
Authorized Representative

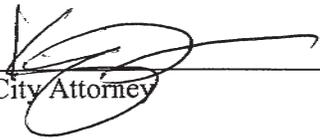
President  
Title

Address: PO Box 9000  
Kilgore, TX 75663

Telephone: 903/984-0551

Norman Utilities Authority:

Approved as to form and legality this 3<sup>rd</sup> day of June, 2013.

  
\_\_\_\_\_  
City Attorney

Approved by the Norman Utilities Authority, this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairman

CONTRACT AFFIDAVIT

STATE OF Texas )  
COUNTY OF Gregg ) SS

Q.H. Whiteside, of lawful age, being first duly sworn, on oath says that (s)he is the Agent authorized by the firm of Ana-Labs Corporation to submit the above Contract to the Norman Utilities Authority.

Affidavit further states that such firm has not paid, given or donated or agreed to pay, give, or donate to any officer or employee of the Norman Utilities Authority, any money or other thing of value, either directly or indirectly, in the procuring of the Contract.

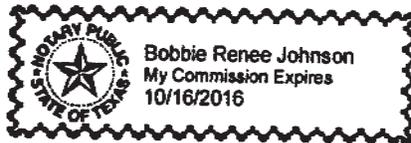
Q.H. Whiteside  
CONTRACTOR

Subscribed and sworn to before me this 23<sup>rd</sup> day of May, 2013.

Bobbie Renee Johnson  
Notary Public

My Commission Expires:

10/16, 2016.



# **EXHIBIT A - UNIT PRICES**



# Quotation

110440

Geri Wellborn  
City of Norman/WP  
Water Division  
PO Box 370  
Norman, OK 73070-0370

Geri Wellborn  
City of Norman/WP  
Water Division  
PO Box 370  
Norman, OK 73070-0370

Printed 05/28/2013 12:28:46PM Original Quote Date: 02/28/2013

## Normal TAT

145	2013 WTP RFP - Liq	Liquid Aqueous	01	Normal TAT
Accredited	Test	Name	Method	Fee
N	!BrL	Bromide	EPA 300.0 2.1	22.00
N	!FIL	Fluoride	EPA 300.0	22.00
N	!GPS	Glyphosate Expansion	EPA 547	200.00
N	!HAA	Haloacetic Acids (HAA5)	EPA Method 552.2	150.00
N	!N2L	Nitrite-Nitrogen, Total	EPA 300.0 2.1	22.00
N	!N3L	Nitrate-Nitrogen Total	EPA 300.0	22.00
N	!NNL	Nitrate-Nitrite Nitrogen	EPA 300.0	22.00
N	!VOA	Volatiles by GC/MS	EPA 524.2 4.1	145.00
N	\$TEC	Trihalomethane Expansion Code	EPA 524.2 4.1	100.00
N	*AsM	Arsenic	EPA 200.8 5.4	13.00
N	*BaM	Barium	EPA 200.8 5.4	13.00
N	*BeM	Beryllium	EPA 200.8 5.4	13.00
N	*CdM	Cadmium	EPA 200.8 5.4	13.00
N	*CrM	Chromium	EPA 200.8 5.4	13.00
N	*CuM	Copper	EPA 200.8 5.4	13.00
N	*Hg	Mercury	EPA 245.1 3	20.00
N	*NaI	Sodium	EPA 200.7 4.4	13.00
N	*NiM	Nickel	EPA 200.8 5.4	13.00
N	*PbM	Lead	EPA 200.8 5.4	13.00
N	*SbM	Antimony	EPA 200.8 5.4	13.00
N	*SeM	Selenium	EPA 200.8 5.4	13.00
N	*TIM	Thallium	EPA 200.8 5.4	13.00
	226L	Radium 226 DW Subcontract	Subcontract	100.00
	228L	Radium 228 DW Subcontract	Subcontract	125.00
N	301L	Liquid Metals Digestion	EPA 200.2 2.8	16.00
N	747L	Mercury Liquid Metals Digestion	EPA 245.1 3	16.00
N	AlkT	Alkalinity as CaCO3	SM 2320 B-97	21.00
N	CNa	Cyanide	SM 4500-CN <sup>-</sup> E-97	37.00
	GrAL	Gross Alpha DW Subcontract	Subcontract	65.00
	GrBL	Gross Beta DW Subcontract	Subcontract	65.00
N	TOCL	Total Organic Carbon	SM 5310 C-96	33.00
	Uran	Uranium (subcontract)	ASTM D5174 (sub)	42.00
<b>Sample Fee Total</b>				<b>\$ 1,401.00</b>

146	2013 WTP RFP - Sldg	Sludge	01	Normal TAT
Accredited	Test	Name	Method	Fee
N	*AsM	Arsenic	EPA 6020A	13.00

Corporate Shipping: 2600 Dudley Rd. Kilgore, TX 75662

Oklahoma Region: 2600 Van Buren Suite 2600 Norman OK 73072



NELAP-accredited #T104704201



# Quotation

110440

Geri Wellborn  
 City of Norman/WP  
 Water Division  
 PO Box 370  
 Norman, OK 73070-0370

Geri Wellborn  
 City of Norman/WP  
 Water Division  
 PO Box 370  
 Norman, OK 73070-0370

## Normal TAT

146	2013 WTP RFP - Sldg		Sludge	01	Normal TAT
Accredited	Test	Name	Method		Fee
N	*CdM	Cadmium	EPA 6020A		13.00
N	*CrM	Chromium	EPA 6020A		13.00
N	*CuM	Copper	EPA 6020A		13.00
N	*Hg	Mercury	EPA 7470A		20.00
N	*KI	Potassium	EPA 6010C		13.00
N	*MoM	Molybdenum	EPA 6020A		13.00
N	*NiM	Nickel	EPA 6020A		13.00
N	*PI	Phosphorus	EPA 6010C		13.00
N	*PbM	Lead	EPA 6020A		13.00
N	*SeM	Selenium	EPA 6020A		13.00
N	*ZnM	Zinc	EPA 6020A		13.00
N	301S	Solid Metals Digestion	EPA 200.2 2.8		16.00
N	747S	Solid Metals Digestion Hg	EPA 7471A		16.00
N	ARDW	As Received to Dry Weight Basis	Calculation		5.00
N	TS%	Total Solids for Dry Wt	SM2540 G, 20th /MOD		13.00
<b>Sample Fee Total</b>					<b>\$ 213.00</b>

147	2013 WRD RFP- BioS		Sludge	01	Normal TAT
Accredited	Test	Name	Method		Fee
N	IN3S	Nitrate-Nitrogen	EPA 9056		22.00
N	IPCB	Polychlorinated Biphenyls	EPA 8082		90.00
N	*AgM	Silver	EPA 6020A		13.00
N	*AgT	TCLP Silver	EPA 6020A		13.00
N	*AsM	Arsenic	EPA 6020A		13.00
N	*AsT	TCLP Arsenic	EPA 6020A		13.00
N	*BaT	TCLP Barium	EPA 6020A		13.00
N	*CdM	Cadmium	EPA 6020A		13.00
N	*CdT	TCLP Cadmium	EPA 6020A		13.00
N	*CrM	Chromium	EPA 6020A		13.00
N	*CrT	TCLP Chromium	EPA 6020A		13.00
N	*CuM	Copper	EPA 6020A		13.00
N	*Hg	Mercury	EPA 7470A		20.00
N	*Hg*	TCLP Mercury	SW-846 7470A		20.00
N	*KI	Potassium	EPA 6010C		13.00
N	*MoM	Molybdenum	EPA 6020A		13.00
N	*NiM	Nickel	EPA 6020A		13.00
N	*PI	Phosphorus	EPA 6010C		13.00
N	*PbM	Lead	EPA 6020A		13.00
N	*PbT	TCLP Lead	EPA 6020A		13.00





# Quotation

110440

NORM

Page 3 of 6

Geri Wellborn  
 City of Norman/WP  
 Water Division  
 PO Box 370  
 Norman, OK 73070-0370

Geri Wellborn  
 City of Norman/WP  
 Water Division  
 PO Box 370  
 Norman, OK 73070-0370

## Normal TAT

147	2013 WRD RFP- BioS		Sludge	01	Normal TAT
Accredited	Test	Name	Method		Fee
N	*SeM	Selenium	EPA 6020A		13.00
N	*SeT	TCLP Selenium	EPA 6020A		13.00
N	*TCL	TCLP Extraction Non-Volatile	EPA 1311		70.00
N	*ZnM	Zinc	EPA 6020A		13.00
N	301S	Solid Metals Digestion	EPA 200.2 2.8		16.00
N	30TS	Metals Digestion TCLP Extract	EPA 3005A		16.00
N	747S	Solid Metals Digestion Hg	EPA 7471A		16.00
N	74TS	Metals Digestion TCLP 7470	SW-846 7470A		16.00
	ARDW	As Received to Dry Weight Basis	Calculation		5.00
N	CNa	Cyanide	EPA 9014		37.00
	FCOK	Fecal Coliform , Oklahoma	Subcontract		60.00
N	NHaN	Ammonia Nitrogen	EPA 350.1 2		25.00
N	PFT	Paint Filter Test	SW-846 9095B		13.00
N	TABN	MS TCLP Semivolatile Analysis	SW-846 8270C		250.00
N	TKN	Total Kjeldahl Nitrogen	EPA 351.2 2		31.00
N	TS%	Total Solids for Dry Wt	SM2540 G, 20th /MOD		13.00
N	TVOA	MS TCLP Volatile Analysis	SW-846 8260B		145.00
N	TVOX	TCLP Extraction ZHE Volatiles	SW1311ZHE		84.00
N	pHLS	pH Measured in Water	EPA 9045D		12.00
<b>Sample Fee Total</b>					<b>\$ 1,208.00</b>

148	2013 WRD RFP- Soil		Soil	01	Normal TAT
Accredited	Test	Name	Method		Fee
N	IN3S	Nitrate-Nitrogen	EPA 9056		22.00
N	*AsM	Arsenic	EPA 6020A		13.00
N	*CdM	Cadmium	EPA 6020A		13.00
N	*CuM	Copper	EPA 6020A		13.00
N	*Hg	Mercury	EPA 7470A		20.00
N	*KI	Potassium	EPA 6010C		13.00
N	*MoM	Molybdenum	EPA 6020A		13.00
N	*NiM	Nickel	EPA 6020A		13.00
N	*PI	Phosphorus	EPA 6010C		13.00
N	*PbM	Lead	EPA 6020A		13.00
N	*SeM	Selenium	EPA 6020A		13.00
N	*ZnM	Zinc	EPA 6020A		13.00
N	301S	Solid Metals Digestion	EPA 200.2 2.8		16.00
N	747S	Solid Metals Digestion Hg	EPA 7471A		16.00
	ARDW	As Received to Dry Weight Basis	Calculation		5.00
N	NHaN	Ammonia Nitrogen	EPA 350.1 2		25.00

Corporate Shipping: 2600 Dudley Rd. Kilgore, TX 75662

Oklahoma Region: 2600 Van Buren Suite 2600 Norman OK 73072



NELAP-accredited #T104704201

22-10



# Quotation

110440

Geri Wellborn  
 City of Norman/WP  
 Water Division  
 PO Box 370  
 Norman, OK 73070-0370

Geri Wellborn  
 City of Norman/WP  
 Water Division  
 PO Box 370  
 Norman, OK 73070-0370

## Normal TAT

148	2013 WRD RFP- Soil		Soil	01	Normal TAT
Accredited	Test	Name	Method		Fee
N	TKN	Total Kjeldahl Nitrogen	EPA 351.2 2		31.00
N	TS%	Total Solids for Dry Wt	SM2540 G, 20th /MOD		13.00
N	pHLS	pH Measured in Water	EPA 9045D		12.00
<b>Sample Fee Total</b>					<b>\$ 290.00</b>

149	2013 ESD RFP- IWW		Liquid Aqueous	01	Normal TAT
Accredited	Test	Name	Method		Fee
N	\$AAE	Acrloein/Acrylonitrile Exp.	EPA Method 624		64.00
N	\$AcM	Acetone/Methylene Chloride WW/RX	EPA Method 524.2		145.00
N	*AgM	Silver	EPA 200.8 5.4		13.00
N	*AsM	Arsenic	EPA 200.8 5.4		13.00
N	*CdM	Cadmium	EPA 200.8 5.4		13.00
N	*CrM	Chromium	EPA 200.8 5.4		13.00
N	*CuM	Copper	EPA 200.8 5.4		13.00
N	*Hg	Mercury	EPA 245.1 3		20.00
N	*MoM	Molybdenum	EPA 200.8 5.4		13.00
N	*NiM	Nickel	EPA 200.8 5.4		13.00
N	*PbM	Lead	EPA 200.8 5.4		13.00
N	*SeM	Selenium	EPA 200.8 5.4		13.00
N	*ZnM	Zinc	EPA 200.8 5.4		13.00
N	2378	2,3,7,8-TCDD Scan	EPA Method 625-scan		200.00
N	301L	Liquid Metals Digestion	EPA 200.2 2.8		16.00
N	747L	Mercury Liquid Metals Digestion	EPA 245.1 3		16.00
N	AC66	Acetates by 1666 Exp	EPA Method 1666		250.00
N	BOD	Biochemical Oxygen Demand (BOD5)	SM 5210 B-97		20.00
N	CNa	Cyanide	SM 4500-CN <sup>-</sup> E-97		37.00
N	HEM	Oil and Grease (HEM)	EPA 1664B (HEM)		44.00
N	TKN	Total Kjeldahl Nitrogen	EPA 351.2 2		31.00
N	TSS	Total Suspended Solids	SM 2540 D, 20th Ed.		20.00
N	TTOS	TTO SVOC 40 CFR I22 Table II	EPA Method 625		300.00
N	TTOV	TTO VOC 40 CFR Pt 122 Table II	EPA Method 624		125.00
<b>Sample Fee Total</b>					<b>\$ 1,418.00</b>





# Quotation

110440

Geri Wellborn  
 City of Norman/WP  
 Water Division  
 PO Box 370  
 Norman, OK 73070-0370

Geri Wellborn  
 City of Norman/WP  
 Water Division  
 PO Box 370  
 Norman, OK 73070-0370

## Normal TAT

150	2013 ESD RFP- Inf/Eff	Liquid Aqueous	01	Normal TAT
Accredited	Test	Name	Method	Fee
N	!CPR	TTO PCB	EPA Method 608	90.00
N	!PCB	Polychlorinated Biphenyls	EPA 608	90.00
N	!PES	Pesticides by GC	EPA 608	130.00
N	!PPR	TTO Pesticides	EPA 608	130.00
N	\$AAE	Acrloein/Acrylonitrile Exp.	EPA Method 624	64.00
N	*AgM	Silver	EPA 200.8 5.4	13.00
N	*AsM	Arsenic	EPA 200.8 5.4	13.00
N	*BeM	Beryllium	EPA 200.8 5.4	13.00
N	*CdM	Cadmium	EPA 200.8 5.4	13.00
N	*CrM	Chromium	EPA 200.8 5.4	13.00
N	*CuM	Copper	EPA 200.8 5.4	13.00
N	*Hg	Mercury	EPA 245.1 3	20.00
N	*MoM	Molybdenum	EPA 200.8 5.4	13.00
N	*NiM	Nickel	EPA 200.8 5.4	13.00
N	*PbM	Lead	EPA 200.8 5.4	13.00
N	*SbM	Antimony	EPA 200.8 5.4	13.00
N	*SeM	Selenium	EPA 200.8 5.4	13.00
N	*TIM	Thallium	EPA 200.8 5.4	13.00
N	*ZnM	Zinc	EPA 200.8 5.4	13.00
	2378	2,3,7,8-TCDD Scan	EPA Method 625-scan	200.00
	237S	2378-tetrachlorodibenzo-p-dioxin	EPA 1613 -- Subcontr	490.00
N	301L	Liquid Metals Digestion	EPA 200.2 2.8	16.00
N	747L	Mercury Liquid Metals Digestion	EPA 245.1 3	16.00
N	CNa	Cyanide	SM 4500-CN <sup>-</sup> E-97	37.00
N	Cr+6	Hexavalent Chromium	SM 3500-Cr B-97	28.00
N	Phna	Phenolics, Total Recoverable	EPA 420.4	37.00
N	TTOS	TTO SVOC 40 CFR 122 Table II	EPA Method 625	300.00
N	TTOV	TTO VOC 40 CFR Pt 122 Table II	EPA Method 624	125.00
			<b>Sample Fee Total</b>	<b>\$ 1,942.00</b>

151	2013 RFP- Sampling	Liquid Aqueous	01	Normal TAT
Accredited	Test	Name	Method	Fee
	TSTR	Technician Hourly Rate		65.00
			<b>Sample Fee Total</b>	<b>\$ 65.00</b>





# Quotation

110440

NORM

Page 6 of 6

Geri Wellborn  
City of Norman/WP  
Water Division  
PO Box 370  
Norman, OK 73070-0370

Geri Wellborn  
City of Norman/WP  
Water Division  
PO Box 370  
Norman, OK 73070-0370

Quoted By: MTORRES

SHAWN

Quotation Total: \$7,667.00

Please note that ANA-LAB is accredited nationally to the EPA NELAP standard. Our consistent performance on proficiency samples validates our unparalleled accuracy and precision. This enables Ana-Lab to provide quality results at these competitive prices. We will also provide appropriately cleaned and preserved bottles (that meet EPA specifications) and chain of custodies at no extra cost.

Prices are guaranteed for 60 days from the date of the quote, and your submittal of samples indicates your acceptance. ANA-LAB shall provide these ordered services pursuant to our Standard Terms & Conditions Agreement (available for download from the welcome page at www.ana-lab.com or by US mail by request). If we can help further, please contact us. We look forward to working with you on this project.

Thank you,

*Monica Torres*

Monica Torres  
Regional Manager



The accredited column designates accreditation by N - NELAC, or z - not covered under NELAC scope of accreditation.





# City of Norman, OK

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

## Master

**File Number: K-1213-206**

<b>File ID:</b> K-1213-206	<b>Type:</b> Contract	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item No. 23	<b>In Control:</b> City Council
<b>Department:</b> Utilities Department	<b>Cost:</b>	<b>File Created:</b> 06/03/2013
<b>File Name:</b> Contract for Lab Services with Accurate Env. Lab		<b>Final Action:</b>

**Title:** CONTRACT NO. K-1213-206: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND ACCURATE ENVIRONMENTAL LABORATORIES TO PROVIDE PROFESSIONAL ANALYTICAL SERVICES FOR THE INDUSTRIAL AND MUNICIPAL WASTEWATER, SLUDGE, AND SOIL MONITORING; PROGRAMS FOR THE NORMAN WATER RECLAMATION FACILITY.

**Notes:** ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Contract No. K-1213-206 with Accurate Environmental Laboratories; and, if approved, authorize the execution thereof.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 23

**Attachments:** Text File, K-1213-206 Accurate, Exhibit A K-1213-206 Accurate

**Project Manager:** Steve Hardeman, Water Reclamation Facility Superintendent

**Entered by:** Ellen.Usry@mccinnovations.com

**Effective Date:**

### History of Legislative File

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

### Text of Legislative File K-1213-206

Body

**BACKGROUND:** The Norman Water Reclamation Facility (NWRF), Water Treatment Facility and Environmental Services Division use many outside lab services to perform a variety of lab analysis throughout the year. Each division is required by local, state and federal law to perform certain analysis to meet either water quality standards or wastewater discharge requirements. The lab analysis required varies based on regulations imposed by the Environmental Protection Agency (EPA). EPA plans to impose additional testing requirements beginning July 2013. During the past year, the NUA spent approximately \$70,000 to \$75,000 on meeting local, state, and federal laws testing requirements. As the requirements change, it is expected that the expenditures on testing will increase.

**DISCUSSION:** All three divisions conducted a joint request for proposals (RFP) in March and four different lab services companies answered the request. They were Environmental Testing, Inc. of Oklahoma City, Red River Laboratory Company of Oklahoma City, Accurate Labs of Stillwater, Oklahoma and Ana-Lab Corporation of

Kilgore, Texas who has a regional office in Norman. Ana-Lab Corporation and Accurate Labs were selected based on ranking criteria which included Oklahoma Department of Environmental Quality certification, price, EPA performance evaluation results and reporting capabilities. Red River and Environmental Testing may be used in special circumstances but labs services contracts will be signed with Ana-Lab and Accurate Labs for all three divisions. Should additional testing be required under new state or federal regulations, such tests will be provided at the costs set forth in the contracts with Ana-Lab Corporation and Accurate Labs.

Funds are budgeted in the FYE 2014 Budget in the following accounts for these services:

Water Reclamation Fund - Laboratory Testing (032-5544-432.40-20) - \$4,580  
Water Reclamation Fund - Sludge Testing (032-5545-432.40-20) - \$32,600  
Water Reclamation Fund - Industrial Pretreatment Testing (032-5543-432.40-20) - \$27,010  
Water Fund - Laboratory Testing (031-5536-461.40-20) - \$47,766

**RECOMMENDATION:** Staff recommends Norman Utilities Authority approve Contract No. K-1213-205 with Ana-Lab Corporation and Contract No. K-1213-206 with Accurate Environmental Laboratories and authorize staff to encumber funds on an as needed basis not-to-exceed budgeted amounts.

CONTRACT

THIS CONTRACT made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2013, by and between Accurate Environmental Laboratories as Party of the First Part, hereinafter designated as the CONTRACTOR, and the Norman Utilities Authority, a public trust having the City of Norman, Oklahoma as its beneficiary, hereinafter designated as the NUA, Party of the Second Part.

WITNESSETH

WHEREAS, the NUA has caused to be prepared in accordance with law, specifications, and other documents for the work hereinafter described and has approved and adopted all of said documents, and has caused Request for Proposals 1213-67 (RFP) to be given and advertised as required by law, and has received proposals for the furnishing of all labor and materials for the following project:

Laboratory Services for the Water Treatment Facility, Water Reclamation Facility,  
and Environmental Services

as outlined and set out in the RFP and in accordance with the terms and provisions of said CONTRACT; and,

WHEREAS, the CONTRACTOR in response to said RFP, has submitted to the NUA on the manner and at the time specified, a proposal in accordance with the terms of this Contract; and,

WHEREAS, the NUA, in the manner provided by law, has publicly opened, examined, and canvassed the proposals submitted and has determined and declared the above-named CONTRACTOR to be one of the ranking firm on the above prepared project, and has duly awarded this CONTRACT to said CONTRACTOR;

NOW, THEREFORE, for and in consideration of the mutual agreements and covenants herein contained, the parties in this CONTRACT have agreed, and hereby agree, as follows:

1) The CONTRACTOR shall, in a good and first-class, workman-like manner at the CONTRACTOR'S own cost and expense, furnish all labor, materials, tools, equipment, sample pick up, and transportation as required to satisfactorily perform and complete said laboratory analysis.

2a) All laboratory analysis shall be conducted in strict accordance with specifications outlined in the City of Norman's Oklahoma Pollutant Discharge Elimination System (OPDES) permit #OK0029190 and acceptable to the Environmental Protection Agency and Oklahoma Department of Environmental Quality. OPDES permit #0029190, Code of Federal Regulations Chapter 40 Part 136 (40 CFR Part 136), 40 CFR Part 503 are made a part of this CONTRACT as fully as if the same were set out at length.

2b) All laboratory testing for drinking water samples shall be conducted in strict accordance with specifications outlined in Standard Methods for the Examination of Water and Wastewater, 21<sup>st</sup> edition and/or 40 CFR Part 141.

3) That the NUA shall pay the CONTRACTOR for the work performed as follows:

a. Payment for the unit price items shall be at the unit price set forth in the price schedule attached hereto as Exhibit A.

b. Should any defective work or materials be discovered or should a reasonable doubt arise as to the quality of any work completed, an amount equal to the value of the defective or questionable work shall not be paid until the defects are remedied.

4) That the NUA reserves the right to add to or subtract from the estimated quantities or amount of work as discussed in the RFP. The work to be performed or deducted shall be at the unit price listed in the price schedule in section 3.a.

5) The NUA designates the following people as designated representatives for the purposes of this contract unless otherwise stated:

- a. Utilities Superintendent, Water Treatment/Water Reclamation Division
- b. Utilities Supervisor, Water Treatment/Water Reclamation Division
- c. Environmental Services Coordinator/ Environmental Services Division
- d. Assistant Environmental Services Coordinator/ Environmental Services Division
- e. Senior Laboratory Technicians, Water Reclamation Division
- f. Laboratory Manager, Water Treatment Division

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 the NUA through one of its designated representatives; and that in the event any additional work or materials are provided by the CONTRACTOR without such authorization, 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 one of the NUA's designees, the CONTRACTOR shall be compensated therefore at the unit price and as agreed to by both parties.

Performing a replicate analysis on a sample shall not result in an additional charge unless agreed to in advance by an authorized representative of the NUA.

8) The CONTRACTOR shall maintain certification for the specific parameters with the Oklahoma Department of Environmental Quality (ODEQ) to perform all of the laboratory analysis agreed to by this contract. If this certification is terminated for whatever reason, the CONTRACTOR shall immediately notify the NUA. Loss of ODEQ certification may be grounds for termination of this contract.

9) The CONTRACTOR will provide electronic copies of analytical reports with original signatures to the NUA designee within 10 working days of receipt of samples. Failure to do so will result in a deduction of (20%) twenty percent of the cost of the work, per day of delay,

up to the full price of the work. Repeated failures to provide data in a timely manner may be grounds for termination of this contract.

10) Normal turnaround time is 10 working days however, if the NUA requests expedited turnaround time for data reporting on a sample analysis the NUA will pay at a higher rate than listed in the schedule in 3a. A same day turnaround time will result in a three hundred percent (300%) surcharge. Next day, by 5:00pm, turnaround time will result in a two hundred percent (200%) surcharge. A two day turnaround time will result in a one hundred percent (100%) surcharge. A three day turnaround time will result in a fifty percent (50%) surcharge. A five day turnaround time will be result in a twenty-five percent (25%) surcharge.

11) The NUA will provide the CONTRATOR with a minimum of four (4) hours verbal notice for sample pick up, not prescheduled or routine. Such notice will be made to the CONTRACTOR'S Account Manager.

12) All analytical data supplied by the CONTRACTOR shall be legally defensible. Failure to provide legally defensible data may be grounds for termination of this contract.

13) The CONTRACTOR or the CONTRACTOR'S employees shall conduct all analysis of samples, unless otherwise agreed to by the NUA.

14) All samples will be appropriately stored to preserve the integrity of the sample for a minimum of 30 days by the CONTRACTOR.

15) IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed, in four (4) duplicate originals, the day and year first above written and shall be in effect for a period of one (1) year.

16) Unless written notice of termination or renegotiations of any or all portions of this contract, including unit cost, is given by the NUA or CONTRACTOR at least sixty (60) days prior to the expiration date of this contract, the contract shall be renewed and provisions thereof shall continue in full force and effect for a twelve (12) month period, with provisions for automatic renewal to apply to each successive twelve (12) month period thereafter.

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 NUA 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 afford a defense against any obligation owed or assumed by such third person to the NUA or in any way to restrict the freedom of the NUA to exercise full discretion in its dealing with the CONTRACTOR.

17) The sworn statement below must be signed and notarized before this Contract will become effective.

STATE OF Oklahoma )  
 ) SS  
COUNTY OF Payne )

Danny Chance, 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 NUA. 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 NUA any money or other thing of value, either directly or indirectly, in the procuring of the CONTRACT.

[Signature]

Subscribed and sworn to before me this 2<sup>nd</sup> day of May, 20 13.



Michelle Fowler

Notary Public

My Commission Expires: 09-09-15

IN WITNESS WHEREOF, the said parties of the First and Second Part have hereunto set their hands and seals respectively the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, and the \_\_\_ day of \_\_\_\_\_, 20\_\_\_.

(Corporate Seal)(where applicable)

ATTEST:

\_\_\_\_\_  
Corporate Secretary (where applicable)

Accurate Environmental Laboratories

Principal

Signed: [Signature]

Authorized Representative

Technical Director

Title

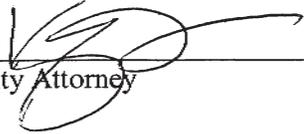
Address: 505 S Lowry

Stillwater, OK 74074

Telephone: 405-372-5300

Norman Utilities Authority:

Approved as to form and legality this 3 day of June, 2013.

  
\_\_\_\_\_  
City Attorney

Approved by the Norman Utilities Authority, this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_.

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairman

CONTRACT AFFIDAVIT

STATE OF Oklahoma )  
COUNTY OF Payne ) SS

Danny Chance, of lawful age, being first duly sworn, on oath says that (s)he is the Agent authorized by the firm of Accurate Environmental Laboratories to submit the above Contract to the Norman Utilities Authority.

Affidavit further states that such firm has not paid, given or donated or agreed to pay, give, or donate to any officer or employee of the Norman Utilities Authority, any money or other thing of value, either directly or indirectly, in the procuring of the Contract.

  
\_\_\_\_\_  
CONTRACTOR

Subscribed and sworn to before me this 2<sup>nd</sup> day of May, 2013.

Michelle Fowler  
Notary Public



My Commission Expires:  
September 9<sup>th</sup>, 2015.

# **EXHIBIT A - UNIT PRICES**



# Accurate

## Environmental Laboratories

### Prices and Methods

## Potable Water

Parameter	Price	Method
Acidity, as CaCO <sub>3</sub>	\$25	SM 2310B
Alkalinity, as CaCO <sub>3</sub>	\$20	SM 2320B
Anions: Alk, SO <sub>4</sub> , Cl, NO <sub>3</sub>	\$100	EPA 300
Arsenic	\$25	EPA 200.8
Bromide (low level detection)	\$35	EPA 300.1
BTEX	\$70	EPA 8021B / OK 8020/8015 Mod
BTEX + TPH (DRO + GRO)	\$150	EPA 8021B / OK 8020/8015 Mod
Calcium, as CaCO <sub>3</sub>	\$25	SM3500Ca B
Cations: Ca, Mg, K, Na	\$100	EPA 200.7
Chloride	\$25	EPA 300
Chlorine, demand	\$35	SM 4500Cl G
Chlorine, residual	\$25	SM 4500Cl G
Coliform, total	\$21	SM 9223B
Conductivity	\$20	SM 2510B
Corrosivity, Langlier Index	\$115	HACH 8073
Cyanide, available	\$100	EPA 1677
Cyanide, total	\$65	SM 4500CN E
DOC	\$50	SM5310C
Fluoride, non-dist.	\$25	EPA 300
HAA5 (Haloacetic Acids ) <i>Disinfection Byproducts</i>	\$240	EPA 552.2
Hardness	\$25	SM 2340C
Herbicides, ECD acid	\$200	EPA 515.4
Herbicides, Endothall	\$200	EPA 548.1
Herbicides, Diquat	\$200	EPA 549.1
Herbicides, Glyphosate	\$200	EPA 547
Individual Metals by flame or ICP, Std DL	\$25	EPA 200.7
Individual Metals by GF or ICPMS, Low DL	\$25	EPA 200.8/200.9
Magnesium, as CaCO <sub>3</sub>	\$25	EPA 200.7
Metals, single element digestion charge	\$10	
Nitrate	\$25	EPA 300
Nitrite	\$25	EPA 300
Nitrate / Nitrite	\$25	EPA 300.0/353.2
Nitrogen, Ammonia, distilled	\$30	SM 4500NH3 E
pH	\$25	SM 4500 H+B

Nitrogen, Kjeldahl	\$40	SM 4500Norg C
Nitrogen, organic (TON)	\$75	Calculated
Odor	\$30	SM 2150B
PCB's	\$200	EPA 508
Perchlorate + Conductivity	\$95	EPA 314.0
Pesticides, Fumigants	\$200	EPA 504.1
Pesticides, Carbamate	\$200	EPA 531.1
Phosphorus, Ortho	\$25	SM 4500P E
Phosphorus, total	\$25	SM 4500P E
Rad Alpha	\$80	EPA 900/9310
Rad Beta	\$80	EPA 900/9310
Silica, dissolved	\$30	EPA 200.7
Silica, reactive	\$35	SM 4500SiO <sub>2</sub> C
Silver, by CNI	\$25	EPA 6010B
Specific Gravity	\$20	SM 2710
Solids, Dissolved (TDS)	\$20	SM 2540C
Solids, Settleable	\$20	SM 2540F
Solids, Suspended (TSS)	\$25	SM 2540D
Sulfate	\$25	EPA 300
SVOC (semi-volatile organics)	\$445	EPA 525.2
TOC	\$45	SM 5310C
TTHM (Trihalomethanes) <i>Disinfection Byproducts</i>	\$130	EPA 524.2
Turbidity	\$20	SM 2130B
VOC	\$160	EPA 524.2
Volatile Solids	\$25	EPA 160.4
<b>Water Quality Analysis</b>		
Anions, Cations, pH, TDS (calc.)		
Density	\$20	SM 2520C
Geosmin / MIB	\$200	EPA 6040D
Hexavalent Chromium (low level)	\$100	EPA 218.7
Methane / Ethane/ Ethene	\$150	RSK-147 Mod
SUVA	\$65	

*\*Special discount may apply for multiple samples\**



## Microbiology Tests Drinking Water

Parameter	Price	Method
Blue-green Algae Toxin (Microcystin-LR) by LCMSMS	\$200	
Coliform, Total (Presence/Absence)	\$21	SM 9223B
Coliform, Fecal MF (Membrane Filtration)	\$75	SM 9222D
Coliform, Total MF	\$50	SM 9222B
Coliform, Fecal MPN* (Most Probable Number)	\$100	SM 9221E
Coliform, Total MPN	\$100	SM 9223B
Enterococcus MPN*	\$75	IDEXX Enterolert
Escherichia coli (Presence/Absence)	\$25	SM 9223B
Escherichia coli MF (m-Coli blue)	\$50	Hach 10029
Escherichia coli MPN	\$65	SM 9223B
Fecal Streptococcus MF*	\$50	SM 9230C
Heterotrophic Plate Count	\$50	SM 9215B
Heterotrophic Plate Count MPN	\$50	IDEXX SimPlate
Standard Plate Count	\$50	SM 9215B
Aerobic Plate Count*	<i>Call for Prices</i>	AOAC 977.27
BART test for Denitrifying Bacteria*	<i>Call for Prices</i>	
BART test for Fluorescent Pseudomonads*	<i>Call for Prices</i>	
o Pseudomonas aeruginosa		
o Pseudomonas fluorescens		
BART test for Heterotrophic Aerobic Bacteria*	<i>Call for Prices</i>	
BART test for Iron Reducing Bacteria*	<i>Call for Prices</i>	
o Anaerobic bacteria		
o Iron related bacteria		
o Pseudomonads		
o Enteric bacteria		
o Heterotrophic Bacteria		
BART test for Micro-Algae*	<i>Call for Prices</i>	
o Chlamydononas		
o Chlorophyceae		
o Diatoms & Desmids		

o Scenedesmus	
o Chlorella	
o Cyanobacter	
BART test for Nitrifying Bacteria*	<i>Call for Prices</i>
BART test for Pool, Spa and Hot Tub*	<i>Call for Prices</i>
o Pseudomonas aeruginosa	
o Pseudomonas fluorescens	
BART test for Slime Forming Bacteria*	<i>Call for Prices</i>
o Dense Slime Bacteria	
o Fluorescing Pseudomonads	
o Enteric Bacteria	
o Tight Slime Bacteria	
BART test for Sulfate Reducing Bacteria*	<i>Call for Prices</i>
o Aerobic	
o Anaerobic	
Pseudomonas Presence/Absence*	<i>Call for Prices</i>
Pseudomonas MPN*	<i>Call for Prices</i>
RapID ONE system*	<i>Call for Prices</i>
o Enterobacter	
o Escherichia	
o Hafnia alvei	
o Klebsiella	
o Proteus	
o Salmonella	
o Shigella	
o Pseudomonas	
o Sphingomonas	
o Allows identification of more than 70 organisms	
Salmonella/Shigella Plate Count*	<i>Call for Prices</i>

Note: \* indicates non-certified tests

*Special discount may apply to multiple samples*



## Prices and Methods

# Waste Water / Solid Waste

Parameter	Price	Method
Acidity, as CaCO <sub>3</sub>	\$25	SM 2310B
Alkalinity, as CaCO <sub>3</sub>	\$20	SM 2320B
Anions: SO <sub>4</sub> , Cl, NO <sub>3</sub> -N, Alk	\$100	EPA 300.0
BOD, Ultimate	\$75	SM 5210C
BOD <sub>5</sub>	\$45	SM 5210B
BOD <sub>5</sub> w/ COD	\$50	SM 5210B / SM 5220D
Bromide (high level detection)	\$35	EPA 300.0
BTEX	\$70	EPA 8021B / OK 8020/8015Mod
BTEX + TPH	\$150	EPA 8021B / OK 8020/8015Mod
Calcium, as CaCO <sub>3</sub>	\$25	SM 3500Ca B
Cations: Ca, Mg, K, Na	\$100	EPA 200.7
CBOD	\$50	SM 5210B
Chloride	\$25	EPA 300.0
Chlorine, demand	\$35	SM 4500Cl G
Chlorine, residual	\$25	SM 4500Cl G
COD	\$20	SM 5220D
Coliform, Fecal, MF	\$75	EPA 9222D
Coliform, Fecal, MPN	\$100	EPA 9221E
Coliform, Total, MF	\$50	EPA 9222B
Coliform, Total, MPN	\$50	EPA 9221B
Color, Pt/Co Stand	\$30	SM 2120C
Corrosivity, pH	\$25	EPA 9040B
Cyanide, Amenable to Chlor.	\$75	SM 4500CN G
Cyanide, Available	\$100	EPA 1677
Cyanide, Total	\$65	SM 4500CN E
Density	\$20	SM 2520C
DOC	\$50	SM 5310C
Fluoride	\$25	EPA 300.0
Hardness	\$25	SM 2340C
Herb., Chlorinated	\$200	EPA 615/8151A

Hexavalent Chromium (Cr <sup>6+</sup> )	\$50	EPA 3500-Cr B
Ignitability, Flashpoint	\$60	EPA 1010
Individual Metals by GF or ICPMS, Low DL	\$25	EPA 200.8 / EPA 200.9
Individual Metals by ICP, Std DL	\$25	EPA 200.7
Mercury (cold vapor)	\$60	EPA 245.1
Metals, Single element digestion charge	\$10	
Nitrate	\$25	EPA 300.0
Nitrate-Nitrite	\$25	EPA 300.0
Nitrite	\$25	EPA 300.0
Nitrogen, Ammonia, Distilled	\$30	SM 4500NH3 E
Nitrogen, Kjeldahl	\$40	SM 4500Norg C
Odor	\$30	SM 2150B
Oil and Grease (HEM SGT)	\$85	EPA 1664A
Oil and Grease (HEM)	\$65	EPA 1664A
PCB Water	\$200	EPA 8082
Perchlorate + Conductivity	\$95	EPA 314.0
Pest., Diazanone only	\$200	EPA 614
Pest., ECD	\$200	EPA 608/8081A
Pest., Nitro/Phos	\$300	EPA 614/619/622/8141A
pH	\$10	SM 4500H B
Phenols	\$65	EPA 420.1
Phosphorus, Ortho	\$25	SM 4500PE
Phosphorus, Total	\$25	SM 4500PE
Settleable Solids	\$25	SM 2540F
Silica, Dissolved	\$25	EPA 200.7
Silver, by CNI	\$30	EPA 6010B
Specific Conductivity	\$20	SM 2510B
Specific Gravity	\$20	SM 2710F
Sulfate	\$25	EPA 300.0
Sulfide	\$25	SM 4500S2F
Sulfite	\$35	SM 4500SO3B
Surfactants (MBAS)	\$50	SM 5540C
SVOC (Semi-Volatile Organic Compounds)	\$445	EPA 625 / 8270C
SVOC, single compound only	\$225	EPA 625 / 8270C
Table II (EPA)	\$890	EPA 624/625/608
Table III Metals (EPA) + Cn, Phenol	\$495	
Table III Metals (EPA) + Mo	\$385	
TDS (Total Dissolved Solids)	\$25	SM 2540C
TOC	\$45	SM 5310C
TON - Total Organic Nitrogen	\$75	SM 4500Norg C
TPH / BTEX / GRO / DRO	\$150	
TPH by HEM-SGT	\$85	EPA 1664-SGT
TPH-extr. DRO	\$80	OK 8000/8100Mod
TPH-purg GRO	\$80	OK 8020/8015Mod
TPH (TX 1005)	\$80	TX 1005
TSS (Total Suspended Solids)	\$25	SM 2540D
TTO (Total Toxic Organics)	\$890	EPA 8260B/8270C/8081A

Turbidity	\$20	SM 2130B
TVS (Total Volatile Solids)	\$25	EPA 160.4
VOC (Volatile Organic Compounds)	\$245	EPA 624 / 8260B
VOC, single compound only	\$120	EPA 624 / 8260B
<b>Field Services</b>		
Technician Time (standard services)	\$75/hr	
<b>Sampling Services</b>		
Grab, hourly	\$75/hr	
Composite, unit only	\$125	
Sample Pick-Up Services	\$10	

*\*Special discount may apply for multiple samples\**



## Microbiology Tests

### Wastewater / Non-Potable Water

Parameter	Price	Method
Blue-Green Algae Toxin (Microcystin-LR) by LCMSMS	\$200	
Coliform, Total Presence/Absence	\$25	SM 9223B
Coliform, Total MF (Membrane Filtration)	\$75	SM 9222B
Coliform, Fecal MF	\$65	SM 9222D
Escherichia coli Presence/Absence	\$25	SM 9223B
Escherichia coli MF (m-Coli blue)	\$50	Hach 10029
Coliform, Total MPN (Most Probable Number)	\$50	SM 9223B
Coliform, Fecal MPN*	\$100	SM 9221E
Enterococcus MPN	\$75	IDEXX Enterolert
Escherichia coli MPN	\$65	SM 9223B
Fecal Streptococcus MF	\$50	SM 9230C
Heterotrophic Plate Count	\$50	SM9215B
Heterotrophic Plate Count MPN	\$50	IDEXX SimPlate
Aerobic Plate Count*	<i>Call for Prices</i>	AOAC 977.27
BART test for Denitrifying Bacteria*	<i>Call for Prices</i>	
BART test for Fluorescent Pseudomonads*	<i>Call for Prices</i>	
BART test for Heterotrophic Aerobic Bacteria*	<i>Call for Prices</i>	
BART test for Iron Reducing Bacteria*	<i>Call for Prices</i>	
BART test for Micro-Algae*	<i>Call for Prices</i>	
BART test for Nitrifying Bacteria*	<i>Call for Prices</i>	
BART test for Pool, Spa and Hot Tub*	<i>Call for Prices</i>	
BART test for Slime Forming Bacteria*	<i>Call for Prices</i>	
BART test for Sulfate Reducing Bacteria*	<i>Call for Prices</i>	
Filamentous bacteria slide identification*	<i>Call for Prices</i>	
Invertebrate slide identification*	<i>Call for Prices</i>	
o See Drinking Water analysis for all bacteria identified		
Pseudomonas Presence/Absence*	<i>Call for Prices</i>	
Pseudomonas MPN*	<i>Call for Prices</i>	
Rapid ONE system*	<i>Call for Prices</i>	
o Allows identification of more than 70 organisms		
Salmonella/Shigella Plate Count*	<i>Call for Prices</i>	

*Note: \* indicates non-certified tests*

*Special discount may apply for multiple samples*



Prices and Methods

**Municipal Sludge & Soil**

Parameter	Price	Method
BTEX	\$70	EPA 8021B / OK 8020/8015Mod
BTEX + TPH	\$150	EPA 8021B / OK 8020/8015Mod
CEC (cation ex. Capacity)	\$60	EPA 9081
Chloride	\$25	EPA 300
Coliform - Sludge		
Coliform, MF	\$50	EPA 9222B
Coliform, MPN	\$50	EPA 9221B
Corrosivity	\$115	EPA 9040B
Cyanide, total	\$65	EPA 9014
Cyanide, amenable to chlor.	\$75	EPA 9014
Cyanide, available	\$100	EPA 1677
DOC	\$50	SM 5310C
Mercury (cold vapor)	\$60	EPA 7470A
Metals, 503 regs	\$285	
As, Cd, Cr, Cu, Pb, Hg, Mo, Ni, Se, Zn		
Metals, individual	\$25	
Metals, individual by ICP, ICPMS, or GFAA	\$25	
Moisture by percent	\$20	SM 2540B
Oil and Grease (HEM)	\$65	EPA 1664A
Paint Filter Test	\$25	EPA 9095
PAN (nutrients)	\$170	
TKN, NH <sub>3</sub> -N, NO <sub>3</sub> -N, NO <sub>2</sub> -N, K, P		
PCB, solids	\$200	EPA 8082
Pesticide, Nitro/Phos	\$300	EPA 8141A
Pesticide, chlorinated	\$200	EPA 8081A
pH of Soil	\$10	EPA 9045C
Phenols	\$65	EPA 420.1
Silver	\$25	
Sour Test Spec. Oxygen uptake rate	\$50	SM 2710B
Sulfate	\$25	EPA 300

Sulfide	\$25	EPA 9034
SVOC (Semivolatile Organics)	\$445	EPA 8270C
SVOC, single compound only	\$150	EPA 8270C
Table III Metals (EPA) and Mo	\$385	
Table III Metals (EPA), Mo, CN, and Phenols	\$495	
<b>TCLP extractions only:</b>		
Extractions - Volatile	\$125	
Extractions - Nonvolatile	\$100	
<b>TCLP Extractions and Analysis:</b>		
TCLP complete with extraction BNA, VOC, metals, pest., herb.	\$1,275	
TCLP Metals with extraction As, Ba, Cd, Cr, Pb, Hg, Se, Ag	\$335	
TCLP Herbicide with extraction	\$300	EPA 8151
TCLP Pest	\$300	EPA 8081A
TCLP BNA	\$545	EPA 8270B
TCLP Volatiles	\$370	EPA 8260B
TOC	\$45	
TPH - extr. DRO	\$80	OK Method
TPH - purg GRO	\$80	OK Method
TPH (TX 1005)	\$80	TX 1005
TTO (Total Toxic Organics)	\$890	EPA 8260B/8270C/8081A
VOC (Volatile Organics)	\$245	EPA 8260B
<b>Field Services</b>		
Technician Time (standard services)	\$75/hr	
<b>Sampling Services</b>		
Grab, hourly	\$75/hr	
Composite, unit only	\$125	
Sample Pick-Up Services	\$10	

*\*Special discount may apply for multiple samples\**



## Microbiology Tests Solids / Sludge

Parameter	Price	Method
Fecal Coliform MPN*	\$100	SM 9221E
Fecal Sludge MPN	\$100	EPA 1681
Fecal Sludge MF	\$65	SM 9222D
Total Coliform MF*	\$50	SM 9222B
Salmonella/Shigella Plate Count*	<i>Call for Prices</i>	
RapID ONE system*	<i>Call for Prices</i>	
o Allows identification of more than 70 organisms		
Filamentous bacteria slide identification*	<i>Call for Prices</i>	
Invertebrate slide identification*	<i>Call for Prices</i>	
BART test for Micro-Algae*	<i>Call for Prices</i>	
o See Drinking Water analysis for all bacteria identified		
BART test for Denitrifying Bacteria*	<i>Call for Prices</i>	
BART test for Fluorescent Pseudomonads*	<i>Call for Prices</i>	
BART test for Heterotrophic Aerobic Bacteria*	<i>Call for Prices</i>	
BART test for Iron Reducing Bacteria*	<i>Call for Prices</i>	
BART test for Nitrifying Bacteria*	<i>Call for Prices</i>	
BART test for Pool, Spa and Hot Tub*	<i>Call for Prices</i>	
BART test for Slime Forming Bacteria*	<i>Call for Prices</i>	
BART test for Sulfate Reducing Bacteria*	<i>Call for Prices</i>	

Note: \* indicates non-certified tests



**Prices and Methods  
Hazardous Waste**

Parameter	Price	Method
Appendix B: OK Landfills 47 VOC, 15 Metals	\$700	EPA 8260B/200.7/200.8
Alcohols, Glycols	\$100	EPA 8015B
BTEX + TPH	\$150	EPA 8021B / OK 8020/8015 Mod
Chloride	\$25	EPA 300
Corrosivity, NACE Standard, TM-01-69	\$115	EPA 9040B
Cyanide, total	\$65	EPA 9014
Cyanide, available	\$100	OIA 1677
Ignitability, Flashpoint	\$60	EPA 1010
Mercury, cold vapor	\$60	EPA 7470A
Metals, RCRA As, Ba, Cd, Cr, Pb, Hg, Se, Ag	\$235	
PCB, solid	\$200	EPA 8082
PCB, water	\$200	EPA 8082
Pesticides + PCB on fish	\$400	EPA 1656
pH	\$25	EPA 9045D
Reactivity CN & Sulfide	\$120	
Reactivity, Corrosivity, Ignitability (RCI)	\$200	
SVOC (semi-volatile organics)	\$445	EPA 8270C
SVOC, single compound only	\$150	EPA 8270C
SVOC (Appdx IV)	\$445	
TCLP Extractions Only:		
TCLP Extractions - volatile	\$125	
TCLP Extractions - nonvolatile	\$100	
TCLP Extraction + Analysis:		
TCLP Complete: BNA, VOC, Metals, Pest, Herb	\$1,275	
TCLP Metals: As, Ba, Cd, Cr, Pb, Hg, Se, Ag - with extractio	\$335	
TCLP Pest & Herb - with extraction	\$500	EPA 8081A/8151A
TCLP BNA - with extraction	\$545	EPA 8270C
TCLP Volatiles - with extraction	\$370	EPA 8260
TPH - extr. DRO	\$80	OK 8000/8100 Mod
TPH - purg GRO	\$80	OK 8020/8015 Mod

TPH (HEM-SGT)	\$85	EPA 1664A
TTO (toxic organics)	\$840	EPA 8260B/8270C/8081A
PAHs (poly aromatic hydrocarbons)	\$445	
VOC (volatile organics)	\$245	EPA 8260B
VOC, single compound only	\$100	EPA 9010
TOX (organic halogens), per replicate, water	\$100	EPA 9020
<b>Field Services</b>		
Technician Time (standard services)	\$75/hr	
<b>Sampling Services</b>		
Grab, hourly	\$75/hr	
Composite , unit only per day	\$125	
Sample Pick-Up Services	\$10	

*\*Special discount may apply for multiple samples\**



# City of Norman, OK

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

## Master

**File Number: K-1213-207**

**File ID:** K-1213-207      **Type:** Contract      **Status:** Consent Item

**Version:** 1      **Reference:** Item No. 24      **In Control:** City Council

**Department:** Public Works Department      **Cost:**      **File Created:** 06/07/2013

**File Name:** Contract with Garver Engineering for Robinson Street Traffic Signal Interconnect System      **Final Action:**

**Title:** CONTRACT NO. K-1213-207: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN AND GARVER ENGINEERING L.L.C., IN THE AMOUNT OF \$32,000 TO PROVIDE ENGINEERING SERVICES FOR THE DEVELOPMENT OF TRAFFIC SIGNAL TIMING PLANS FOR THE ROBINSON STREET TRAFFIC SIGNAL INTERCONNECT SYSTEM.

**Notes:** ACTION NEEDED: Motion to approve or reject Contract No. K-1213-207 with Garver Engineering, L.L.C., in the amount of \$32,000; and, if approved, authorize the execution thereof.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 24

**Attachments:** Text File, K-1213-207 Contract Documents - Robinson Street Signal Timing, Location Map, Requisition

**Project Manager:** Angelo Lombardo, Transportation 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:
1	City Council	06/25/2013					

### Text of Legislative File K-1213-207

Body

**BACKGROUND:** The City of Norman currently operates twelve traffic signal interconnect systems along its busier arterial roadways. These systems promote the continuous movement of traffic along major arterials, minimize overall delay and reduce traffic collision rates (~30% reduction nationally).

While some traffic signals fall into multiple corridors, the twelve interconnect systems in Norman include traffic signals along the following corridors:

- State Highway 9 (Ten Signals)
- Lindsey Street (SH 74A) (Eighteen Signals)

- Boyd Street (Eight Signals)
- Main Street (Sixteen Signals)
- Gray Street (Six Signals)
- Alameda Street (Six Signals)
- Robinson Street (Fourteen Signals)
- Tecumseh Road (Six Signals)
- Classen Boulevard/12th Avenue East (US 77/SH 77H) (Thirteen Signals)
- Classen Boulevard/Porter Avenue (Eight Signals)
- 24th Avenue West (Eight Signals)
- 36th Avenue West (Five Signals)

The objective of a coordinated signal system is to provide continuous movement of vehicles and/or to minimize delay along an arterial or along a network of major streets.

**DESCRIPTION:** One of the most important elements of an efficient traffic signal coordinated system is the traffic signal timing plan. The goal is to have a timing plan that is based on the prevailing traffic conditions .

Several factors are considered in the formulation of the timing plan. They include the degree to which traffic characteristics change in amount or directional distributions throughout the day, the quality of progressed movement that can be provided by the various timing plans, the timing plan transition method used and the cycle lengths involved. Most systems in Norman have up to five time-of-day plans which can typically include a.m. peak, a.m. off-peak, noon peak, p.m. off-peak, and p.m. peak.

The development of a timing plan requires the following activities:

- Collection of traffic turning movement counts - typically 6 hours (from 7:00 to 9:00 a.m., 11:00 a.m. to 1:00 p.m. and 4:00 to 6:00 p.m.),
- Vehicle classification study,
- Calculation of operating speeds in the field,
- Development inventory of traffic signals (phasing and sequence) and intersections geometry (number of lanes, width of lanes, length of turn lanes),
- Measurement of distance between signalized intersections,
- Identification of critical intersection and establishment of a common cycle for the system,
- Analyses of individual intersections to establish optimum splits that minimize overall delay,
- Establishment of offsets to maximize progression,
- Implementation of timing plan in the field, and
- Monitoring of system operation and field adjustments to the timing plan if necessary.

Through a competitive Request for Proposal (RFP) process, the Public Works Department and the RFP Selection Committee (comprised of City staff Angelo Lombardo-Transportation Engineer, David Riesland-Traffic Engineer, and Brian McNabb-Traffic Signal Supervisor, and Norman citizens Stephen Corfidi and Evan Trevathan) selected Garver Engineering, LLC, with an office in Norman, Oklahoma, to provide the engineering services necessary to develop timing plans for the Robinson Street system between Brookhaven Boulevard and 12th Avenue NE. In addition to Garver, submittal packages were received from EST (office in Norman, Oklahoma), Lee Engineering (office in Oklahoma City, Oklahoma), SAIC (office in Oklahoma City, Oklahoma) and TEC (office in Oklahoma City, Oklahoma). This corridor has not been re-timed in a number of years because of large construction projects such as the Robinson Street Underpass, the Robinson Street intersection with 12th Avenue NE, and the reconstruction of the northeast quadrant of the Robinson Street interchange with Interstate Highway 35. As such, this corridor is in need of updated coordination timing plans.

Public Works staff has negotiated a contract with Garver Engineering, LLC, to provide the previously mentioned design services. The \$32,000 fee will be funded by using funds in the Traffic Control Division operation and maintenance budget specifically reserved for this activity (Account No. 010-5023-429.40-02 Consultant Design). All of the funds are available in the FYE 2013 budget.

If approved, Garver Engineering, LLC will complete this project in 3 months. City staff will then implement the recommended signal timing plans immediately using existing staff and equipment.

**RECOMMENDATION:** Staff recommends approval of Contract No. K-1213-207 with Garver Engineering, LLC, in the amount of \$32,000, for the development of updated timing plans for the Robinson Street signal system.

## **AGREEMENT FOR PROFESSIONAL SERVICES**

THIS AGREEMENT is entered into between the City of Norman (OWNER) and Garver, LLC (CONSULTANT) for the following reasons:

1. OWNER intends to replace the existing AM/Midday/PM peak period signal timings along the Robinson Street corridor with updated timings reflective of the typical existing traffic demand in the area (the Project); and,
2. OWNER requires certain professional survey, design, analysis and engineering services in connection with the Project (the Services); and,
3. CONSULTANT is prepared to provide the Services.

In consideration of the promises contained in this Agreement, OWNER and CONSULTANT agree as follows:

### **ARTICLE 1 - EFFECTIVE DATE**

The effective date of this Agreement shall be 26th day of June, 2013.

### **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, PE  
 City Traffic Engineer  
 City of Norman, Oklahoma  
 1311 DaVinci Street  
 Norman, OK 73069  
 (405) 329-0528

**CONSULTANT:**

Michael Graves  
 Garver, LLC 1016 24<sup>th</sup> Avenue NW  
 Norman, Oklahoma 73069  
 (405) 329-2555 Office  
 (405) 329-3555 FAX

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 Garver, LLC have executed this Agreement.

DATED this \_\_th day of \_\_\_\_\_, 2013.

The City of Norman  
(OWNER)

Garver, LLC  
(CONSULTANT)

Signature \_\_\_\_\_

Signature  \_\_\_\_\_

Name Cindy Rosenthal

Name Michael Graves

Title Mayor

Title Vice President

Date \_\_\_\_\_

Date 4/5/13

Attest:

Attest:

\_\_\_\_\_  
City Clerk

Lisa Nipper  
Secretary



Approved as to form and legality this 18 day of June 2013.

  
\_\_\_\_\_  
City Attorney

## APPENDIX A – SCOPE OF SERVICES

### 1. General

The City of Norman requires the professional services of an engineering firm to provide all engineering services necessary to replace the existing AM/Midday/PM peak period signal timings along the Robinson Street corridor. Generally, the scope of services consists of coordinating with the city; providing optimal signal splits and offsets at 14 signalized locations in order to maximize vehicle progression and minimize overall delay throughout the corridor. Specific tasks will consist primarily of the following:

### 2. Services of Engineer

The basic services include design and preparation of Synchro models and the implementation of coordinated signal timings along Robinson Street in Norman, Oklahoma.

More specifically, the Engineer will perform the following services:

- 2.1. **Traffic Data Collection** – Owner will provide AM/Midday/PM intersection turning movement counts to the Engineer. The Engineer will take this raw data and produce traffic flow diagrams for the corridor – balancing intersections without intervening driveways and noting locations with significant driveways between signalized intersections that provide an imbalance. The Engineer will analyze traffic volumes for the current construction conditions as volumes are presently higher near the Robinson/I-35 interchange due to construction at the nearby I-35 interchange at Main Street. The Engineer will also reduce the volumes for “2014 post-construction” conditions.
- 2.2. **Field Observation and Signal Inventory** – Owner will provide aerial photography with key dimensions as well as the existing signal timing and phasing data in place at each intersection. The Engineer will observe the study corridors during the peak periods to determine the existing quality of vehicle progression, progression speed, intersection queuing, locations of high pedestrian activity, and any other impediments to providing coordinated signal timings. The Engineer will also make field observations to ensure that the collected data is reflective of the true vehicle demand or if any volumes are constrained due to a lack of intersection capacity. Finally, the Engineer will conduct “Before” travel time runs along the corridor.
- 2.3. **Develop Synchro Model for Corridor** – The Engineer will use the collected traffic, lane, and signal data to develop a computer model of the existing corridor for each peak period. The Engineer will use the computer software program, Synchro - Version 7 for all computer models. The Engineer will use the field observations recorded in Item 2.2 to calibrate the model as needed in order to develop an accurate base for comparing the benefit of any future timing improvements.
- 2.4. **Develop New Timing Plans for Corridor** – The Engineer will update the Synchro model for each peak period in order to minimize overall corridor delay. The timing plans will be analyzed based on intersection Level of Service (LOS), expected

progressive flow according to time-space diagrams, and SimTraffic simulation results that compare corridor-wide delay, number of stops, and number of cycle failures for various alternatives. The Engineer will consider minor operational changes to signalization (such as lagging protected left turn phases or restricting certain movements during the peak hour). Any such changes will be approved by the Owner prior to implementation.

In addition, critical intersections along the corridor will be identified. The timing needs for these intersections will take precedence over the non-critical intersections as these are typically locations where sensitive timing plans are needed in order to ensure corridor-wide benefits and reduce potential queuing disruptions. Critical intersections can also include those that are part of other existing coordinated corridors.

Using the established city-wide cycle lengths of 100 seconds (AM) and 110 seconds (Midday/PM), the Engineer will determine the optimal signal splits to minimize delay at each intersection within the corridor. Once the intersections are optimized, the Engineer will consider the magnitude of through traffic, the distance between intersections, and the prevailing vehicle speeds to determine the offsets and signal phasing order for the best progressive bandwidth possible for each peak period. At this time, consideration will be given to allocating additional green time to the major street through movement to enhance progression and improve corridor-wide delay if acceptable conditions (as determined by the Owner) can be maintained for the minor intersection movements. Time-space diagrams developed in Synchro and observed visually in SimTraffic will be consulted to determine the best possible progressive bandwidth for the corridor that minimizes stops and overcomes operational issues like deficient turn lane storage or queuing between closely spaced intersections.

- 2.5. **Implement New Timing Plans** – After a review of the updated preliminary Synchro timing plans with the Owner, the model output will be entered into the controller database, verified as acceptable within the signal controllers, and downloaded for operation. It is the Engineer's understanding that the Owner will input the data. Once the data is loaded into the controllers, the Engineer will observe traffic for each plan and make iterative field adjustments to the timings to produce optimal operation. The Engineer will make note of these field adjustments and update all Synchro models and associated documentation when submitting the deliverables to the Owner.
- 2.6. **Conduct Project Meetings with City Staff** – Prior to beginning work, the Engineer will meet with the Owner to discuss goals, establish priorities, and develop strategies for the updated traffic signal timings. The Owner will evaluate the new plans and offer comments prior to implementation.

### 3. Project Deliverables

The following will be submitted to the Owner, or others as indicated, by Garver:

1. PDF submittal of all Meeting Minutes.
2. Electronic copies of all submittal Synchro models, including final runs updated to

- reflect any field adjustments for all peak periods.
3. Two copies of the final signal timing database, including all changes made to the timing plans in tabular form.
  4. Electronic copy of before/after study for website display.

#### **4. Extra Work**

The following items are not included under this agreement but will be considered as extra work:

1. Before/After Report for the website.
2. Consideration of any future year conditions other than before/after I-35 at Main Street construction.
3. Recommendations for additional lane capacity.
4. Off-peak timings (including weekend or holiday plans)
5. 24-Hour machine traffic counts
6. Analysis of transition methods or times between plans
7. Construction plans
8. Submittals or deliverables in addition to those listed herein.
9. Coordination or design of any utilities relocation.
10. Surveying.
11. Environmental Handling and Documentation.

Extra Work will be as directed by the Owner in writing for an additional fee as agreed upon by the Owner and Garver.

**ATTACHMENT B – SCHEDULE**

The CONSULTANT shall begin work under this Agreement within ten (10) days of a Notice to Proceed (NTP) and shall complete the work in accordance with the schedule below:

<u>Phase Description</u>	<u>Calendar Days</u>
Kick-Off Meeting	10 days from NTP
Submit Preliminary Timing Plans to the City	45 days from NTP
Submit Final Timing Plans to the City for Implementation	20 days from approval of preliminary timing plans
Submit Final Report	20 days from implementation of final timing plans

**THE CITY OF NORMAN  
ROBINSON STREET TRAFFIC SIGNAL TIMING PLANS**

**PROJECT DESCRIPTION:**

The City of Norman requires the professional services of an engineering firm to provide all engineering services necessary to replace the existing AM/Midday/PM peak period signal timings along the Robinson Street Corridor with updated timings reflective of the typical existing traffic demand of the area.

**FEE SUMMARY:**

Labor	Man-Hours	Total
1. Signal Timings	258	\$31,264.00
<b>Total Labor</b>	<b>258</b>	<b>\$31,264.00</b>

Expenses	Amount
1. Signal Timings	\$736.00
<b>Total Expenses</b>	<b>\$736.00</b>

**GRAND TOTAL LUMP SUM FEE:**

**\$32,000.00**

**ATTACHMENT D - OWNER'S RESPONSIBILITIES**

In connection with the project, the Owner's responsibilities shall include, but not be limited to, the following:

1. Giving thorough consideration to all documents presented by the Engineer and informing the Engineer of all decisions within a reasonable time so as not to delay the work of the Engineer.
2. Furnishing the Engineer existing AM/Midday/PM peak hour turning movement counts, aerial photography with intersection dimensions, signal timing and phasing data, and posted speed limits, and providing verification of all signal detection and communication equipment.
3. Making provision for the employees of the Engineer to enter public and private lands as required for the Engineer to perform necessary field investigations.
4. Furnishing the Engineer existing plans, previous studies, or copies of the same, related to or bearing on the proposed work as may be in the possession of the Owner. Such documents or data will be returned upon completion of the work or at the request of the Owner.
5. Providing legal, accounting, and insurance counseling services necessary for the project and such auditing services as the Owner may require.
6. Giving prompt written notice to the Engineer whenever the Owner observes or otherwise becomes aware of any defect in the project or other events which may substantially alter the Engineer's performance under this Agreement.
7. Owner will not hire any of the Engineer's employees during performance of this contract and for a period of one year beyond completion of this contract.



Figure 1. Robinson Street Corridor  
(Brookhaven Blvd to 12th Avenue NE)

PI610U02

City of Norman

6/05/13

Number : 0000218096

Purchase Requisition

11:38:55

Type information, press Enter.

Type (F4) . . . . . 1 PURCHASE REQUISITION

Reason . . . . . ROBINSON ST. TRAFFIC SIGNAL INTERCONNECT RETIMING

By . . . . . ALOMBARDO

Date . . . . . 060513

Vendor number . . . . . 8540

Name (F4) . . . . . GARVER ENGINEERS LLC \_ B=Begins with,C=Contains

Contract nbr (F4) . . . . . K-1213-207

Ship to (F4) . . . . . PA PUBLIC WORKS ADM

Deliver by date . . . . . 060513

Fiscal year code . . . . . C C=Current year, P=Previous year, F=Future year

Type options, press Enter.

2=Change 4=Delete 8=Item extended description 9=Quotes

Opt Line# Quantity UOM Description

-	1	32000.00	EA	DESIGN SERVICES ROBINSON STREET SIGNAL RETIMING
-				CONFIRMING P.O. - DO NOT MAIL

COMMENTS EXIST

Total: 32000.00

F3=Exit

F4=Prompt

F6=Add item

F7=Alternate view

F8=Requisition quotes

F12=Cancel

F20=Comments

F21=Copy



# City of Norman, OK

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

## Master

**File Number: K-1213-209**

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<b>File ID:</b> K-1213-209	<b>Type:</b> Contract	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item No. 25	<b>In Control:</b> City Council
<b>Department:</b> Finance Department	<b>Cost:</b> \$47,560.00	<b>File Created:</b> 06/19/2013
<b>File Name:</b> IT Assessment	<b>Final Action:</b>	

**Title:** CONTRACT K-1213-209: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN AND DELL MARKETING, L.P., IN THE AMOUNT OF \$47,560 TO CONDUCT AN INFORMATION SYSTEMS (IT) SIMPLIFICATION ENTERPRISE ASSESSMENT.

**Notes:** ACTION NEEDED: Motion to approve or reject Contract No. K-1213-209 with Dell Marketing, L.P., in the amount of \$47,560; and, if approved, authorize the execution thereof.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 25

**Attachments:** Text File, K-1213-209 Dell Proposal

**Project Manager:** Anthony Francisco

**Entered by:** brenda.hall@normanok.gov

**Effective Date:**

### History of Legislative File

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Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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### Text of Legislative File K-1213-209

Body

#### BACKGROUND

The City of Norman and its related Trusts have invested millions of dollars in computer systems, information technology and telecommunications equipment. The Information Technology (IT) Division of the Finance Department is charged with managing the City's IT resources on behalf of over 400 end users throughout the City. The fiscal year 2012-2013 budget allocated funds to perform a third-party analysis of the City's use and management of these systems.

#### DISCUSSION

The City of Norman received a proposed Statement of Work (attached) from Dell Consulting Services Company of Round Rock, Texas (with field offices in Oklahoma City) to perform an Information Technology Simplification Enterprise Assessment (ITSEA). The objective of the ITSEA is to perform a detailed analysis of the City's current mode of IT operations, spanning the entire IT environment. The ITSEA Statement of Work (SOW) includes, without limitation, the following services:

- Evaluation of IT Infrastructure and Operations, using a five-stage Efficient Enterprise Model;
- Examination of Management Components, including personnel, service delivery, cost to deliver services, performance measurement, financial management, standardization levels, and tools and automation;
- Examination of Service Areas, including the data center, data storage capabilities, networks (internal and external), security and compliance, end user computing capability and satisfaction, messaging and collaboration capabilities, application operations, service management, and staffing levels.

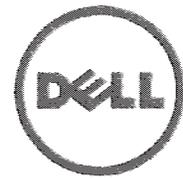
It is estimated that the analysis will be completed in approximately 60 days. The major outcome or "deliverables" of the Assessment include the following:

- An Executive Summary, highlighting benchmarks and key findings;
- A Detailed Presentation of Findings and Recommendations;
- A Presentation of Service Delivery Ratings
- A Presentation of Service Delivery Costs
- An "As Is/To Be" Analysis of existing and preferred IT Environmental Conditions
- A Transformational Blueprint to achieve the recommended "To Be" Condition

Upon the completion of the analysis, documentation of the findings of the analysis will be presented to IT Staff and the City Manager, and summarized findings will be presented to the City Council or to the Council Finance Committee.

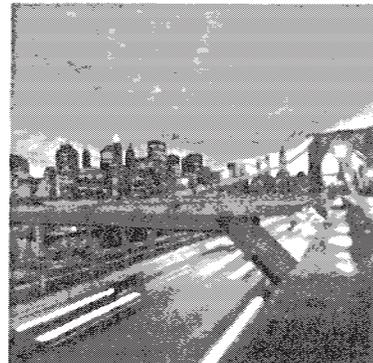
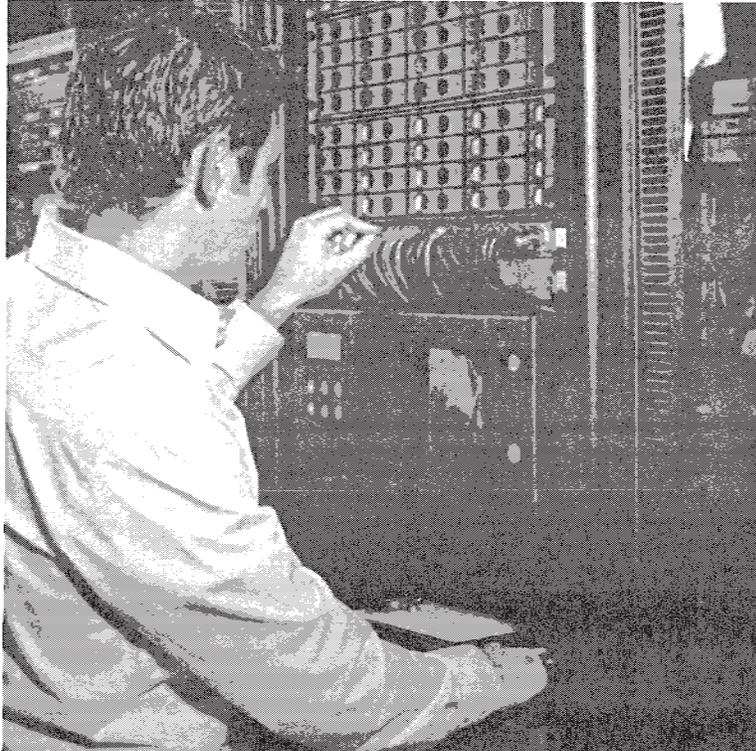
#### **RECOMMENDATION**

It is recommended that Contract K-1213-209 with Dell Consulting, L.P., in the amount of \$47,560, be approved. Funds for this contract are available in Special Studies, Management Consultant (account 010-1093-413.40-01).



# Statement of Work for City of Norman

## IT Simplification Enterprise Assessment



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## 1 INTRODUCTION

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This Statement of Work ("SOW") sets forth the Services (as defined herein) to be provided by Dell Marketing LP ("Dell") to City of Norman ("Customer").

The Services provided under this SOW are governed by and subject to the terms and conditions specified in the **State of Oklahoma WSCA Participating Addendum - Contract Code WN24ACA** and in hardcopy from Dell upon request and incorporated by reference in its entirety into this SOW, and the parties acknowledge having read and agree to be bound by such online terms, (the "Agreement").

## 2 TERM

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The term of this SOW shall begin on the date of the last signature ("Effective Date") as set forth in the Signature Section of this SOW and unless terminated in accordance with this SOW or the Agreement, shall expire on the date that Dell completes the provision of Services in accordance with this SOW.

## 3 SUMMARY OF SERVICE

---

Dell will provide the services as specifically described herein (the "Services"), which include the following:

- IT Simplification Enterprise Assessment

The objective of the IT Simplification Enterprise Assessment is to provide Customer with a detailed analysis of their Current Mode of Operations, spanning the entire information technology (IT) environment as set forth more specifically in this SOW.

## 4 SCOPE OF SERVICE

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### 4.1 Introduction

The assessment will include an end-to-end analysis of the IT infrastructure level of complexity, based on internally developed industry standards, and an analysis of Customer cost of IT service delivery. The detailed understanding of current operational processes and related support costs enables Dell to make actionable recommendations that when implemented, will result in a substantial improved (efficiency, effectiveness, cost alignment) Simplified Future Mode of Operations.

Dell employs a detailed methodology and process for assessing the Customer's IT operations in the selected organization based on the explicit goals and objectives of the Customer. The process begins with the pre-collection of data (Discovery) for preliminary analysis prior to initiating on-site assessment activities. During the onsite validation phase, Dell will gather additional information through interviews and clarification discussions.

Included in the assessment, an evaluation of Customer infrastructure operations is performed using the five-stage Efficient Enterprise Model that examines the organization from key perspectives (Service

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Delivery, Price Point, People, Measurement, Financial Management, Standardization, Tools and Automation). By understanding where the Customer’s IT service delivery functions are positioned on the five-stage Efficient Enterprise model, Dell will assist Customer in identifying specific service delivery components that require corrective action. Implementing the Dell recommendations will drive continuous improvements and ensure that investments result in an effective and efficient Future Mode of Operations.

## 4.2 Detailed Description

For successful completion of the Services, Dell will perform the tasks in unique phases as follows:

### Key Service Steps:

**Step 1 - Project Launch:** Dell will review the scope, process, milestones, and timeline with the Customer Project Sponsor and service-area participants. Customer and Dell confirm Resource and Communications Plans. Also, the Discovery Data Gathering Checklist is confirmed and distributed to service-area participants during this step.

**Step 2 - Data Collection:** Dell will collect volumetric discovery data, activity-based costing and financial data and other pre-assessment artifacts.

**Step 3 - Review and Catalog Data:** Dell will review, and catalog Customer pre-assessment data in a secured project repository and finalize the interview schedule.

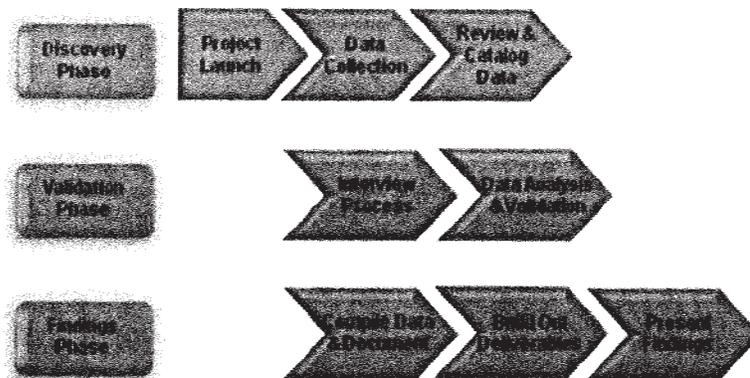
**Step 4 - Interview Process:** Dell will conduct interviews with each service-area sponsor and finalize functional assessment questionnaires to isolate any missing data.

**Step 5 - Data Analysis and Validation:** Dell will analyze compiled data into the data review matrix and prepare assumptions and data variances. Follow-up clarification interviews will be conducted, when needed. When applicable, the activity-based costing survey will be initiated during this step.

**Step 6 - Compile Data and Document:** Dell will compile all gathered data and document findings, observations and assumptions. Data from the activity-based costing survey is compiled, and assumptions matrix is refined as necessary.

**Step 7 - Build-Out Deliverables:** Dell will complete all findings and recommendations deliverables including cost models and the Activity-Based Costing Summary for in-scope towers only.

**Step 8 - Present Findings:** Dell will review the findings with the Customer. Project Sponsor to validate the deliverables and prepare the final findings and deliverables documents to present to Customer Executive Management.



### Dell Eight-Step Methodology Overview

This SOW will cover the IT Efficient Enterprise services for the Customer's computing environment and its operational disciplines, examining the following operational management components:

- \* **Service Delivery** - Level and quality of current service delivery  
The Service Delivery component is assessed to determine the quality of the current service delivery environment as compared to industry best practices. This examines IT's organizational alignment, strategy and vision, level of process integration, management of the service, user satisfaction and its focus on meeting or exceeding service level and operational goals.
- \* **People** - Quality and focus of staff development  
The People component is assessed to examine the level and quality of staff development, to include culture, roles and responsibilities, Customer service focus, training plans, and employee care methodology.
- \* **Price Point** - Cost to deliver services  
The Price Point component is assessed to determine the internal cost to deliver services, as compared to industry best practices. This includes the analysis of resource utilization and infrastructure components to quantify service costs.
- \* **Measurement** - Management and analysis of performance metrics  
The Measurement component is assessed to determine the organization's service level management methodology and process. This includes a review of operational metrics, the use of the metrics to communicate performance, trending capabilities, and related continuous improvement disciplines.
- \* **Financial Management** - Financial controls and discipline  
The Financial Management component is assessed to determine the organization's financial management methodology, including budget management, demand management, alignment of budget to IT delivery activities, and cost recovery mechanisms.
- \* **Standardization** - Level of standardization across the technical landscape  
The Standardization component is assessed to determine the organization's level of standardization in terms of hardware, software, tools, applications, and processes.
- \* **Tools and Automation** - Quality and automation of current toolset  
The Tools and Automation component is assessed to determine the organization's tool portfolio used in enterprise management to determine effective use of automation to enhance service delivery.

The specific service areas that will be assessed include:

- \* Data Center
  - Servers
  - Platform Standards
  - Performance Management
  - Maintenance Management
  - Virtualization



Backup and Disaster Recovery  
Database Operations Management & Support  
Automation Management

\* Storage

Platform Architecture & Standards (includes tiering and virtualization)  
Storage Network Measurement  
Performance and Capacity Planning  
Maintenance Management  
Tape Management  
Back Up and Disaster Recovery

\* Data Center Facilities

Environmental Design and Support  
Rack and Cable Management

\* **Network** - Data, Voice and Internet/Intranet/Extranet

Operations Practices  
Number and type of networks  
Performance Monitoring Capabilities  
Network Performance Metrics  
VOIP Capabilities and Usage  
Network Provisioning  
Disaster Recovery Capabilities  
Automation Capabilities

\* Security and Compliance

Standards  
Policy Administration  
Vulnerability Management  
Intrusion Detection  
End User Account and Access Management  
Compliance Programs  
Software and Management  
Data Retention and Protection  
Monitoring

NOTE: This assessment does not measure whether the Customer is in security compliance, only that the disciplines exist, and are being followed.

\* End User Computing

Desktops, Laptops, Thin Clients, PDAs, Printers  
Platform Standards  
Desktop Procurement



- Image Build & Management
- Installs, Moves, Adds, Changes (IMACS)
- Software Distribution
- Asset Tracking
- Desk-side Support, Break/Fix
- Refresh, Removal, Disposal

- **Messaging and Collaboration**
  - Messaging Services, including number and variation of messaging platforms.
  - Collaboration Services, including number and usage
- **Application Operations** - that part of application program which has a direct relationship to the infrastructure the applications use and the operational aspects of supporting the applications.
  - Application Technology Platform Requirements
  - SDLC Operational Impact (environments, separation of duties, quality control)
  - Portfolio Management (Lifecycle Mgmt)
  - Availability Management Process
  - Maintenance Process (enhancements, patches)
  - Automation Capabilities
  - Database Operations Management & Support
- **Service Management**
  - Service Desk
    - Incident Management
    - Problem Management
    - Request Management
  - IT Governance
  - Customer Relationship Management
  - Service Level Management including Service Level Agreements/Service Catalog
  - Financial Management
  - Vendor Management
  - Service Delivery Management (across all service areas)
  - Incident Management
  - Change Management
  - Release Management
  - Configuration Management
  - Asset Management including technology refresh and decommission practices
  - Capacity Management
  - Availability Management
  - Procurement and Maintenance Contract Management
- **Staffing**
  - Review of performance benchmarks



Review of organizational alignment to services provided  
 Comparison of benchmarks to industry best practices and standards

### 4.3 Customer Responsibilities

Customer agrees generally to cooperate with Dell in its delivery of the Services. Customer agrees to the following responsibilities:

- 1) During the term of this SOW, Customer is responsible for promptly notifying Dell in writing of a) any changes Customer makes to its information technology environment that may impact Dell's delivery of the Services; and b) if Customer becomes aware that any of the Assumptions set forth herein are incorrect.
- 2) Customer will maintain a backup of all data and programs on affected systems prior to Dell performing the Services and during the term of the SOW. Dell will have no liability for loss or recovery of data, programs or loss of use of system(s) arising out of or in connection with the Services provided under this SOW.
- 3) Prior to the start of this SOW, Customer will indicate to Dell in writing a person to be the single point of contact, according to project plan, to ensure that all tasks can be completed within the specified time period. All Services communications will be addressed to such point of contact (the "Customer Contact"). Failure to do so might result in an increase in project hours and/or length in schedule.
- 4) Customer will provide technical points-of-contact, who have a working knowledge of the enterprise components to be considered during the Services ("Technical Contacts"). Dell may request that meetings be scheduled with Technical Contacts.
- 5) Customer Contact will have the authority to act for Customer in all aspects of the Service including bringing issues to the attention of the appropriate persons within Customer's organization and resolving conflicting requirements.
- 6) Customer Contact will ensure that any communication between Customer and Dell, including any scope-related questions or requests, are made through the appropriate Dell Project Manager.
- 7) Customer Contact will provide timely access to technical and business points of contact and required data/information for matters related to the scope of Service.
- 8) Customer Contact will ensure attendance by key Customer contacts at Customer meetings and deliverable presentations.
- 9) Customer Contact will obtain and provide project requirements, information, data, decisions and approvals within one working day of the request, unless both parties agree to a different response time.
- 10) Customer may be responsible for developing or providing documentation, materials and assistance to Dell and agrees to do so in a timely manner. Dell shall not be responsible for any delays in completing its assigned tasks to the extent that they result from Customer's failure to provide such timely documentation, materials and assistance.
- 11) Customer Contact will ensure the Services personnel have reasonable and safe access to the Project site, a safe working environment, an adequate office space, and parking as required.
- 12) Customer will inform Dell of all access issues and security measures, and provide access to all necessary hardware and facilities.
- 13) Customer is responsible for providing all hardware, software, internet access, and facilities for the successful completion of the Services. Facilities and power must meet Dell's requirements for the products and Services purchased.



#### 4.4 Assumptions

Dell has made the following specific assumptions while specifying the Services detailed in this SOW:

- 1) The provision of the Services does not include the development of any intellectual property created solely and specifically for the Customer under this SOW.

#### 4.5 Out of Scope

For the avoidance of doubt, the parties acknowledge that the following activities are not included in the scope of this SOW.

- 1) Any services, tasks or activities other than those specifically noted in this SOW.
- 2) Any Dell training or certification services not specifically described in this SOW.
- 3) Except as set forth herein, Dell is not responsible (including financial responsibility) for any Customer and/or third party personnel, hardware, software, equipment or other assets currently utilized in the Customer's operating environment.

Upon request by Customer, Dell will provide a proposal for such out of scope services pursuant to the Change Management Process as defined in Section 6.

#### 4.6 Schedule / Timeline / Milestones

Dell anticipates the Services will span an estimated period of 5 contiguous business weeks.

The table below is an estimate of the general project duration by phase and is intended for planning purposes only. The actual schedule may change as the project progresses.

Phase	Estimated Duration	Onsite/OffSite
<b>Project Initiation</b> <ul style="list-style-type: none"> <li>◦ Delivery of documents</li> <li>◦ Scheduling of meetings and calendar</li> </ul>	Week 0	Offsite
<b>Project Planning</b> <ul style="list-style-type: none"> <li>◦ Sponsor review</li> <li>◦ SPOC review</li> <li>◦ Dissemination of Discovery</li> <li>◦ Dissemination of ABC Survey Templates</li> </ul>	Week 0	Offsite
<b>Project Execution</b> <ul style="list-style-type: none"> <li>◦ Kickoff Meeting with Stakeholders</li> <li>◦ Review of Discovery</li> <li>◦ Review of ABC Survey Results</li> <li>◦ Interviews and Tours</li> <li>◦ Development of Executive Presentation materials including recommended initiatives</li> <li>◦ Calculation of Benchmarks and Simplification Index for in-scope towers</li> <li>◦ Preparation of A0 documents (AS-IS/TO-BE and the</li> </ul>	Weeks 1-4	Onsite/Offsite as needed



Transformational Blueprint)		
<b>Project Closure</b> <ul style="list-style-type: none"> <li>• Internal reviews</li> <li>• Sponsor review</li> <li>• Executive presentation to Stakeholders</li> </ul>	Week 5	Onsite/Offsite as needed

## 4.7 Service Hours

Dell intends to provide the Services during the scheduled hours stated below (the “Service Hours”).

This Service will be performed during normal business hours typically 8:00 a.m. to 5:00 p.m., Monday through Friday, Customer local time and will include travel time to and from the Customer location and excludes local holidays, unless other arrangements have been made in writing between Dell and Customer.

## 4.8 Deliverables

The following is a list of tangible material provided as part of the Service performed by Dell for Customer under this SOW.

### 1) Executive Summary

- a) Reflects a high level summary of key findings from the assessment for in-scope service delivery areas (only) with an emphasis on transforming service delivery capabilities, current delivery costs, and organizational structure.
- b) Highlights key findings based on the collected and compiled data from the in-scope service delivery areas. These findings are organized by ‘RAG’ status in accordance with customer-supplied priorities.
- c) Benchmarks current operations against cross-industry best practices for in-scope service delivery areas.

### 2) Assessment Findings & Recommendations

- a) Provides detailed assessment findings by functional areas in seven key Efficient Enterprise categories (service delivery, costs, people, metrics, standardization, financial and tools automation) and high level recommendations for corrective actions for in-scope service delivery areas.
- b) Specific areas of focus for in-scope service delivery areas include insights on the current organization and operational structure, along with recommendations for future mode of operations.
- c) Lists the key areas where Customer service delivery operations within in-scope areas demonstrates excellence in service delivery along with providing key areas of future opportunity based on the analyzed results.

### 3) Service Delivery Ratings

- a) Provides detailed assessment ratings by functional in-scope areas across seven categories (service delivery, price point, people, measurement, standardization, financial management, and tools & automation).



- b) Reflects a rating of the analyzed in-scope service areas against a five level Enterprise Efficiency Maturity mode
- 4) **Service Delivery Cost of Service Delivery**
  - a) Provides a unit cost estimate for in-scope service areas and compares these to industry data
- 5) **AS-IS and TO-BE Analysis**
  - a) Provides a graphical representation of the current (AS-IS) and desired (TO-BE) method of operation
- 6) **Transformational Blueprint**
  - a) Provides a graphical representation of the transformation processes needed to achieve the desired (TO-BE) method of operation.

#### 4.9 Personnel Skills and Qualifications

Dell, will, at its sole discretion, determine the number of personnel and the appropriate skill sets necessary to complete the Services.

Dell has identified the following initial resource levels for these Services. Key responsibilities for the resources are identified below.

##### Project Manager (PM)

- \* Single point of contact and accountability for successful delivery of the Services.
- \* Maintain focus on time, cost and scope.
- \* Coordinate and facilitate kick-off, status, deliverable review and closeout meetings.
- \* Establish and manage the Services schedule, communications and status reporting.
- \* Provide up to one status call and brief status report per week.
- \* Identify, monitor and manage Services risk, issues and escalations.
- \* Facilitate change management as needed.
- \* Confirm the Services delivered are in accordance with the SOW.
- \* Obtain deliverable and Services completion acceptance from Customer.
- \* Up to one deliverable review or phase completion call per week.
- \* Monitor the Services budget and invoices.
- \* Manage the Customer relationship.
- \* Track and status progress against milestones (if milestones are noted within SOW).
- \* All Project management activities will be conducted remotely.

##### Principal Consultant

- \* Provide technical thought leadership to the Services team to ensure successful delivery of the Services.
- \* Review the Service related documentation and implementation of recommended solution.
- \* Work with the Project Manager and Senior Consultant to gain a comprehensive understanding of Customer's situation and orchestrate the efforts of one or more development resources.
- \* Review Customer technical requirements and provide direction for recommended solution.

- Provide guidance for Senior Consultant to define estimates for the development tasks.
- Provide technical interlocking of Customer's project team to Dell product and Services team(s) to confirm coordinated action

## 5 PRICING

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This section describes the methodology for determining invoice amounts (the "Charges") for the Services provided under this SOW. Customer hereby agrees to pay the Charges in accordance with the Invoicing and Payment terms of the Agreement and as further supplemented within this SOW.

Charges shall be as follows:

### 5.1 One-Time Charge Following Customer Signature

Dell will invoice Customer upon Customer signature of the SOW the following One-Time Charge:

One-Time Charge: **USD 47,560**

### 5.2 Expenses

Expenses are included in the Charges under this SOW. Unless the Scope changes, pursuant to the Change Management Process, Dell will not charge any additional expenses in connection with delivering the Services without the express written consent of Customer. Additional expenses could include Service-related expenses such as actual, reasonable and necessary travel and living expense.

### 5.3 Purchase Order Amount

The Total amount to be noted on the Purchase Order provided to Dell for this SOW is: **USD 47,560**. If this SOW includes estimates, invoices will be based on actuals usage or expenses incurred.

#### 5.3.1 Pricing Clauses:

- 1) Pricing - The terms of this SOW (including but not limited to the pricing) shall be valid for thirty (30) days following initial delivery date ("Initial Delivery Date") of this SOW to Customer. In the event this SOW is executed by Customer and returned to Dell after such thirty (30) day period, Dell may, in its sole discretion, (i) accept the SOW on the stated terms or (ii) reject the SOW and provide Customer with a revised SOW setting forth any necessary updates to the terms of the previous SOW.
- 2) The price for the Service is based on Customer's environment as disclosed to Dell. If the assumptions, Customer responsibilities and parameters within the scope of the Service used to develop the SOW are found to be incorrect or have changed, the parties agree to pursue resolution through the Change Management Process set forth in this SOW.
- 3) If any of the volumetric assumptions used in this SOW (including, time on task, locations, service consumption, and/or configuration factors and excluding estimated hours or expenses) relied upon by Dell vary by +/- five (5%) percent, Dell has the right to adjust the pricing to reflect such changes.
- 4) Taxes - All prices are in USD and are exclusive of all applicable taxes



## 6 CHANGE MANAGEMENT PROCESS

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The Change Management Process (“Change Management Process”) is the process that governs changes to the scope of the Service during the Term of this SOW, as described below. The Change Management Process may be used to modify the Service described in this SOW.

Changes permitted to be made pursuant to this Change Management Process will be limited to changes to Section 3 (Summary of Service) and Section 4 (Scope of Service) and adjustments in Section 5 (Pricing) associated with changes to Sections 3 and 4 of this SOW.

Either party may request a permitted change in the Scope of the Service by completing a Change Order Form at

[www.dell.com/servicecontracts/RFC](http://www.dell.com/servicecontracts/RFC)

The receiving party will review the proposed Change Order and will (i) approve it, (ii) agree to further investigation, or (iii) reject it. Changes agreed pursuant to the Change Management Process will not be effective until mutually executed by both parties.

Any desired modifications to this SOW which are not permitted above in this Section 6, will require that a written amendment to this SOW or a new SOW be mutually executed by the parties.

## 7 OTHER PROVISIONS

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- 1) Dell may use affiliates and subcontractors to perform Services.
- 2) Dell may perform all or part of the Services off-site at a Dell or other location.
- 3) Services may be performed outside the country in which Customer and/or Dell is located. From time to time, Dell may change the location where Services are performed and/or the party performing the Services; provided however, Dell shall remain responsible to Customer for the delivery of Services.
- 4) Customer acknowledges that Dell will request Customer’s participation in a Customer feedback survey. Additionally, Dell may approach Customer to serve as reference regarding Dell’s performance of the Services. If Customer agrees to be a reference, Customer and Dell will agree in writing to the terms of such reference.
- 5) If a conflict arises between the terms of the Purchase Order, SOW and Agreement, the following order of precedence shall be followed: first, the SOW; second, the Agreement; and third, the Purchase Order (if any). Provided, however, in no event will any terms and conditions contained in any Purchase Order apply irrespective of whether such terms and conditions are in conflict with or merely ancillary to any terms and conditions in the SOW or Agreement.



## 8 GENERAL

Dell shall not be responsible for any delay or failure to provide Service to the extent caused by: (1) failures by Customer to perform its responsibilities under this SOW; (2) materially inaccurate assumptions; (3) a defect, deficiency or failure with respect to Customer's network, systems, software, data or other equipment; or (4) modifications to Customer's network, systems, or other equipment made by a party other than Dell or its representatives. In the event that either party becomes aware of the occurrence of one or more of the foregoing events, they shall notify the other party accordingly. Notwithstanding such occurrence, Dell may, following discussion with Customer regarding the impact of such incident, continue to provide the Service and shall use commercially reasonable efforts to perform the Service under this SOW. Customer shall reimburse Dell for its reasonable additional costs of providing the Service and out of pocket expenses for such efforts and only to the extent attributable to the items defined above.

## 9 SIGNATURES

Dell and Customer have caused this SOW to be signed and delivered by their duly authorized representatives.

City of Norman

Dell Marketing LP

By: .....

**Phaed**

Digitally signed by  
Phaedra Divras

Printed: .....

By: .....

**ra**

DN: cn=Phaedra  
Divras, o, ou,  
email=phaedra@lap  
dog-inc.com, c=US

Title: .....

Printed: .....

**Divras**

Date: 2013.06.19  
12:55:32 -05'00'

Date: .....

Title: .....

City Clerk

Date: .....

Attestation .....

Approved as

to Form and

Legality .....

Please note that for administrative purposes only, Services may not be scheduled or commenced until Dell receives a Customer's purchase order that references this SOW. Upon receipt of this fully executed SOW and Customer's purchase order, a Dell Project Manager will contact you to begin Services scheduling. Any additional and/or conflicting terms and conditions stated on Customer's purchase order shall be void and have no effect on this SOW.

Please fax a copy of your purchase order and this signed SOW (with all pages in full) to  
Fax: (512) 283-7899, Attention: Intake Manager, RE: 6058760.  
The purchase order amount should include estimated expenses, if they are billable.



## Contact Summary

Customer	City of Norman Customer Number: 67004156 Contact Name: Steve Lewis Phone: (405) 366-5300 Email: city.manager@normanok.gov
Initial Delivery Date	6/15/2013
Document Author	Name: Hector Moreno Title: Solution Architect Organization: Dell Global Solution Design Center Phone: 972-577-7000 x3323662 Email: hector_moreno@Dell.com
Customer Billing Contact	Name: Steve Lewis Address: 201 W Gray St, Norman, OK 73069 Phone number: (405) 366-5300
Dell Segment Contact	Name: Ges Creaton Phone: 512-513-1519 Email: gerard_creaton@dell.com
Locations where work will be performed	City of Norman, 201 W Gray St, Norman, OK 73069
Dell Opportunity Number	6058760
RFS Number/Code #	RFS-2013-22974





# City of Norman, OK

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

## Master

File Number: **GID-1213-87**

<b>File ID:</b> GID-1213-87	<b>Type:</b> Court Order	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item No. 26	<b>In Control:</b> City Council
<b>Department:</b> Legal Department	<b>Cost:</b> \$41,751.01	<b>File Created:</b> 06/13/2013
<b>File Name:</b> WC 2012-11700X Ryan Loveless		<b>Final Action:</b>

**Title:** CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF \$41,751.01 REGARDING RYAN LOVELESS VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC 2012-11700 X.

**Notes:** ACTION NEEDED: Motion to approve or reject the City Attorney's recommendation; and if approved, authorize compliance with the Workers' Compensation Order and direct payment of claims in the amount of \$41,751.01 which will constitute judgment against the City of Norman.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 26

**Attachments:** Text File, Court Award 6-4-13, Payment Schedule 6-13-13, Requisitions

**Project Manager:** Jeanne Snider, Assistant City Attorney

**Entered by:** denise.johnson@normanok.gov

**Effective Date:**

### History of Legislative File

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

### Text of Legislative File GID-1213-87

body

**BACKGROUND:** Ryan Loveless is a Heavy Equipment Operator in the Line Maintenance Division of the Utilities Department. He filed Workers' Compensation Case No. WCC 2012-11700 X on October 16, 2012, alleging injury as a result of a single injury incident on April 30, 2012. The case has proceeded through the normal litigation process. A trial was held on May 28, 2013, and the Court awarded Mr. Loveless \$40,375. The Court Order is now being presented to City Council for consideration. It is recommended that the City comply with this Order.

**DISCUSSION:**

Nature of Claim. Mr. Loveless was hired by the City on February 21, 2003, as a Maintenance Worker I in the Water Line Maintenance Division of the Utilities Department. He was promoted to Maintenance Worker II on July 26, 2006 and to Heavy Equipment Operator on March 28, 2008. He filed a Workers' Compensation claim alleging an injury on April 30, 2012 when he strained his lower back while cleaning a pipe with a chain scraper.

Mr. Loveless was initially seen at Norman Regional Occupational Medicine and was diagnosed with lumbar strain with radicular symptoms on the left side. After a period of conservative treatment, Mr. Loveless had an MRI that indicated a left L5-S1 disc extrusion with compression and displacement of the left S1 nerve root. He was referred to Dr. Kim N. Pratt for further evaluation and treatment. On August 8, 2012, Mr. Loveless underwent a left L5-S1 microdiscectomy. After a period of physical therapy, he reached maximum medical improvement and returned to full work duty with no restrictions effective December 4, 2012.

Issues for Trial. There is no question Mr. Loveless' injury arose out of and during the course of his employment with the City. Therefore, the only issues before the Workers' Compensation Court in this case were the nature and extent of Mr. Loveless' injury and continuing medical maintenance. These are determined by the trial judge based on the claimant's testimony and expert medical evidence. The Workers' Compensation Court Judge is free to accept either doctors' opinion or find anywhere within the range of competent medical evidence presented.

On March 12, 2013, Mr. Loveless was evaluated by Dr. Hugh McClure who opined 41% PPD to the lumbar spine. It was also Dr. McClure's opinion that Mr. Loveless would continue to experience pain, loss of normal range of motion, loss of strength and loss of function of the lumbar spine in the future. However, Mr. Loveless returned to work with no restrictions. Dr. McClure's rating equates to \$66,215. The City had Mr. Loveless evaluated on May 10, 2013 by Dr. LeRoy Young who opined 14% PPD to the lumbar back. Dr. Young stated that continuing medical maintenance would not be required. Dr. Young's rating equates to \$22,610. The Workers' Compensation Court trial judge may make a ruling within the range of the medical evidence presented at the time of trial. Therefore, the City's maximum exposure to compensate Mr. Loveless for his injuries is 41% PPD or \$66,215, plus providing medical maintenance.

Court Award. This case was heard by the Workers' Compensation Court on May 28, 2013. After hearing the claimant's testimony and considering the expert medical evidence, the Court opined that Mr. Loveless sustained 25% PPD to the low back, and is entitled to continuing medical maintenance. The Court's findings are set out in Paragraph Nos. 3 and 5 of the Order as follows:

-3- THAT as a result of said injury, claimant sustained 25 percent permanent partial impairment to the LOW BACK (SURGERY-DISCECTOMY - LOSS OF RANGE OF MOTION - LOSS OF SENSATION & DYSESTHESIA - LOSS OF MUSCLE STRENGTH), for which claimant is entitled to compensation for 125 weeks at \$323.00 per week, or the total amount of \$40,375.00 of which 25 weeks have accrued and shall be paid in a lump sum of \$8,075.00.

-5- THAT respondent or insurance carrier shall pay claimant the accrued portion of the award of herein in lump sum of \$8,075.00 and pay the balance of said award at the rate of \$323.00 per week until the total award of \$40,375.00 (less attorney fee) has been paid to claimant.

As can be noted in Paragraph No. 3 of the Court's Order, PPD compensation is expressed in terms of "weeks" of compensation with an accompanying "weekly wage rate." Workers' Compensation awards are normally paid at the weekly rates over a period of time. Mr. Loveless' weekly wage PPD rate is \$323.00. In this instance, a portion of the award has accrued and was to be paid in a lump sum.

If approved by Council, Mr. Loveless and his attorney will be paid the accrued lump sum amount and attorney's fee in the amount of \$17,442. (See Table attached)

The City will incur additional costs and Workers' Compensation filing fee in the total amount of \$1,250.31 as set out in Paragraph Nos. 6 and 7 of the Order, plus Cleveland County filing fee of \$125.70. (See Payment Table attached)

The total cost of this Order to \$41,751.01.

**RECOMMENDATION:** The issues tried on May 28, 2013, were the nature and extent and continuing medical maintenance. The Award is within the medical evidence submitted in that the PPD award fall half-way between one-half and one-third the difference between the medical evaluations. It is not anticipated a more favorable

ruling for the City could be achieved by further litigation. It is recommended that the City move forward to comply with this Order.

Acceptance of the Order would require the payments as outlined in attached Payment Table. The Order would be certified to the Cleveland County District Court to be placed on the property tax rolls for collection over the next three years in accordance with 85 O.S. § 313, 51 O.S. § 159, and 62 O.S. § 361, *et seq.* Certifying the Order to the property tax rolls would, in effect, reimburse the City's Workers' Compensation Fund over the next three years.

BEFORE THE WORKERS' COMPENSATION COURT OF THE STATE OF OKLAHOMA

**FILED**

**WORKERS' COMPENSATION COURT  
STATE OF OKLAHOMA**

**June 4, 2013**

**Joyce Sanders  
COURT CLERK**

**In re claim of:**

RYAN LEE LOVELESS	)
Claimant	)
CITY OF NORMAN	)
Respondent	)
CITY OF NORMAN (OWN RISK #10970)	)
Ins. Carrier	)

Court Number: 2012-11700X

Claimant's Social Security  
Number: xxx-xx-9248

**ORDER DETERMINING COMPENSABILITY AND AWARDING  
PERMANENT PARTIAL IMPAIRMENT BENEFITS**

Now on this 29th day of MAY, 2013, this cause came on for consideration pursuant to regular assignment and hearing on MAY 28, 2013, before JUDGE WILLIAM R FOSTER, at Oklahoma City, Oklahoma, at which time claimant appeared in person and by counsel, WILLIAM E WOODSON and respondent and insurance carrier appeared by counsel, JEANNE SNIDER.

The Court having considered the evidence and records on file, and being well and fully advised in the premises FINDS AND ORDERS AS FOLLOWS:

- 1 -

THAT on APRIL 30, 2012, claimant was employed by the above named respondent and such employment was subject to and covered by the provisions of the Workers' Compensation Act of the State of Oklahoma; and on said date claimant sustained accidental personal injury to the LOW BACK arising out of and in the course of claimant's employment.

- 2 -

THAT at time of injury, claimant's wages were sufficient to establish the rates of compensation at \$553.78 per week for temporary total disability and \$323.00 per week for permanent partial impairment.

- 3 -

THAT as a result of said injury, claimant sustained 25 percent permanent partial impairment to the LOW BACK (SURGERY - DISCECTOMY - LOSS OF RANGE OF MOTION - LOSS OF SENSATION & DYSESTHESIA - LOSS OF MUSCLE STRENGTH), for which claimant is entitled to compensation for 125 weeks at \$323.00 per week, or the total amount of \$40,375.00 of which 25 weeks have accrued and shall be paid in a lump sum of \$8,075.00.

- 4 -

THAT respondent and/or insurance carrier shall pay all reasonable and necessary medical expenses incurred by claimant as a result of said injury.

- 5 -

THAT respondent or insurance carrier shall pay claimant the accrued portion of the award herein in lump sum of \$8,075.00 and pay the balance of said award at the rate of \$323.00 per week until the total award of \$40,375.00 (less attorney fee) has been paid to claimant.

- 6 -

THAT respondent or insurance carrier shall pay court costs; Special Occupational Health and Safety Fund Tax shall be paid in the sum of \$302.81, representing three-fourths of one percent (0.75%). Respondent, if Own Risk, shall pay \$807.50 to the Workers' Compensation Administration Fund, representing two percent (2%) of the permanent disability award herein.

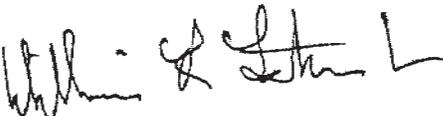
- 7 -

THAT pursuant to Title 85 O.S. Section 368, a final award fee of one hundred forty dollars (\$140.00) is taxed as a cost in this matter, and shall be paid by respondent to the Court Administrator.

- 8 -

THAT the sum of \$8,075.00 shall be deducted from the award herein and paid in lump sum to claimant's attorney as a fair and reasonable attorney fee; within twenty (20) days from the date of filing of this order, respondent or insurance carrier shall comply herewith.

BY ORDER OF:

/s/ 

WILLIAM R FOSTER, JUDGE

mw/CRichardson

A copy of the above and foregoing Court Order was mailed, by regular or Certified United States Mail, on this filed stamped date to:

Claimant's Attorney: WILLIAM E WOODSON  
307 E EUFAULA  
NORMAN, OK 73069-6020

Respondent's Attorney: JEANNE SNIDER  
PO BOX 370  
NORMAN, OK 73070-

I do hereby certify that the above and foregoing is a true and correct copy of the original order signed by the Judge herein. Witness by my hand and the official seal of this court on this date.

*Joyce Sanders*



Court Clerk  
June 4, 2013

**RYAN LEE LOVELESS  
WCC 2012-11700 X  
(Lumbar Back)**

**PAYMENT SCHEDULE**

DESCRIPTION	AMOUNT
PPD (25% Lumbar Back)	\$40,375.00
Lump Sum Payment:	
Accrued 25 weeks @ \$323 (per Order)	\$ 8,075.00
Add'l 4 weeks @ \$323 City Council/Finance Processing (6-4-13 to 11-21-14)	\$ <u>1,292.00</u>
<b><u>Total Lump Sum to Claimant</u></b>	<b>\$ 9,367.00</b>
Attorney's Fee (per Order)	\$ 8,075.00
<b>Total Lump Sum to Claimant &amp; Attorney</b>	<b><u>\$17,442.00</u></b>
<b>Balance to be paid in weekly payments until paid</b>	<b>\$22,933.00</b>

The balance of the Order, \$22,933.00 will be paid in weekly payments of \$323/week until paid in full (71 weeks). Payments begin the week ending of July 12, 2013 through approximately November 21, 2014.

Also, as noted, in Paragraph Nos. 6 & 7 of the Order, the City will incur additional costs, fees and filing fee in Cleveland County as follows:

DESCRIPTION	AMOUNT
Workers' Compensation Admin Fund Tax	\$ 807.50
Special Occupational Health & Safety Fund Tax	\$ 302.81
Filing Fee (Workers' Comp Court)	\$ 140.00
Filing Fee (Cleveland County District Court)	\$ <u>125.70</u>
<b>Total costs &amp; fees to the City of Norman</b>	<b>\$ 1,376.01</b>

The total cost of this Order to the City would be \$41,751.01.

PURCHASE REQUISITION NBR: 0000218377

REQUISITION BY: DJOHNSON STATUS: DIVISION APPROVAL DATE: 6/11/13  
REASON: WORKERS COMP COURT ORDER SUGGESTED VENDOR: RYAN LOVELESS & WOODSON & GOOD DELIVER BY DATE: 6/26/13  
SHIP TO LOCATION: LEGAL DEPARTMENT

1 WORKERS COMP COURT ORDER  
LOVELESS V. CON; WC 2012-11700 X (LUMBAR SPINE) CO  
NTINGENT UPON COUNCIL APPROVAL ON 6-25-13; MAKE CH  
ECK PAYABLE TO RYAN LOVELESS & WOODSON & GOODWIN I  
N THE LUMP SUM AMOUNT OF \$17,442. SEPARATE CHECK;  
RETURN CHECK TO LEGAL.  
COMMODITY: INSURANCE, ALL TYPES  
SUBCOMMOD: WORKER'S COMPENSATION

1.00 EA 17442.0000 17442.00

REQUISITION TOTAL: 17442.00

ACCOUNT INFORMATION

LINE #	ACCOUNT	PROJECT	%	AMOUNT
1	04330024152131	Other Salary, Orders/Settlements	100.00	17442.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

MAKE CHECK PAYABLE TO EMPLOYEE & ATTORNEY: RYAN L  
OVELESS AND WOODSON & GOODWIN; SEPARATE CHECK; RET  
URN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000218379

REQUISITION BY: DJOHNSON      STATUS: DIVISION APPROVAL      DATE: 6/11/13  
REASON: WORKERS COMP ADMIN FUND  
SHIP TO LOCATION: LEGAL DEPARTMENT      SUGGESTED VENDOR: 2267 WORKMANS COMPENSATION      DELIVER BY DATE: 6/12/13

1 WORKERS COMP ADMIN FUND      1.00 EA      807.5000      807.50      2267  
LOVELESS V. CON; WC 2012-11700X (LUMBAR SPINE) CON  
TINGENT UPON COUNCIL APPROVAL ON 6-25-13; SEPARATE  
CHECK; RETURN CHECK TO LEGAL.  
COMMODITY: INSURANCE, ALL TYPES  
SUBCOMMOD: WORKER'S COMPENSATION

REQUISITION TOTAL: 807.50

ACCOUNT INFORMATION

LINE #	ACCOUNT	PROJECT	%	AMOUNT
1	04330024152133	Other Salary Administration Fund	100.00	807.50
				807.50

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000218380

REQUISITION BY: DJOHNSON      STATUS: DIVISION APPROVAL      DATE: 6/11/13  
REASON: WORKERS COMP SPECIAL FUND  
SHIP TO LOCATION: LEGAL DEPARTMENT      SUGGESTED VENDOR: 1950 SPECIAL OCCUPATIONAL HEALTH AN      DELIVER BY DATE: 6/12/13

1 WORKERS COMP SPECIAL FUND      1.00 EA      302.8100      302.81      1950  
LOVELESS V. CON: WC 2012-11700X (LUMBAR SPINE) CON  
TINGENT UPON COUNCIL APPROVAL ON 6-25-13; SEPARATE  
CHECK; RETURN CHECK TO LEGAL.  
COMMODITY: INSURANCE, ALL TYPES  
SUBCOMM: WORKER'S COMPENSATION

REQUISITION TOTAL: 302.81

ACCOUNT INFORMATION

LINE #	ACCOUNT	PROJECT	AMOUNT
1	04330024152135	Other Salary Spec Occ Health & Safety	302.81
		100.00	302.81

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000218381

REQUISITION BY: DJOHNSON  
SHIP TO LOCATION: LEGAL DEPARTMENT  
STATUS: DIVISION APPROVAL  
REASON: WORKERS COMP FILING FEE  
DATE: 6/11/13  
SUGGESTED VENDOR: 2268 WORKERS' COMPENSATION COURT  
DELIVER BY DATE: 6/12/13

1 WORKERS COMP FILING FEE 1.00 EA 140.0000 140.00 2268  
LOVELESS V. CON; WC 2012-11700X (LUMBAR SPINE) CON  
TINGENT UPON COUNCIL APPROVAL ON 6-25-13; SEPARATE  
CHECK; RETURN CHECK TO LEGAL.  
COMMODITY: INSURANCE, ALL TYPES  
SUBCOM/OD: WORKER'S COMPENSATION

REQUISITION TOTAL: 140.00

ACCOUNT INFORMATION

LINE #	ACCOUNT	PROJECT	AMOUNT
1	0433004154704	Miscellaneous Services Other Filing Fees	140.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000218382

REQUISITION BY: DJOHNSON STATUS: DIVISION APPROVAL DATE: 6/11/13  
REASON: WORKERS COMP CLEVELAND COUNTY FILING FEE  
SHTP TO LOCATION: LEGAL DEPARTMENT SUGGESTED VENDOR: 434 CLEVELAND COUNTY COURT CLERK DELIVER BY DATE: 6/12/13

1 WORKERS COMP CLEVELAND COUNTY FILING FEE 1.00 EA 125.7000 125.70 434  
✓ LOVELESS V. CON; WC 2012-11700X (LUMBAR SPINE) CON  
TINGENT UPON COUNCIL APPROVAL ON 6-25-13; SEPARATE  
CHECK; RETURN CHECK TO LEGAL.  
COMMODITY: INSURANCE, ALL TYPES  
SUBCOMMOD: WORKER'S COMPENSATION

REQUISITION TOTAL: 125.70

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

LINE #	ACCOUNT	PROJECT	AMOUNT
1	04330024154703	Miscellaneous Services District Court Filing Fee	100.00
			125.70

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:  
SEPARATE CHECK; RETURN CHECK TO LEGAL.



# City of Norman, OK

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

## Master

File Number: **GID-1213-86**

<b>File ID:</b> GID-1213-86	<b>Type:</b> Court Order	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item No. 27	<b>In Control:</b> City Council
<b>Department:</b> Legal Department	<b>Cost:</b> \$37,145.00	<b>File Created:</b> 06/13/2013
<b>File Name:</b> WCC 2012-12849A Richard Hartless		<b>Final Action:</b>

**Title:** CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF \$37,145 REGARDING RICHARD HARTLESS VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2012-12849A.

**Notes:** ACTION NEEDED: Motion to approve or reject the City Attorney's recommendation; and if approved, authorize compliance with the Workers' Compensation Order and direct payment of claims in the amount of \$37,145 which will constitute judgment against the City of Norman.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 27

**Attachments:** Text File, Court Order 6-6-13, Payment Schedule 6-13-13, Pr Hartless

**Project Manager:** Jeanne Snider, 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 GID-1213-86

body

**BACKGROUND:** Richard Hartless, a Firefighter for the Norman Fire Department, filed Workers' Compensation Case No. WCC 2012-12849 A on November 14, 2012, alleging injury as a result of a single injury incident on August 25, 2012. The case has proceeded through the normal litigation process. A trial was held on May 30, 2013, and the Court awarded Mr. Hartless \$37,145. The Court Order is now being presented to City Council for consideration. It is recommended that the City comply with this Order.

**DISCUSSION:** Nature of Claim. Mr. Hartless was hired by the City on July 22, 1985 with the Norman Fire Department. He filed a Workers' Compensation claim alleging an injury to his right shoulder on August 25, 2012 while lifting a patient.

Mr. Hartless was initially seen at Access Medical Center on August 31, 2012. Thereafter, he was seen at Norman Regional Occupational Medicine and was diagnosed with right rotator and biceps strain. An MRI was taken on September 21, 2012 before being referred to Dr. David Bobb for further evaluation and treatment.

Arthroscopic surgery was performed on October 17, 2012 for biceps tenodesis repair, larger superior labral tear repair and resection of the distal clavical. After a period of physical therapy, he reached maximum medical improvement and he was released to full work duty with no restrictions effective January 22, 2013.

Issues for Trial. There is no question Mr. Hartless' injury arose out of and during the course of his employment with the City. Therefore, the only issues before the Workers' Compensation Court in this case were the nature and extent of Mr. Hartless' injury, commutation of the award, and continuing medical maintenance. These are determined by the trial judge based on the claimant's testimony and expert medical evidence. The Workers' Compensation Court Judge is free to accept either doctors' opinion or find anywhere within the range of competent medical evidence presented.

On March 14, 2013, Mr. Hartless was evaluated by Dr. Hugh McClure who opined 45% PPD to the right shoulder or whole man. It was also Dr. McClure's opinion that Mr. Hartless would continue to experience pain, loss of strength and loss of function in the right shoulder in the future. However, Mr. Hartless returned to work with no restrictions. Dr. McClure's rating equates to \$72,675. The City had Mr. Hartless evaluated on May 2, 2013 by Dr. Kent Hensley who opined 12% PPD to the right shoulder or whole man. Dr. Hensley stated that continuing medical maintenance would not be required. Dr. Hensley's rating equates to \$19,380. The Workers' Compensation Court trial judge may make a ruling within the range of the medical evidence presented at the time of trial. Therefore, the City's maximum exposure to compensate Mr. Hartless for his injuries is 45% PPD or \$72,675, plus providing medical maintenance.

Court Award. This case was heard by the Workers' Compensation Court on May 30, 2013. After hearing the claimant's testimony and considering the expert medical evidence, the Court opined that Mr. Hartless sustained 23% PPD to the right shoulder, and is entitled to continuing medical maintenance. Commutation was not awarded. The Court's findings are set out in Paragraph Nos. 4 and 6 of the Order as follows:

-4- THAT as a result of said injury, claimant sustained 23 percent permanent partial impairment to the RIGHT SHOULDER, for which claimant is entitled to compensation for 115 weeks at \$323.00 per week, or the total amount of \$37,145.00 of which 19 weeks have accrued and shall be paid in a lump sum of \$6,137.00.

-6- THAT respondent or insurance carrier shall pay claimant the accrued portion of the award of herein in lump sum of \$6,137.00 and pay the balance of said award at the rate of \$323.00 per week until the total award of \$37,145.00 (less attorney fee) has been paid to claimant.

As can be noted in Paragraph No. 4 of the Court's Order, PPD compensation is expressed in terms of "weeks" of compensation with an accompanying "weekly wage rate." Workers' Compensation awards are normally paid at the weekly rates over a period of time. Mr. Hartless' weekly wage PPD rate is \$323.00. In this instance, a portion of the award has accrued and was to be paid in a lump sum.

If approved by Council, Mr. Hartless and his attorney will be paid the accrued lump sum amount and attorney's fee in the amount of \$14,858. (See Table attached)

The City will incur additional costs and Workers' Compensation filing fee in the total amount of \$1,161.49 as set out in Paragraph Nos. 7 and 8 of the Order, plus Cleveland County filing fee of \$125.70. (See Payment Table attached)

The total cost of this Order to \$38,432.19.

**RECOMMENDATION:** The issues tried on May 30, 2013, were the nature and extent and continuing medical maintenance. The Award is within the medical evidence submitted in that the PPD award is slightly higher than one-third the difference between the medical evaluations. It is not anticipated a more favorable ruling for the City could be achieved by further litigation. It is recommended that the City move forward to comply with this Order.

Acceptance of the Order would require the payments as outlined in attached Payment Table. The Order would be certified to the Cleveland County District Court to be placed on the property tax rolls for collection over the next three years in accordance with 85 O.S. § 313, 51 O.S. § 159, and 62 O.S. § 361, *et seq.* Certifying the

Order to the property tax rolls would, in effect, reimburse the City's Workers' Compensation Fund over the next three years.



- 3 -

THAT determination of the rate of temporary total disability of compensation is reserved for future hearing.

- 4 -

THAT as a result of said injury, claimant sustained 23 percent permanent partial impairment to the RIGHT SHOULDER, for which claimant is entitled to compensation for 115 weeks at \$323.00 per week, or the total amount of \$37,145.00 of which 19 weeks have accrued and shall be paid in a lump sum of \$6,137.00.

- 5 -

THAT respondent and/or insurance carrier shall pay all reasonable and necessary medical expenses incurred by claimant as a result of said injury.

- 6 -

THAT respondent or insurance carrier shall pay claimant the accrued portion of the award herein in lump sum of \$6,137.00 and pay the balance of said award at the rate of \$323.00 per week until the total award of \$37,145.00 (less attorney fee) has been paid to claimant.

- 7 -

THAT respondent or insurance carrier shall pay court costs; Special Occupational Health and Safety Fund Tax shall be paid in the sum of \$278.59, representing three-fourths of one percent (0.75%). Respondent, if Own Risk, shall pay \$742.90 to the Workers' Compensation Administration Fund, representing two percent (2%) of the permanent disability award herein.

- 8 -

THAT pursuant to Title 85 O.S. Section 368, a final award fee of one hundred forty dollars (\$140.00) is taxed as a cost in this matter, and shall be paid by respondent to the Court Administrator.

- 9 -

THAT the sum of \$7,429.00 shall be deducted from the award herein and paid in lump sum to claimant's attorney as a fair and reasonable attorney fee; within twenty (20) days from the date of filing of this order, respondent or insurance carrier shall comply herewith.

BY ORDER OF:

*/s/ Carla Snipes*

CARLA SNIPES, JUDGE

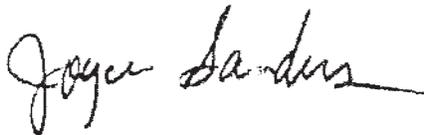
pp/FBennett

A copy of the above and foregoing Court Order was mailed, by regular or Certified United States Mail, on this filed stamped date to:

Claimant's Attorney: RICHARD A BELL  
PO BOX 1529  
NORMAN, OK 73070-1529

Respondent's Attorney: JEANNE SNIDER  
PO BOX 370  
NORMAN, OK 73070-

I do hereby certify that the above and foregoing is a true and correct copy of the original order signed by the Judge herein. Witness by my hand and the official seal of this court on this date.



Court Clerk  
June 6, 2013

**RICHARD HARTLESS  
WCC 2012-12849 A  
(Right Shoulder)**

**PAYMENT SCHEDULE**

DESCRIPTION	AMOUNT
PPD (23% Right Shoulder)	\$37,145
Lump Sum Payment:	
Accrued 19 weeks @ \$323 (per Order)	\$ 6,137.00
Add'l 4 weeks @ \$323 City Council/Finance Processing (6-4-13 to 7-5-13)	<u>\$ 1,292.00</u>
<b><u>Total Lump Sum to Claimant</u></b>	<b>\$ 7,429.00</b>
Attorney's Fee (per Order)	\$ 7,429.00
<b>Total Lump Sum to Claimant &amp; Attorney</b>	<b><u>\$14,858.00</u></b>
<b>Balance to be paid in weekly payments until paid</b>	<b>\$22,287.00</b>

The balance of the Order, \$22,287.00 will be paid in weekly payments of \$323/week until paid in full (69 weeks). Payments begin the week ending of July 12, 2013 through approximately November 7, 2014.

Also, as noted, in Paragraph Nos. 7 & 8 of the Order, the City will incur additional costs, fees and filing fee in Cleveland County as follows:

DESCRIPTION	AMOUNT
Workers' Compensation Admin Fund Tax	\$ 742.90
Special Occupational Health & Safety Fund Tax	\$ 278.59
Filing Fee (Workers' Comp Court)	\$ 140.00
Filing Fee (Cleveland County District Court)	<u>\$ 125.70</u>
<b>Total costs &amp; fees to the City of Norman</b>	<b>\$ 1,287.19</b>

The total cost of this Order to the City would be \$38,432.19.

PURCHASE REQUISITION NBR: 0000218370

REQUISITION BY: DJOHNSON  
STATUS: DIVISION APPROVAL  
REASON: WORKERS COMP COURT AWARD  
DATE: 6/11/13  
SHIP TO LOCATION: LEGAL DEPARTMENT  
SUGGESTED VENDOR: RICHARD HARTLESS & RICHARD A. BELL  
DELIVER BY DATE: 6/25/13

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	WORKERS COMP COURT AWARD HARTLESS V. CON; WC 2012-12849A (RIGHT SHOULDER) C ONTINGENT UPON COUNCIL APPROVAL ON 6-25-13; MAKE CHECK PAYABLE TO RICHARD HARTLESS AND RICHARD A. B ELL IN THE LUMP SUM PAYMENT OF \$14,858.00; SEPARAT E CHECK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	14858.0000	14858.00	

REQUISITION TOTAL: 14858.00

ACCOUNT INFORMATION

LINE #	ACCOUNT	PROJECT	%	AMOUNT
1	04330024152131	Other Salary Orders/Settlements	100.00	14858.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

MAKE CHECK PAYABLE TO EMPLOYEE & ATTORNEY:  
RICHARD HARTLESS & RICHARD A. BELL. SEPARATE CHEC  
K RETURN CHECK TO LEGAL. LUMP SUM PAYMENT OF \$14,  
858.

PURCHASE REQUISITION NBR: 0000218371

STATUS: DIVISION APPROVAL  
REASON: WORKERS COMP ADMIN FUND

DATE: 6/11/13

DELIVER BY DATE: 6/12/13

REQUISITION BY: DJOHNSON

SHIP TO LOCATION: LEGAL DEPARTMENT

SUGGESTED VENDOR: 2267 WORKMANS COMPENSATION

1 WORKERS COMP ADMIN FUND 1.00 EA 742.9000 742.90 2267

HARTLESS V. CON; WC 2012-12849A (RIGHT SHOULDER);  
CONTINGENT UPON COUNCIL APPROVAL ON 6-25-13; SEPAR  
ATE CHECK; RETURN CHECK TO LEGAL.  
COMMODITY: INSURANCE, ALL TYPES  
SUBCOMMOD: WORKER'S COMPENSATION

REQUISITION TOTAL: 742.90

ACCOUNT INFORMATION

LINE #	ACCOUNT	PROJECT	%	AMOUNT
1	04330024152133	Other Salary Administration Fund	100.00	742.90

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000218372

REQUISITION BY: DJOHNSON  
SHIP TO LOCATION: LEGAL DEPARTMENT  
STATUS: DIVISION APPROVAL  
REASON: WORKERS COMP SPECIAL FUND  
DATE: 6/11/13  
SUGGESTED VENDOR: 1950 SPECIAL OCCUPATIONAL HEALTH AN  
DELIVER BY DATE: 6/12/13

1 WORKERS COMP SPECIAL FUND 1.00 EA 278.5900 278.59 1950

HARTLESS V. CON; WC 2012-12849A (RIGHT SHOULDER) C  
CONTINGENT UPON COUNCIL APPROVAL ON 6-25-13; SEPARA  
TE CHECK; RETURN CHECK TO LEGAL.  
COMMODITY: INSURANCE, ALL TYPES  
SUBCOMM: WORKER'S COMPENSATION

REQUISITION TOTAL: 278.59

ACCOUNT INFORMATION

LINE #	ACCOUNT	PROJECT	AMOUNT
1	04330024152135	Other Salary Spec Occ Health & Safety	278.59
		100.00	278.59

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000218374

REQUISITION BY: DJOHNSON

STATUS: DIVISION APPROVAL  
REASON: WORKERS COMP FILING FEE

DATE: 6/11/13

SHIP TO LOCATION: LEGAL DEPARTMENT

SUGGESTED VENDOR: 2268 WORKERS' COMPENSATION COURT

DELIVER BY DATE: 6/12/13

1 WORKERS COMP FILING FEE 1.00 EA 140.0000 140.00 2268  
HARTLESS V CON; WC 2012-12849A (RIGHT SHOULDER) CO  
NTINGENT UPON COUNCIL APPROVAL ON 6-25-13; SEPARAT  
E-CHECK; RETURN CHECK TO LEGAL.  
COMMODITY: INSURANCE, ALL TYPES  
SUBCOMMOD: WORKER'S COMPENSATION

REQUISITION TOTAL: 140.00

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A C C O U N T I N F O R M A T I O N  
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LINE #	ACCOUNT	PROJECT	AMOUNT
1	04330024154704	Miscellaneous Services	140.00
		Other Filing Fees	140.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000218375

REQUISITION BY: DJOHNSON  
SHIP TO LOCATION: LEGAL DEPARTMENT  
STATUS: DIVISION APPROVAL  
REASON: WORKERS COMP CLEVELAND COUNTY FILING FEE  
DATE: 6/11/13  
SUGGESTED VENDOR: 434 CLEVELAND COUNTY COURT CLERK  
DELIVER BY DATE: 6/12/13

1 WORKERS COMP CLEVELAND COUNTY FILING FEE 1.00 EA 125.7000 125.70 434  
HARTLESS V. CON; WC 2012-12849A (RIGHT SHOULDER) C  
CONTINGENT UPON COUNCIL APPROVAL ON 6-25-13; SEPARA  
TE CHECK; RETURN CHECK TO LEGAL.  
COMMODITY: INSURANCE, ALL TYPES  
SUBCOMMOD: WORKER'S COMPENSATION

REQUISITION TOTAL: 125.70

ACCOUNT INFORMATION

LINE #	ACCOUNT	PROJECT	AMOUNT
1	04330024154703	Miscellaneous Services District Court Filing Fee	125.70
		100.00	125.70

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:  
SEPARATE CHECK; RETURN CHECK TO LEGAL.

Workers' Comp Court Awards  
Agenda for 6-25

Richard Hartless v. CON; Right shoulder injury on 8-25-12 (FD)  
Awarded 23% or \$37,145; with costs \$38,432.19  
Paying accrued \$7,429 + atty fee \$7,429  
Paying now with costs: \$16,144.89  
Balance of \$22,287 will pay in 69 pymts of \$323 each

Ryan Loveless v. CON; Low back injury on 4-30-12 (~~FD~~) (WEO/2012)  
Awarded 25% \$40,375; with costs \$41,751.01  
Paying accrued \$9,367 + atty fee \$8,075  
Paying now with costs: \$18,817.71  
Balance of \$22,933 will pay in 71 pymts of \$323 each



# City of Norman, OK

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

## Master

**File Number: R-1213-147**

<b>File ID:</b> R-1213-147	<b>Type:</b> Resolution	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item No. 28	<b>In Control:</b> City Council
<b>Department:</b> Police Department	<b>Cost:</b>	<b>File Created:</b> 05/23/2013
<b>File Name:</b> Appropriation for Replacement Vehicles		<b>Final Action:</b>
<b>Title:</b> <u>RESOLUTION NO. R-1213-147</u> : A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$50,153 FROM THE GENERAL FUND BALANCE FOR THE REPLACEMENT OF UNIT NOS. 1111 AND 1165 FOR THE NORMAN POLICE DEPARTMENT.		

**Notes:** ACTION NEEDED: Motion to adopt or reject Resolution No. R-1213-147.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 28

**Attachments:** Text File, R-1213-147

**Project Manager:** Major Kevin Foster

**Entered by:** kathy.lamar@normanok.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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### Text of Legislative File R-1213-147

Body

**BACKGROUND:** On November 23, 2012, a Norman Police Department vehicle, Unit 1111 (2011 Ford Crown Victoria) was involved in a traffic collision. The cause of the collision was determined to be the negligence of another driver who collided with the side of Unit 1111.

On February 27, 2013, a Norman Police Department vehicle, Unit 1165 (2012 Ford Interceptor) was also involved in a traffic collision. The cause of the collision was determined to be the negligence of another driver who collided with the side of Unit 1165.

**DISCUSSION:** The insurance company (GEICO Insurance) for the driver at fault determined the damage to Unit 1111 was too extensive to warrant repair and therefore opted to compensate the City for replacement value of the car, including value of the base unit, specialty equipment removal or replacement. The check issued to the City in exchange for the vehicle totaled \$19,944. The City receipted the insurance check into Miscellaneous Revenue Risk Management account # 043-0000-367.12-64 in March of FY 2013, and these funds were transferred to the General Fund Balance.

The insurance company (American Mercury Insurance) for the driver at fault determined the damage to Unit

1165 was too extensive to warrant repair and therefore opted to compensate the City for replacement value of the car, including value of the base unit, specialty equipment removal or replacement. The check issued to the City in exchange for the vehicle totaled \$30,209.06. The City receipted the insurance check into Miscellaneous Revenue Risk Management account #043-0000-367.12-64 in May of FY 2013, and these funds were transferred to the General Fund Balance.

The appropriation requested will partially fund the purchase of two new replacement vehicles, Ford Interceptor SUVs, for Units 1111 and 1165 for law enforcement purposes. Due to lower than projected costs of vehicle purchases in FY 2013, there is a current balance of \$32,264 in the Patrol; Service Equipment/Truck & Vans account, 010-6022-421.50-03. By using part of the remaining fund, along with the funds issued to the City by the two insurance companies, it will be possible to replace both vehicles with new vehicles.

**STAFF RECOMMENDATION:** It is recommended that \$50,153 be appropriated from General Fund Balance (account #010-0000-253-20-00) to Patrol Service Equipment/Trucks & Vans (account #010-6022-421.50-03) for the replacement of Unit 1111 and Unit 1165.

# Resolution

R-1213-147

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$50,153 FROM THE GENERAL FUND BALANCE TO REPLACE UNIT NOS. 1111 AND 1165 FOR THE NORMAN POLICE DEPARTMENT.

- § 1. WHEREAS, on November 23, 2012, a Norman Police Department vehicle, Unit 1111, was involved in a traffic collision; and
- § 2. WHEREAS, on February 27, 2013, a Norman Police Department vehicle, Unit 1165, was involved in a traffic collision; and
- § 3. WHEREAS, the cause of both collisions was determined to be other drivers who collided with the sides of the police vehicles and each police vehicle was determined to be beyond repair; and
- § 4. WHEREAS, a check in the amount of \$19,944 was received from the insurance company for damages sustained to Unit No. 1111 and \$30,209.06 was received from the insurance company for damages sustained to Unit No. 1165 and both checks were receipted into the Miscellaneous Risk Management Revenue Account and transferred to the General Fund Balance; and
- § 5. WHEREAS, the reimbursement checks will partially fund the purchase of replacement vehicles and the Police Department will use additional funds from the Police Department Service Equipment/Truck and Vans Account to cover the additional costs.

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

- § 6. That the following appropriation be made for the reason as stated above:

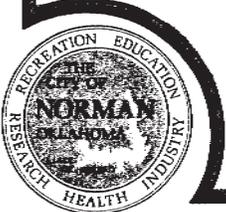
<u>Account Name</u>	<u>Losing Account</u>	<u>Gaining Account</u>	<u>Amount</u>
Service Equipment Police Cars	010-0000-253-20-00	010-6022-421.50-03	\$50,153

PASSED AND ADOPTED this 25th day of June, 2013.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk





# City of Norman, OK

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

## Master

**File Number: R-1213-155**

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<b>File ID:</b> R-1213-155	<b>Type:</b> Resolution	<b>Status:</b> Consent Item
<b>Version:</b> 1	<b>Reference:</b> Item No. 29	<b>In Control:</b> City Council
<b>Department:</b> Parks and Recreation Department	<b>Cost:</b> \$141,162.00	<b>File Created:</b> 06/20/2013
<b>File Name:</b> Budget Appropriation - Whittier/Irving Gym Floors		<b>Final Action:</b>

<p><b>Title:</b> <u>RESOLUTION NO. R-1213-155</u>: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$141,162 FROM THE ROOM TAX FUND BALANCE FOR THE WHITTIER AND IRVING RECREATION CENTERS GYM FLOOR REPLACEMENT PROJECT.</p>
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**Notes:** ACTION NEEDED: Motion to adopt or reject Resolution No. R-1213-155.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 29

**Attachments:** R-1213-155

**Project Manager:** Jud Foster

**Entered by:** brenda.hall@normanok.gov

**Effective Date:**

### History of Legislative File

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Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	06/25/2013					

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### Text of Legislative File R-1213-155

# Resolution

R-1213-155

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$141,162 FROM THE ROOM TAX FUND BALANCE FOR THE WHITTIER AND IRVING RECREATION CENTERS GYM FLOOR REPLACEMENT PROJECT.

- § 1. WHEREAS, City Council, in its meeting of June 11, 2013, approved Contract No. K-1213-201 with Z-Floor Company, Ltd., for the replacement of the gym floors at Whittier and Irving Recreation Centers; and
- § 2. WHEREAS, funding for the Whittier and Irving Recreation Centers Gym Floor Replacement Project will come from the Room Tax Fund balance, which is that portion of the Hotel/Motel Tax that is collected and dispersed to the Parks and Recreation Department; and

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

- § 3. That the following appropriations be made for the reason as stated above:

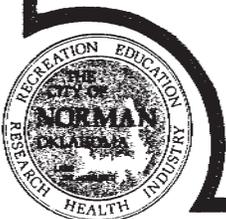
<u>Account Names</u>	<u>Losing Account</u>	<u>Gaining Account</u> Project No. RT0078	<u>Amount</u>
Whittier & Irving Gym Floor Replacement, Construction	023-0000-253.20-00	023-9321-451.61-01	\$141,162

PASSED AND ADOPTED THIS 25th day of June, 2013.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk





# City of Norman, OK

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

## Master

**File Number: RPT-1213-64**

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<b>File ID:</b> RPT-1213-64	<b>Type:</b> Communication or Report	<b>Status:</b> Non-Consent Items
<b>Version:</b> 1	<b>Reference:</b> Item No. 30	<b>In Control:</b> City Council
<b>Department:</b> City Clerk Department	<b>Cost:</b>	<b>File Created:</b> 06/12/2013
<b>File Name:</b> NCVB Budget	<b>Final Action:</b>	
<b>Title:</b> CONSIDERATION OF THE FYE 2014 NORMAN CONVENTION AND VISITORS BUREAU BUDGET WITH DETAILED ANNUAL PLAN OF WORK.		

**Notes:** ACTION NEEDED: Motion to approve or reject the FYE 2014 Norman Convention and Visitors Bureau Budget and Annual Plan of Work; and, if approved, direct the filing thereof.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 30

**Attachments:** Text File, FYE 14 NCVB Budget and Descriptions for City Council, NCVB FYE 14 Budget, Destination Marketing Plan

**Project Manager:** Stephen Koranda, Executive Director

**Entered by:** Ellen.Usry@mccinnovations.com

**Effective Date:**

### History of Legislative File

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Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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### Text of Legislative File RPT-1213-64

Body

**BACKGROUND:** The above-described item was postponed in City Council's meeting of June 11, 2013, to allow Norman Convention and Visitor's Bureau (NCVB) Staff to provide additional details on the Budget. The FYE 2014 City of Norman Operating Budget was adopted on June 11, 2013, which included an allocation of \$752,478 for convention and tourism activities.

Since that time, a detailed budget has been received and is included for Council's consideration.



## NORMAN CONVENTION & VISITORS BUREAU

### Fiscal Year 2013-14 Budget

#### Revenues:

City of Norman (Guest Tax)	752,478
Advertising	71,000
Special Events	10,000
Interest	1,500
Other/Reserves	0
<b>TOTAL REVENUES</b>	<b>\$834,978</b>

#### EXPENSES:

Research	9,250
Leisure Advertising	221,915
Groups Marketing	73,370
VisitNorman.com	27,650
Public / Media Relations	17,885
Special Events	8,000
Printed Materials	54,100
Other (Legislative Affairs, Postage, Memberships)	17,045
Operations	73,955
Personnel	330,324
<b>TOTAL EXPENSES</b>	<b>\$833,494</b>

## Notes Regarding the FYE 2014 Budget

**Research** to include a Brand Assessment as outlined in the Marketing Plan. It would *objectively evaluate perceptions of the destination brand's current brand position, building toward consensus among the organization's primary stakeholders with the brand's reality: where and how the destination is perceived today.* (\$5,000)

The other research would hope to more accurately estimate attendance at key festivals and events and prepare an economic impact report for those festivals and events. (\$3,000)

**Leisure Advertising** includes: print and electronic advertisements, search engine optimization and marketing, trade shows and appearances, video development, Sooner Mall partnership, CTA program.

New programs includes:

**Sooner Sports Properties** – We have long talked how do we get in front of the football crowd. We have agreed on a packet that would help us do just that and more. (\$42,000)

- We would sponsor the stage at Fan Fest – “see (Band) perform **on the VisitNorman.com stage** before the OU game”. The CVB would have presence at Fan Fest as well.
- We would have banner ads on SoonerSports.com.
- We would be the title sponsor of Game Day Program App Gameday Central page.
- And, have basketball courtside signage. (See image below.)



Weather Museum – Sponsorship of their mobile unit – first step towards the advocacy and education of a permanent museum. (\$10,000)

Mobile Visitor Center - Purchase of a “food truck” or used service truck (Fed Ex) to be equipped with brochure racks, audio, video, etc. Mobile unit would be used at OU Fan Fest, major festivals, parades, etc. Exploring other uses – groundbreaking PA and backdrop, promotion of Norman arts at OKC and Tulsa arts events, etc. (\$40,000)

Example of a Mobile Visitor Center:



Main Street Banners – With the new light poles along Main Street comes new brackets for banners. We would take the lead on producing Welcome banners to be hung along Main Street. Susan did this same program years ago when she was at the Chamber. She is confident that we could sell sponsorships of the banner covering the cost of the banners. (\$20,000 in revenue, \$17,000 expenses.)

Visitor Guides – While not a new venture, the developments are new and exciting! We will partner with OU Admissions on a cooperative Visitors Guide in that 40 or so pages will be Norman and 20 or so pages will be OU. One cover would be Norman, the “back” or other cover would be OU. OU estimates distributing 30,000 so we would print 120,000 copies. (\$44,000 in revenue, \$34,000 expense)

**Groups Marketing** primarily represents tradeshow / expos. Six new ones in FY 2014: Meetings Quest (\$3,000), Smart Meetings (\$2,440), Fraternal Executives Assoc. (FEA) (\$1,340), World Education Conference-Meeting Professional International (WEA-MPI) (\$1,690), Helms Briscoe Annual Business Conference (\$2,440), and Hospitality Sales Marketing Association International MEET (HSMAI) (\$2,890)

Attendance at the National Association of Sports Commissions' Symposium is not new but with the Symposium in OKC Spring, 2014, if the opportunity arises to host a networking event or sponsor some portion of the Symposium, we would like to. (\$5,000)

**Misc.** Upgraded functionality to VisitNorman.com. Always looking to upgrade VisitNorman.com. New functions could include blogging capabilities (\$1,000), multiple brochure request function (\$3,500), videos throughout the site (\$1,200), upgraded mapping function (\$6,000), itinerary builder (part of mapping), featured listing (\$600), and couponing/deals and discounts (\$3,000).

**Personnel** The CVB will look to hire a New Media Manager. Responsibilities will include graphic design and management of VisitNorman.com and social media. This will free Stefanie to concentrate more on media relations, Taylor to concentrate on groups servicing – resulting in Michelle and Susan to concentrate more on direct sales, and me to concentrate on management and destination development. (Salary budgeted at \$35,000 if start date of July 1. Eligible for health, life and dental insurance and Simple IRA after 3 months.)

Increase in Personnel line item also allows for a modest (3%) cost of living increase.

The CVB looks to begin a bonus or incentive program. (\$22,636 – budgeted at 10% of present staff salary.)



Norman Convention & Visitors Bureau FY 2014 Budget

REVENUE		2012-13 Budget	2013-14 Budget
1	City of Norman - Transient Guest Tax	550,000.00	752,478.00
	Advertising		
3	Visitors Guide	0.00	44,000.00
4	Pad Map	1,800.00	1,800.00
5	Welcome Bags	2,000.00	0.00
6	Web	2,500.00	2,500.00
7	External E-newsletter	900.00	900.00
8	Internal E-newsletter	1,800.00	1,800.00
9	Meeting Planners Guide	2,600.00	0.00
10	Group Sales Profile Cards	500.00	0.00
	Special Events		
11	Tourism Luncheon	10,000.00	10,000.00
12	Interest	1,500.00	1,500.00
	Misc.		
13	Main Street Banners	0.00	20,000.00
14	City of Norman Reserves	37,900.00	0.00
	<b>Total Income</b>	<b>611,500.00</b>	<b>834,978.00</b>
EXPENSES		2012-13 Budget	2013-14 Budget
	Research		
15	Cleaning of Databases	2,000.00	0.00
16	Smith Travel Research	1,250.00	1,250.00
17	Brand Assessment	0.00	5,000.00
18	Travel Impact Studies	0.00	3,000.00
	Leisure Advertising		
19	Envoy Lettering/Wrap	0.00	2,500.00
20	Call to Action Campaign/Advertising Elements Design	17,000.00	0.00
21	Video Development	2,000.00	2,000.00
22	OTRD Travel Guide	6,480.00	4,200.00
23	OTRD Travel Guide Coop Reimbursements	(2,494.00)	(2,000.00)
24	OTRD Online Display Ads	10,000.00	10,000.00
25	OTRD Online Display Ads Coop Reimbursements	(3,203.00)	(3,200.00)
26	Visitors Guide Fulfillment (OTRD)	3,600.00	4,000.00
27	Visitors Guide Distribution thru OPUBCO	0.00	3,600.00
28	TravelGuidesFree.com Fulfillment	2,400.00	2,400.00
29	TravelGuidesFree.com Advertising	4,000.00	1,000.00
30	Visitors Guide Direct Mail Program	8,000.00	0.00
31	FCMA Travel Guide	4,000.00	2,450.00
32	FCMA Travel Guide Coop Reimbursements	(1,600.00)	(1,600.00)
33	Chickasaw Country Travel Guide	2,300.00	1,350.00
34	FCMA E-newsletter (Mar-Jun, Sept & Oct)	0.00	600.00
35	Oklahoman Vision Section	3,000.00	3,000.00
36	OTRD Spring Newspaper Insert	2,500.00	0.00
37	OTRD Spring Newspaper Insert Coop Reimbursements	(1,600.00)	0.00
38	OTRD Bag Sponsorship	500.00	500.00
39	Midwest Living July/August "Summer Getaways"	4,500.00	4,990.00
40	Midwest Living May/June (OK Coop)	5,900.00	5,790.00
41	Best of Midwest	0.00	1,000.00
42	Better Homes Travel Central May	7,000.00	0.00
43	AAA May/June Coop	0.00	6,300.00
44	OK Today (2 issues)	5,496.00	0.00
45	OK Today (coop reimbursements)	(3,295.00)	0.00
46	OU Parents Guide	1,300.00	1,300.00
47	OU Panhellenic Association	1,500.00	1,500.00
48	Sooner Sports Properties	0.00	42,000.00
49	Fan Fest Band Stage Title Sponsorship and "Booth"		
50	Basketball Courtside Signage		
51	Game Day Program App Gameday Central Title Sponsorship		
52	Soonersports.com Banner Ads		
53	Trip Advisor Frontpage	3,500.00	3,500.00
54	Let's Tour Oklahoma.com Sponsorship	0.00	1,850.00
55	On-going Search Engine Optimization	12,000.00	12,000.00
56	Search Engine Marketing - Management	8,400.00	8,400.00
57	Search Engine Marketing - Media	3,900.00	12,000.00
58	Social Media	1,200.00	0.00
59	Sojourn Campaign	0.00	7,600.00
60	VideoGlobetrotter.com	900.00	900.00
61	Cleveland County Fair Sponsorship	900.00	900.00
62	Weather Museum Sponsorship	0.00	10,000.00
63	Call to Action Promotions	650.00	0.00
64	Billboard	3,000.00	0.00
65	Sooner Mall Welcome Center	6,000.00	10,000.00
66	Mobile Welcome Center	0.00	40,000.00
67	CTA Program	3,000.00	4,000.00

	2013-14 Budget	2012-13 Budget
<b>EXPENSES</b>		
68 Advertising Contingency	3,000.00	1,000.00
<b>Leisure Trade Shows</b>		
69 Trade Show Booth Skin Printing	350.00	0.00
70 Trade Show Booth tablecloth	500.00	0.00
71 Booth at Medieval Fair	500.00	2,000.00
72 Booth at Norman Music Festival	2,000.00	2,000.00
73 Parade Entries and Decorations	500.00	2,000.00
74 Vision Women's Expo-Dallas (FCMA)	0.00	750.00
75 Vision Women's Expo expenses	0.00	300.00
76 Dallas Travel and Adventure Show (OTRD)	900.00	900.00
77 Dallas Travel and Adventure Show expenses	565.00	565.00
78 Ft. Worth Vacation Show (OTRD)	450.00	450.00
79 Ft. Worth Vacation Show expenses	565.00	565.00
80 Wichita (KS) Women's Fair (OTRD) Feb 21-23	500.00	500.00
81 Wichita (KS) Women's Fair expenses	565.00	565.00
82 Kansas (Wichita) Sports, Boat & Travel Show (OTRD, brochure)	225.00	225.00
83 Just For Her Expo-OP KS (OTRD)	500.00	500.00
84 Just For Her Expo expenses	565.00	565.00
85 Red Hat Society International Expo (OTRD, brochure)	200.00	200.00
86 Trade Show Promotional Items		
87 Pens	2,400.00	2,400.00
88 Notepads	600.00	600.00
89 Event Magnets	1,000.00	1,000.00
<b>Conference, Sports and Groups Marketing</b>		
90 Sales Expense - Meals	1,000.00	1,000.00
91 Sales Expense - Entertainment	1,000.00	1,000.00
92 Videos for Groups Promotions	2,000.00	2,000.00
93 Site Tour Expenses	1,500.00	1,500.00
94 Helms Briscoe FAM Tour	3,500.00	0.00
95 Helms Briscoe Reception	4,500.00	0.00
96 Helms Briscoe Reception (coop reimbursements)	(3,600.00)	0.00
97 Direct Mail Pieces (4)	2,700.00	3,600.00
98 Attendance Generation Program	2,800.00	2,800.00
99 iDSS CRM Software	3,600.00	3,600.00
100 RFP Form Build-out/iDSS Implementation	5,000.00	0.00
101 OSAE Membership	225.00	225.00
102 OSAE Conference	750.00	750.00
103 OSAE Luncheons	250.00	250.00
104 SGMP Luncheons	350.00	350.00
105 SGMP Trade Show	0.00	2,200.00
106 SGMP expenses	0.00	940.00
107 SGMP Pre Conference Mailer	0.00	350.00
108 SGMP website premiere listing	300.00	0.00
109 MPI Membership	400.00	400.00
110 MPI Website Listing	400.00	400.00
111 Sales Blitzes (3)	900.00	0.00
112 MPI Reception Sponsorships	7,500.00	0.00
113 MPI Reception Sponsorships (coop reimbursements)	(4,500.00)	0.00
114 Red Carpet Travel Show	200.00	0.00
115 Small Market Meetings Conference	1,300.00	1,300.00
116 Small Market Meetings Conference expenses	800.00	800.00
117 Meetings Quest	0.00	2,200.00
118 Meetings Quest expenses	0.00	800.00
119 Rejuvenate (Trade Show)	2,150.00	2,150.00
120 Rejuvenate expenses	940.00	940.00
121 Professional Conference Management Assoc	1,200.00	1,200.00
122 PCMA expenses	940.00	940.00
123 Religious Conference Management Assoc.	1,200.00	1,200.00
124 RCMA expenses	940.00	940.00
125 RCMA Pre Conference Mailer	350.00	350.00
126 Smart Meetings	0.00	3,000.00
127 Smart Meetings Cooperative	0.00	(1,500.00)
128 Smart Meetings Expenses	0.00	940.00
129 FEA	0.00	400.00
130 FEA expenses	0.00	940.00
131 WEC-MPI	0.00	750.00
132 WEC-MPI expenses	0.00	940.00
133 Helms Briscoe Annual Business Conference	0.00	3,000.00
134 Helms Briscoe Annual Business Conference Cooperative	0.00	(1,500.00)
135 Helms Briscoe Annual Business Conf. expenses	0.00	940.00
136 Destination Showcase	0.00	6,000.00
137 Destination Showcase Cooperative	0.00	(4,000.00)
138 Destination Showcase expenses	0.00	940.00
139 HSMAI	0.00	3,900.00
140 HSMAI Cooperative	0.00	(1,950.00)
141 HSMAI expenses	0.00	940.00
142 TEAMS Conference	2,845.00	2,845.00
143 TEAMS Expenses	1,200.00	1,200.00
144 TEAMS Pre Conference Mailer	395.00	500.00
145 S.P.O.R.T.S.	1,600.00	0.00
146 S.P.O.R.T.S. expenses	0.00	0.00
147 NASC Symposium	1,000.00	1,000.00
148 NASC Symposium expenses	940.00	5,000.00
<b>EXPENSES</b>	<b>2012-13 Budget</b>	<b>2013-14 Budget</b>

149	Trade Show Promotional Items	0.00	5,000.00
150	Cvent Two Diamond Listing	3,500.00	3,500.00
151	ASAE Buyers Guide Position in CVB Section	1,500.00	1,500.00
152	ASAE Buyers Guide Banner Ad and Keyword Package	2,200.00	2,200.00
153	IMM Sales Program	1,700.00	1,700.00
154	Groups Marketing Contingency	1,000.00	1,000.00
155	Sports Market Place Directory	242.50	0.00
156	Texas Society of Executives Membership Directory	700.00	0.00
157	Convention Services	3,000.00	0.00
	VisitNorman.com		
158	Improved Functionality		
159	Couponing / Deals and Discounts	0.00	3,000.00
160	Blog	0.00	1,000.00
161	Multiple Brochure Function	0.00	3,500.00
162	Videos Through-out site	0.00	1,200.00
163	Mapping and Itinerary Builder	0.00	6,000.00
164	Featured Listing	0.00	600.00
165	Servicing	1,200.00	2,000.00
166	VisitNorman.com Hosting	600.00	600.00
167	Digital Visitors Guide Program	675.00	250.00
168	Book Direct Housing Reservation System	7,500.00	7,500.00
	Public Relations		
169	Constant Contact Exact Target (Email Service)	960.00	4,000.00
170	Media Trips/"Blitzes"	1,800.00	1,000.00
171	Media FAM Visits	1,000.00	1,000.00
172	FCMA Media Trips/"Blitzes" (3)	600.00	1,000.00
173	Media Trips/"Blitzes" Giveaways	1,000.00	500.00
174	Media Kit Materials	500.00	500.00
175	Photography	3,000.00	3,000.00
176	PRSA Membership	330.00	330.00
177	PRSA District Conference	300.00	0.00
178	PRSA Digital Impact Conference expenses	750.00	0.00
179	PRSA Travel & Tourism Conference	670.00	670.00
180	PRSA Travel & Tourism Conference expenses	885.00	885.00
181	Cision Database Membership	4,500.00	4,500.00
182	Public Relations Expenses	500.00	500.00
	Legislative/Government Affairs		
183	OTIA Legislative Reception	350.00	350.00
184	Chamber DC "Fly-in"	1,500.00	1,500.00
	Special Events		
185	Tourism Luncheon	8,000.00	8,000.00
	Printed Materials		
186	Visitors Guide	0.00	34,000.00
187	Pad Maps	1,300.00	1,300.00
188	Group Sales Profile Card	500.00	500.00
189	Apparel	300.00	300.00
190	Welcome Bags	2,000.00	2,000.00
191	Main Street Banners	0.00	17,000.00
192	Other Printing	1,000.00	1,000.00
	Postage		
193	General Postage	6,500.00	8,000.00
	Affiliation/Memberships		
194	Norman Chamber of Commerce	110.00	110.00
195	Sooner Centurion (EDC)	1,000.00	1,000.00
196	OK Travel Industry Association	2,200.00	2,200.00
197	Destination Marketing Association International	650.00	650.00
198	Norman Downtowners	25.00	25.00
199	OU Alumni Association	35.00	35.00
200	US Travel Assoc.	195.00	0.00
201	Texas Association of CVBs	250.00	250.00
202	Frontier Country Marketing Association	350.00	350.00
203	Norman Arts Council	25.00	25.00
204	Norman Parks Foundation	50.00	50.00
205	Service Clubs-2 memberships	1,000.00	1,000.00
206	Chamber Annual Dinner	500.00	500.00
207	National Association of Sports Commissions	700.00	700.00
208	Norman Business Association	300.00	300.00
209	Cities of the Big 12 Coalition	0.00	0.00
210	Chickasaw Country	125.00	0.00
	Operations/Admin		
211	Auto	5,220.00	1,305.00
	Auto Expense		
212	Insurance	1,263.00	1,300.00
213	Service	500.00	500.00
214	Fuel	1,200.00	1,200.00
215	Employee Mileage	500.00	500.00
216	Board Meeting Expense (Planning Retreat)	500.00	0.00
217	Bank Fees	700.00	700.00
	Insurance		
218	CNA Connect	586.00	600.00
	Rent		
219	Office	26,442.00	26,500.00
220	Postage Meter Lease	1,200.00	1,200.00
	<b>EXPENSES</b>	<b>2012-13 Budget</b>	<b>2013-14 Budget</b>
221	Supplies	1,500.00	1,500.00

222	Subscriptions	500.00	500.00
	Telephone		
223	AT&T (office and toll-free lines)	5,100.00	5,100.00
224	Travis Data (voicemail)	700.00	700.00
225	Sprint (mobile phones)	3,300.00	3,300.00
	Technology		
226	Quickbooks Subscription	350.00	350.00
227	Quickbooks Upgrade	200.00	0.00
228	Service	2,500.00	2,500.00
229	Technology Contingency	2,000.00	0.00
	Staff Development		
230	Certified Destination Management Executive Course	2,500.00	1,000.00
231	Certified Sports Event Executive	1,000.00	500.00
232	DMAI Annual Conference	2,000.00	2,000.00
233	Leadership Norman	500.00	0.00
234	OK Governor's Conference	500.00	0.00
235	Sales Academy	1,000.00	1,000.00
236	Sales Academy 2	0.00	2,000.00
	Legal/Accounting		
237	Annual Audit	4,500.00	4,500.00
238	Accounting	8,400.00	8,400.00
239	Legal	1,000.00	1,000.00
	Copier		
240	Copier Lease	3,000.00	3,000.00
241	Copier Ink/pay per copy	1,800.00	1,800.00
242	Staff Expenses	500.00	500.00
245	Misc	500.00	500.00
	Personnel Expenses		
246	Full-time Salaries	219,770.00	261,365.00
247	Bonus Incentive	0.00	22,636.00
248	Internship/Part-time Wages	2,900.00	0.00
249	Payroll Taxes	17,600.00	20,909.00
250	Health Insurance	11,050.00	14,034.00
251	Life Insurance	0.00	690.00
252	Dental Insurance	1,536.00	1,408.00
253	IRA	13,187.00	7,580.00
254	Payroll Expense	100.00	100.00
255	Workman's Compensation	1,476.00	1,602.00
	<b>Total Expenses</b>	<b>609,703.50</b>	<b>833,494.00</b>
	<b>Revenues over Expenses</b>	<b>1,796.50</b>	<b>1,484.00</b>

**Budget Notes:**

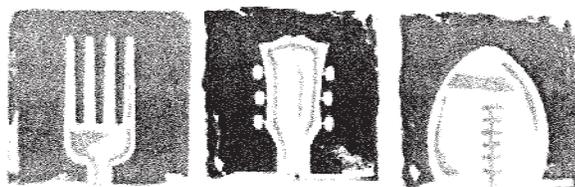
3. Budgeting \$11,000 more in revenue going from 48 to 64 pages and partnering with OU Recruitment
13. Susan did the banner program with the Chamber. She is fully confident we can sell the banners.
17. The brand assessment will "objectively evaluate perceptions of the destination brand's current brand position, building toward consensus among the organization's primary stakeholders with the brand's reality: where and how the destination is perceived today."
18. Hope to measure the economic impact of select festivals.
21. 1 new main video @ \$500, 6 smaller videos @ \$250
25. Hope to "sell" the space to an attraction or event through the year.
43. OTRD Cooperative in 2013. Don't know if they'll offer in 2014. May / June AAA Texas and Oklahoma...
48. 49-52 share specifics of Sooner Sports Properties package
54. LetsTourOklahoma.com Silver Package sponsorship of Norman section; \$1600 plus \$250 for brochure download
59. Sojourn is a re-targetting online program to run March April and May 2014
66. Mobile Welcome Center - \$10,000 van, 2,000 sound, 3,500 TV, 5,000 internal, 10,000 graphics, 5,000 AC/power, 1,000 generator, 3,500 contingent
92. 4 @ \$250, 1 @ \$500 and 4 @ \$400
97. 4 mailings: \$500 to print 1,500; \$400 postage per
- 117-118. Return to Meetings Quest trade show
- 126-141 ... shows we're now able to afford to attend.
148. Because the NASC Symposium will be held in OKC in 2014, we are budgeting to sponsor a reception or sponsor some aspect of the Symposium.
149. Line item not to only include promotional items but also enhancements to booth presence (couches, video, etc.)
158. Functionality planned for in original RFP. Now able to afford it.
169. Different E-marketing program than Constant Contact. Much more functionality and integration with CRM.
246. 3% COL increase; \$35,000 for new position (if July 1 start date)
247. Staff Bonus - 10% of salary
249. Payroll Taxes... 8% of FT salaries/wages (if July 1 start date)
250. 2 @ \$260 for 12 mos, 1 @ \$217 for 12 mos, 1 @ \$190 for 12 mos, 1 @ \$190 for 9 mos, \$1,200 SK reimbursement
251. Life Insurance \$10 x 5 x 12; \$10 x 1 x 9
252. Dental Insurance - Dental at \$98.80 x 12 mos., \$24.70 x 9
253. IRA... 3% of FT salaries (one salary calculated at 9 months)

**New Expenses In part Due to Increase in Budget**

17	Brand Assessment	5,000.00
18	Travel Impact Studies	3,000.00
19	Envoy Lettering/Wrap	2,500.00
27	Visitors Guide Distribution thru OPUBCO	3,600.00
43	AAA May/June Coop	6,300.00
48	Sooner Sports Properties	42,000.00
49	Fan Fest Band Stage Title Sponsorship and "Booth"	
50	Basketball Courtside Signage	
51	Game Day Program App Gameday Central Title Sponsorship	
52	Soonersports.com Banner Ads	
54	Let's Tour Oklahoma.com Sponsorship	1,850.00
57	Search Engine Marketing - Media	8,100.00
59	Sojourn Campaign	7,600.00
62	Weather Museum Sponsorship	10,000.00
66	Mobile Welcome Center	40,000.00
74	Vision Women's Expo-Dallas (FCMA)	750.00
75	Vision Women's Expo expenses	300.00
105	SGMP Trade Show	2,200.00
106	SGMP expenses	940.00
107	SGMP Pre Conference Mailer	350.00
117	Meetings Quest	2,200.00
118	Meetings Quest expenses	800.00
126	Smart Meetings	3,000.00
127	Smart Meetings Cooperative	(1,500.00)
128	Smart Meetings Expenses	940.00
129	FEA	400.00
130	FEA expenses	940.00
131	WEC-MPI	750.00
132	WEC-MPI expenses	940.00
133	Helms Briscoe Annual Business Conference	3,000.00
134	Helms Briscoe Annual Business Conference Cooperative	(1,500.00)
135	Helms Briscoe Annual Business Conf. expenses	940.00
136	Destination Showcase	6,000.00
137	Destination Showcase Cooperative	(4,000.00)
138	Destination Showcase expenses	940.00
139	HSMAl	3,900.00
140	HSMAl Cooperative	(1,950.00)
141	HSMAl expenses	940.00
149	Trade Show Promotional Items	5,000.00
158	Improved Functionality	
159	Couponing / Deals and Discounts	3,000.00
160	Blog	1,000.00
161	Multiple Brochure Function	3,500.00
162	Videos Through-out site	1,200.00
163	Mapping and Itinerary Builder	6,000.00
164	Featured Listing	600.00
169	Constant Contact Exact Target (Email Service)	3,400.00
193	General Postage	1,500.00
236	Sales Academy 2	2,000.00
246	Full-time Salaries	35,000.00
	Cost of Living increase for existing staff	6,593.00
247	Bonus Incentive	22,636.00
249	Payroll Taxes	3,309.00
250	Health Insurance	2,984.00
255	Workman's Compensation	126.00
	<b>TOTAL</b>	<b>249,078.00</b>

THE NORMAN CONVENTION AND VISITORS BUREAU

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# NORMAN

Visit [Norman.com](http://Norman.com)

Destination Marketing Plan  
Fiscal Year 2014  
(July 2013-June 2014)

# Norman Convention & Visitors Bureau

## Destination Marketing Plan Fiscal Year 2014 (July 2013-June 2014)

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## Executive Summary

Tourism as an industry in Oklahoma is estimated to generate \$6.3 billion dollars in annual direct traveler expenditures making tourism the third largest industry in Oklahoma. \$971 million dollars in federal, state, and local economy tax revenues are brought in by travelers to Oklahoma. These dollars help fund jobs and public programs such as police, firefighters, education and road projects. 77,000 jobs are secured by Oklahoma tourism, supporting the economies of all 77 counties in Oklahoma. This represents 4.9% of the state's total non-farm employment. Specifically in Norman, the tourism industry provides about 1,330 careers and has an estimated annual economic impact of more than \$146 million dollars.

All forecasts predict increased travel and tourism in 2013 and 2014. Smith Travel Research, Inc. shared at a recent Oklahoma Hotel & Lodging Summit that the U.S. hotel industry is projected to increase in 2013 in all three key performance measurements – average daily rate, occupancy and revenue over per available room. The State of The American Traveler says 34.2% of Americans plan to travel more this year and 33% of Americans plan to increase their leisure travel spending in the next 12 months. Data from ConventionSouth, Meeting Professionals International, Global Business Travel Association & others show that corporations & businesses are expected to increase their spending on face-to-face business meetings in 2013, and American Express Meetings & Events forecasts no change in the number of meetings in North America in 2013.

Norman has continued to see growth in four key indicators. As of December 2012, hotel room occupancy was up 4.4%, ADR is up nearly a dollar, guest tax collections are up 11% and sales tax collections are up 4.6%.

The Norman Convention and Visitors Bureau (NCVB) is the Official Destination Marketing Organization for Norman, Oklahoma. We are the only entity solely marketing Norman's tourism attributes to a regional and national audience. The NCVB's primary mission is to improve the local economy by attracting overnight visitors, meetings, conventions and events to the city. This mission is undertaken by a variety of marketing and development strategies designed to promote Norman as a destination to defined markets. This Destination Management Plan outlines how the NCVB looks to continue to reach key goals and fulfill our mission.

Through strategic, research-based sales, promotions and public relations initiatives, the NCVB marketing goal is to show growth in the following key indicators:

- Occupancy rates of Norman hotels
- Average daily rates of Norman hotels
- Transient guest tax collections
- Sales tax collections

Through proper execution of the following objectives, Norman will see growth in the four key indicators above. Marketing objectives:

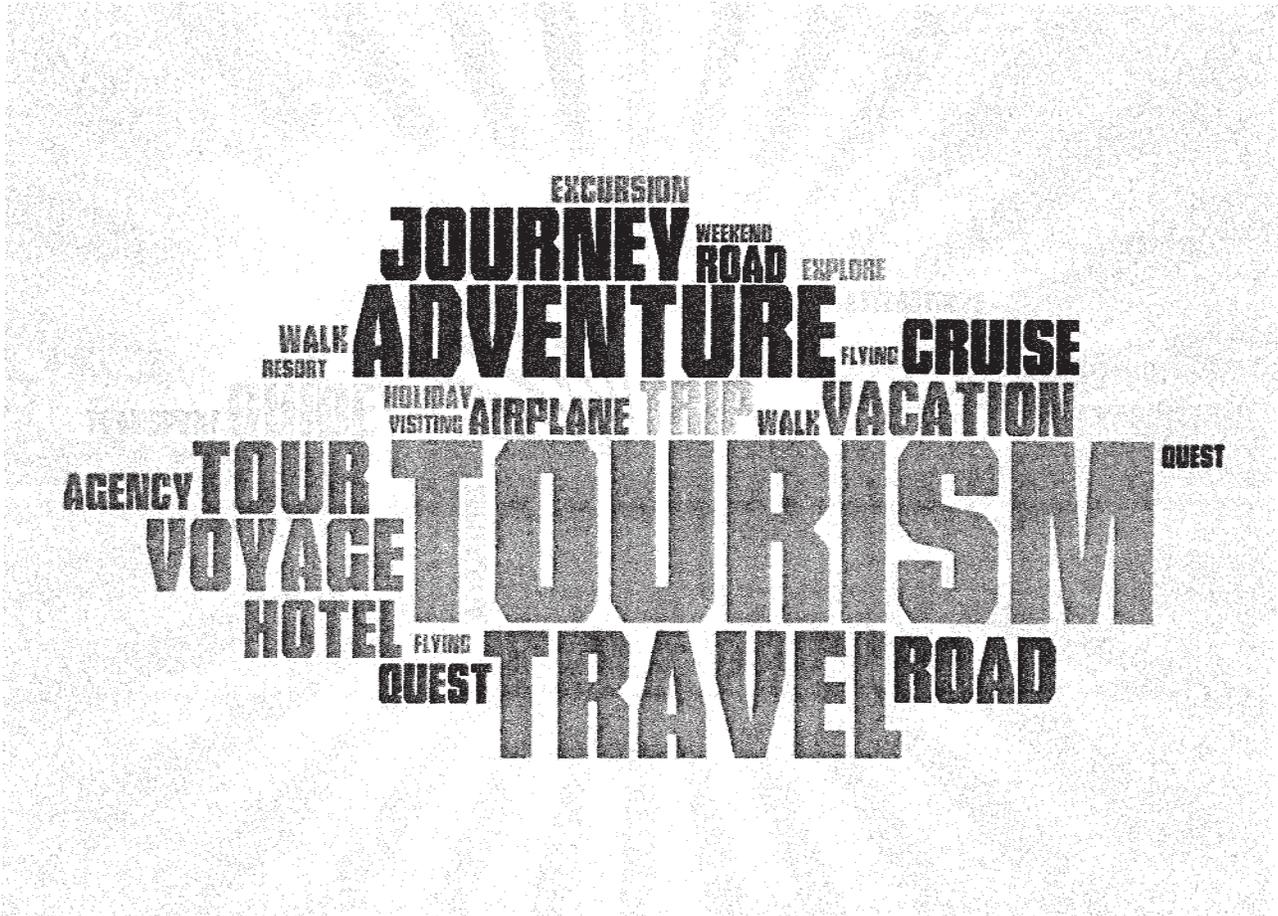
1. Aid in the continued development of Norman as a destination
2. Continue to collect secondary research and pursue primary research to aid in our marketing and branding effectiveness
3. Create a genuine brand encompassing the entire destination experience
4. Execute promotions to meetings/conventions, sports and leisure target markets

This Destination Marketing Plan for Fiscal Year 2014 outlines the key strategies to be executed related to each marketing objective.

## Situation Analysis

The temporary movement of people to destinations outside their normal place of work and residence, and the activities undertaken en route to and during their stay at these destinations and the facilities / services created to cater to their needs leads to economic impacts generated by these activities.

That's Tourism! Tourists going to destinations, doing tourism activities and creating economic impact in those destinations.



## Tourism Industry Overview

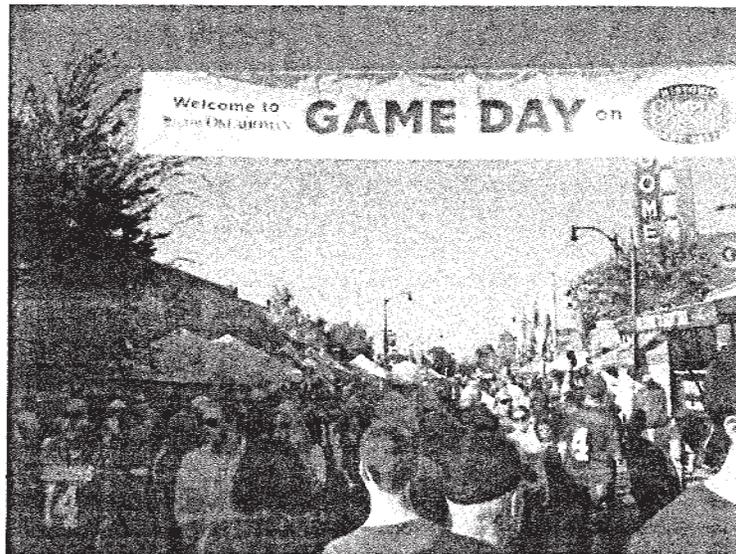
Travel and tourism is a \$6.3-billion industry in Oklahoma. Travel and tourism generates \$971 million in tax revenue for local, state and federal governments. Each U.S. household would pay \$950 more in taxes without the tax revenue generated by the travel and tourism industry.

The travel and tourism industry is one of the state's third-largest employers with 77,000 direct travel-generated jobs with a direct travel-generated payroll of \$1,757.9 million. This represents 4.9% of the state's total non-farm employment. Additionally, 1 out of every 8 U.S. non-farm jobs is created directly, indirectly, or is induced by travel and tourism.

A recent study unveiled the quality of a job in tourism. Workers who begin their careers in travel achieve higher wages, have greater access to educational opportunities and enjoy better career progression, according to a first-of-its-kind study of more than 30 years of longitudinal data collected by the U.S. Bureau of Labor Statistics (BLS) and analyzed by Oxford Economics and the U.S. Travel Association.

Key findings from *Fast Forward: Travel Creates Opportunities and Launches Careers* include:

- **Earning Higher Wages:** The average maximum salary for employees who start their career in the travel industry reaches **\$81,900** - significantly more than other industries.
- **Promoting Educational Opportunities:** One-third of the 5.6 million Americans who are employed part time to support themselves while they further their education work in the travel industry. Among workers who began their careers in the travel industry, 33 percent earned at least a bachelor's degree.
- **Building the Middle Class:** The travel industry is one of the top 10 largest employers of middle-class wage earners in the U.S. More than half of all travel industry employees (53 percent) earn a middle-class salary or higher.
- **Leading to Rewarding Careers:** Employees who work in travel jobs build valuable skills that can translate into rewarding careers, both in travel and other industries. Two out of five workers who start their careers in the travel industry go on to earn more than **\$100,000** per year.



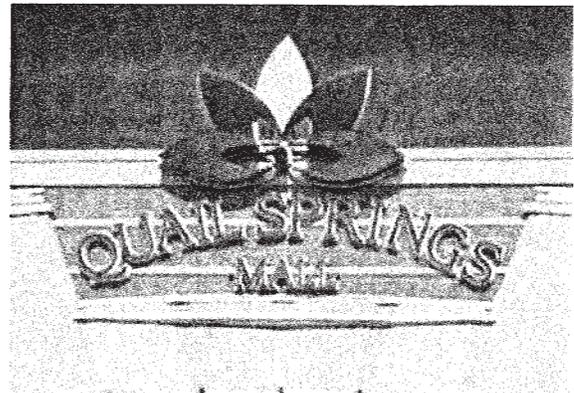
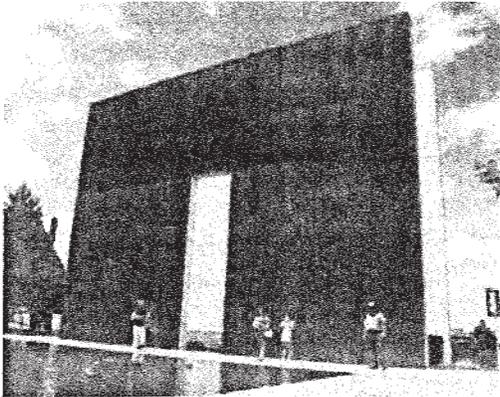
Industry indicators shared at a recent Oklahoma Hotel & Lodging Summit by Smith Travel Research, Inc. point to a healthy industry statewide:

- Occupancy in Oklahoma hotels is at 61% - **UP** 6% year over year
- The Average Daily Rate (ADR) of those hotel rooms has reached the 2009 peak and is at \$73.80 - **UP** 4.1%
- Revenue Per Available Room (RevPar) is at \$44.99 - **UP** 10.4%
- Room demand is **UP** 6.7% in Oklahoma
- Transient Rooms sold-to-date is outpacing prior years

- Transient ADR has surpassed peak years
- Group Rooms sold to date has outpaced prior years (through June 2012)
- Group Rooms ADR has surpassed peak years
- Occupancy has surpassed prior peaks both weekdays and weekends (65% and 73%)
- The Tourism Promotion Tax Collection Benchmark is up more than 8% in FY13 (through November)
- Tourism Information Center visitation is up more than 12% through November, 2012

The attraction base around the State continues to develop:

- The Oklahoma City National Memorial desires to build out the Journal Record Building
- A new Bedre Chocolate Factory was completed in Sulphur
- The OK Pop Museum in Tulsa continues to be discussed
- Kevin Durant's restaurant has broken ground
- Winstar Casino is building an 18-Story hotel
- Osage Nation is building two casinos
- Retailers Michal Kors Lifestyle and L'Occitane En Provence are considering opening in the Penn Square Mall and retailer Von Maur in the Quail Springs Mall



All national forecasts predict increased travel and tourism in 2013 and 2014.

- Smith Travel Research, Inc. shared at a recent Oklahoma Hotel & Lodging Summit that the U.S. hotel industry is projected to increase in 2013 in all three key performance measurements – average daily rate (4.4%), occupancy (1.7%) and revenue over per available room (6.2%).
- The *State of The American Traveler* says 34.2% of American plan to travel more this year and 33% of Americans plan to increase their leisure travel spending in the next 12 months.
- Data from ConventionSouth, MPI, GBTA & others show that corporations & businesses are expected to increase their spend on face-to-face business meetings in 2013.
- American Express Meetings & Events forecasts no change in the number of meetings in North America in 2013.

## **Norman Tourism Industry Overview**

Indicators point to a healthy tourism industry in Norman. Through December 2012, four key indicators showed increases:

- Occupancy in Norman hotels was at 64.5% (vs. 60.1%)
- ADR of those rooms is up to \$80.96 (vs. \$80.25)
- Guest Tax collections are up 11%
- Sales Tax collections are up 4.6%

The tourism industry is and will continue to be an important source of income and employment for Norman. The tourism industry has an estimated annual economic impact of more than \$146 million dollars and provides an estimated 1,330 careers. Additionally, the tourism industry makes the following important contributions to the Norman community:

- Provides economic diversification
- Expands the tax base
- Creates identity and image
- Creates additional local amenities (i.e. restaurants, attractions, etc.)
- Builds audiences for local events

## **Market Overview**

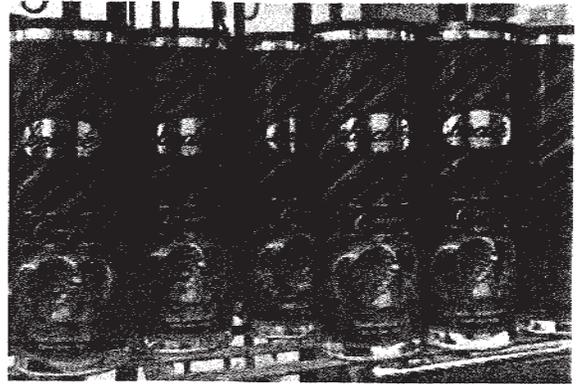
The Norman tourism market is strong. According to recent research, virtually everyone who chooses Norman as a destination would return. Our central location in the state, proximity to Oklahoma City and access to Interstate 35 can be used as marketing advantages. The community is seen as friendly, easy-to-navigate, affordable and attractive by visitors. The University of Oklahoma campus, its athletic facilities and museums all have strong community and visitor appreciation. The Downtown Norman revitalization efforts have paid off as the area has been listed among the top Norman destinations two years running. Additionally, Embassy Suites' conference facilities are recognized by the community as a tremendous asset for attracting groups.

A further positive is that the community appears to have vision for continued improvement as well as a general drive to improve Norman for both residents and visitors alike. This is important because leisure travelers are faced with an astonishing array of options in how to spend their time and money. The growth of Oklahoma City's Bricktown as a destination and the recent completion of an IMAX theatre in Moore is competition for Norman in attracting drive market visitors.

Further consider the recent announcements of attraction developments around Norman:

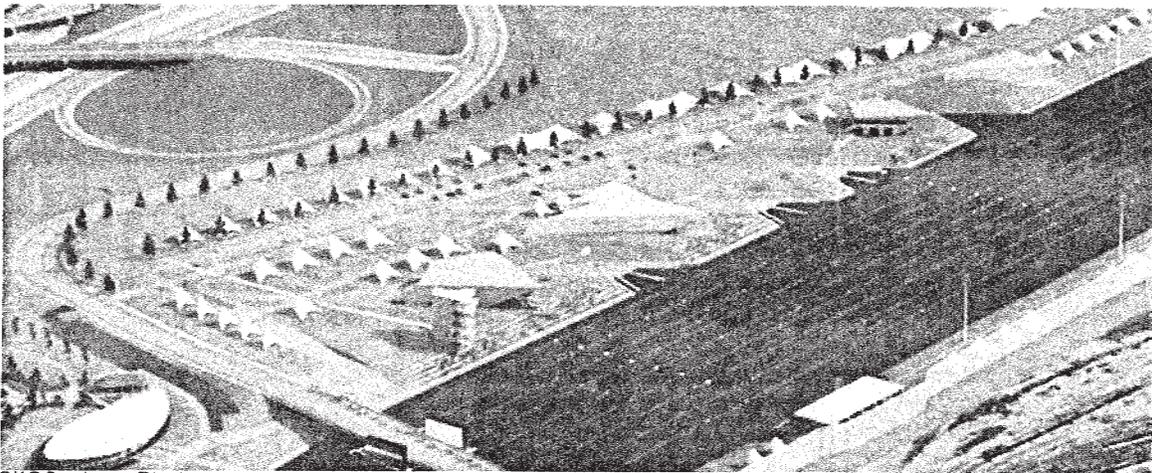
- Oklahoma City National Memorial / Journal Record Building
- Quail Ridge Hunting & Sporting Clays skeet-shooting facility
- Bedre Chocolate Factory in Sulphur
- Tulsa Raceway Park
- OK Pop Museum
- Kevin Durant's Restaurant
- KOSU Film Row studio

- Winstar's 18-Story hotel
- Osage Nation's two casinos
- Kialegee Red Clay Casino
- Retailers Michal Kors Lifestyle and L'Occitane En Provence in the Penn Square Mall
- Retailer Von Maur in the Quail Springs Mall
- OKC Century Center (downtown mall)



And the success of attractions that have opened or improved around Norman:

- Oklahoma City Outlet Mall / Westgate Market Place
- Retail outlets (Dick's Sporting Goods) in Moore
- Warren Theatres IMAX
- Frontier City water attraction
- Remington Park
- Hard Rock Casino
- Boathouse District in Oklahoma City
- Chickasaw Cultural Center in Sulphur
- State Fairgrounds Equestrian facilities
- OneOK Field in Tulsa
- Oklahoma City Redhawks

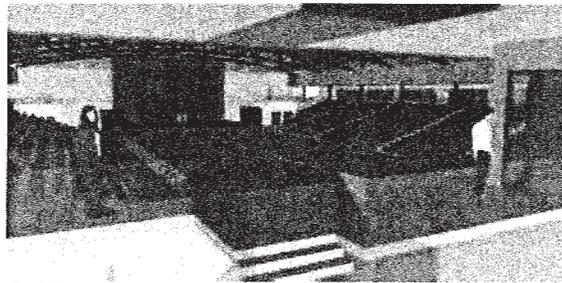


OKC Boathouse District

The NCVB has been incorporating these leisure and entertainment options in its marketing materials. The competition is very real, and in an effort to leverage that in Norman's favor, it is necessary to position Norman as an ideal overnight destination from which visitors can daytrip to "competitive" communities such as Oklahoma City or attractions such as the Arbuckle Mountains or the Chickasaw Culture Center. Recent surveys indicate the Norman community recognizes visitors to Norman are likely to visit regional attractions. Research affirmed that two of three visitors to Norman are visiting OKC attractions. With 2 million visitors to OKC National Memorial & Museum, it would behoove

Norman to continue to market ourselves in relationship to the close proximity to the state's highest traffic attraction and a growing assembly of regional attractions.

However, while Norman celebrates that the attraction base around us continues to develop, the contrast is recognizing the increased competition for visitor spending from surrounding Oklahoma communities and from the increase in these leisure and group opportunities in general. Additionally, there will be increased competition in the meetings and conventions industry as Oklahoma City continues with site selection for the \$280 million convention center approved through MAPS 3. An additional 27,000 square foot banquet space is being developed in Bricktown. Choctaw Casino and Resort has included meeting space. The Ardmore Convention Center, Frisco Conference Center in Clinton and Hard Rock Casino and Hotel in Tulsa have all recently opened. The Tulsa Technology Center Campus in Owasso is now welcoming groups. Enid is soon to open the Enid Expo Center.

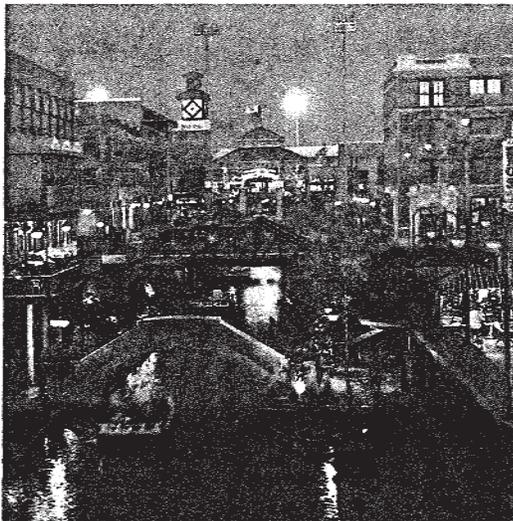


Enid Event Center

While community citizens have championed an aquatics center for years now in Norman, Moore and Edmond have moved forward with construction of swim facilities.

At a recent luncheon presented by the Norman Chamber of Commerce, Oklahoma City Mayor Mick Cornett shared two key successes to the Oklahoma City economy:

1. A diversified economy
2. A strong tourism industry



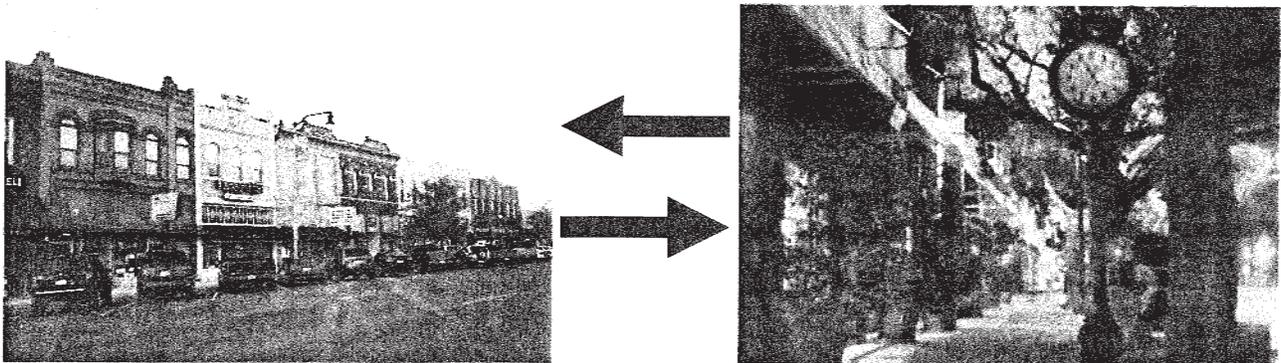
Numerous attractions have been the vision of Norman residents for years:

- National Weather Museum
- Upgraded competitive sport facilities including a competitive swim facility as identified in the Parks and Recreation Master Plan
- Cheer competition facilities
- University North Park including Legacy Park and destination shopping
- Parks and recreation offerings beyond neighborhood parks

While we celebrate the recent opening of Andy Alligator’s Water Park and the ever-closer development of Legacy Park, we must continue to discuss development of our own attractions and enhancements of the attractions we have.

Recent feedback from the community showed support for further initiatives that could attract more visitors: 84.5% of those surveyed expressed interest in new nightlife options; 83% expressed interest in high-end shopping options; 81% expressed interest in more unique boutique shopping options; nearly 80% expressed interest in additional fine dining options.

Further community input showed support of the continued development of Norman, specifically through beautification and transportation. We applaud the Norman voters for passing the Transportation Bond that will expand Lindsey Street in addition to the other seven projects. We compliment the City on embarking on a Comprehensive Transportation Master Plan and look forward to participating on its development. Also, 93.5% expressed interest in community beautification initiatives. More than 88% expressed interest in connecting various districts in the city. (For example, connecting Historic Downtown to Campus Corner.)



Concepts that have been the vision of Norman residents include:

- Enhancements to entry points and corridors within Norman – Porter, Flood, Main Street, Lindsey, South Classen
- Development of Front Street concepts from Robinson into Downtown
- Continued beautification of Downtown Norman and Campus Corner in line with the ‘Central Initiative’ as proposed by Imagine Norman
- Beautification Master Plan as proposed by Imagine Norman

As the community looks to further develop Norman as an attraction, the city must continue to foster a pro-business and development environment. We must cultivate a development process that is as expeditious and manageable as possible. Additionally, we must continue to explore and use tax incentives as development tools. (TIF, BID, sales tax abatements, etc.) All interested parties working together for this common goal will exponentially increase opportunities for destination experiences in Norman.

It's as Maura Gast, Irving Texas CVB Executive Director, said at the 2012 Annual Tourism Luncheon:

*"If you build a place people want to visit, you build a place where people want to live.*

*"If you build a place where people want to live, you'll build a place where people want to work.*

*"If you build a place where people want to work, you'll build a place where business has to be.*

*"And if you build a place where business has to be, you'll build a place where people have to visit."*

In addition to increased competition with attraction and meeting space development, Norman continues to face increasing competition from communities regionally and across the nation with similar make-up: 85- to 130,000 in population, within a metropolitan area, and home to major university. Consider the following:

<u>City</u>	<u>Population</u>	<u>DMO Budget</u>
Ann Arbor, MI	114,000	\$2,600,000
Gainesville, FL	124,000	\$2,000,000
Las Cruces, NM	93,570	\$1,549,000
Waco, TX	126,000	\$1,300,000
Columbia, MO	101,100	\$1,300,000
St. Joseph, MO	76,200	\$1,300,000
Fort Smith, AR	86,200	\$ 894,500
Odessa, TX	90,900	\$ 870,000
Boulder, CO	94,200	\$ 727,000
Lawrence, KS	92,000	\$ 685,000
Stillwater	39,000	\$ 580,400
<b>Norman</b>	<b>113,000</b>	<b>\$ 557,500</b>
Edmond	81,000	\$ 452,350

\*excerpt from benchmark comparison of 27 communities. For full list, see Appendix A.

The marketing initiatives outlined in this plan are those that are budgeted at this time, with our limited budget, many initiatives have been left out of the budget. To date, more than \$350,000 worth of marketing initiatives we have identified as sure-fire opportunities remain unfunded.

## **NCVB Overview**

### **NCVB Vision and Mission Statements**

*The Vision of the Norman Convention and Visitors Bureau is to be the leader who proactively markets and develops Norman as the preferred destination in Oklahoma.*

*The Mission of the Norman Convention and Visitors Bureau is to promote the city, to attract overnight meeting, convention, sport and tourism business to the community, and to enhance and contribute to the overall identity and economic well-being of the city.*

### **NCVB Organizational Structure**

The Norman Convention and Visitors Bureau, Inc. is a not-for-profit corporation. Incorporated as a 501(c)6 on June 4, 1993, the NCVB is governed by a 17-member Board of Directors. The Board oversees policies of the NCVB and a contract with the City of Norman. Through the contract – K-9293-136 – the NCVB receives 50% of the transient guest taxes collected by a state statute and city ordinance on local hotel rooms. The city ordinance is Ordinance Number 0-7980-58 or the “Norman Transient Guest Room Tax Ordinance.”

The NCVB By-laws and Contract K-9293-136 stipulate how the 17 members of the Board of Directors are elected. The 17 members shall be composed of the following:

- Seven Directors elected by the NCVB Board of Directors nominated from the following organizations or industries:
  - The University of Oklahoma Athletic Department;
  - The Norman Public Schools;
  - The Norman Chamber of Commerce;
  - The Norman Arts Council;
  - The Norman hotels and hospitality industry (2); and/or
  - The Norman restaurant and entertainment industry.
  
- Two Directors appointed by the Mayor of the City of Norman representing the University of Oklahoma and organized athletic groups.
  
- Four Directors elected by the NCVB Board of Directors to serve in “at-large” capacities.
  
- Four Ex-Officio representatives as follows:
  - The Mayor of the City of Norman or a City Councilmember appointee;
  - The City Manager of the City of Norman or a designee;
  - The Executive Director of the Norman Chamber of Commerce; and
  - The Executive Director of the Norman Economic Development Coalition, Inc.

Fiscal Year 2013 Board of Directors members are:

Chair: Kris Glenn, Tyler Outdoor Media  
Vice Chair: Suzanne M. McAuley, Norman Chamber of Commerce, First American Bank  
Treasurer: William Murray, CTA, Norman hospitality industry, Montford Inn Bed & Breakfast  
Secretary: Michael Vance, CTA, At-Large, Embassy Suites Hotel and Conference Center  
Past-Chair: Joe Sparks, Norman restaurant industry, Legends Restaurant  
Dr. Roger Brown, Norman Public Schools  
Sherry Brown, Norman Arts Council, Republic Bank & Trust  
Sandy Huse, At-Large, Sooner Mall  
Randy Laffoon, Mayoral Appointment – organized athletics, SportsTalk 1400  
Jay Potter, Norman hospitality industry, Hampton Inn  
Juna Stovall, Mayoral Appointment – OU, OU OCCE  
Charlie Taylor, OU Athletics  
Paige Williams, At-Large, Chickasaw Nation

Ex-Officio

Brenda Hall, City Manager Designee  
Linda Lockett, Mayor/City Council Designee  
Don Wood, Norman Economic Development Coalition, Inc.  
John Woods, Chamber of Commerce

#### **NCVB Staff and Titles**

Stephen Koranda, Executive Director, CTA  
Susan Bash, Sales Manager, CTA  
Stefanie Brickman, Communications Manager, CTA  
Taylor Mauldin, Services Specialist, CTA  
Michelle Samp, Sales Manager, CMP, CTA  
Sarah Jay, Marketing Assistant, CTA (PT)

## Target Audience Overview

The Norman Convention and Visitors Bureau targets three audiences as outlined in our Mission Statement - overnight meeting, convention, sport and tourism business (or leisure travelers).

### Meeting/Convention

Meetings contribute greatly to the economy. The U.S. Travel Association prepared a report – *Economic Significance of Meetings to the U.S. Economy*. It reported 1.8 million meetings are held in the United States annually and contribute \$263 billion in direct spending to the U.S. economy. According to the study, the meetings industry accounts for a total of 1.7 million jobs and generates \$60 billion in U.S. labor income, \$14.3 billion in federal taxes and \$11.3 billion in state and local taxes.

Meeting and convention opportunities are based upon businesses, associations, military, social groups, visiting families and relatives, weddings, reunions and other local, state, regional or national organizations that can be adequately accommodated by Norman meeting facilities and hotel properties.

Research through the brand realignment found that presently Norman is only considered a destination among Oklahoma-based meeting planners. A strategy must be implemented to market to regional meeting planners outside of Oklahoma to bring Norman to the forefront of their considerations.

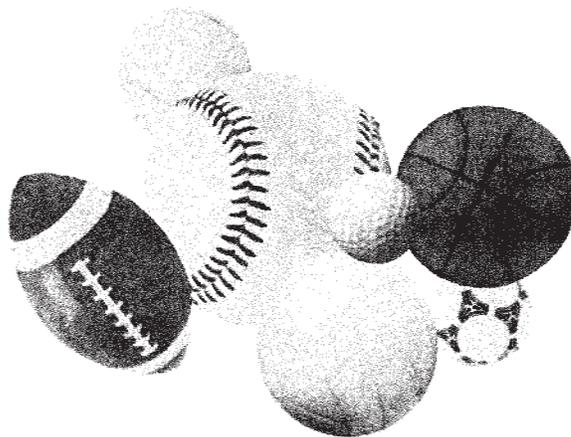
The same research identified that meeting planners tend to be women between the ages of 30 and 60. Any strategy must recognize this and the design of advertisements or materials and the messages they contain must be created appropriately.



### Sports

The sports market are selected sport events and sport organization rights holders, including National Governing Bodies, multi-sports organizations/associations, college and university conferences and other organizations who own events that are available to Norman through a bid selection process by the NCVB or in conjunction with local sport organizations and associations with similar goals.

Networking is a major strategy to attract events to Norman. Major influencers in the community who can assist in bringing events to Norman are the local sports associations. Results are more successful when these associations are partners with the NCVB in bidding on events.



## Tourism (Leisure)

The tourism market is defined as the leisure traveler or any visitor traveling to Norman outside of an organized convention or meeting with interest in Norman's attractions, history, culture, and/or accommodations.

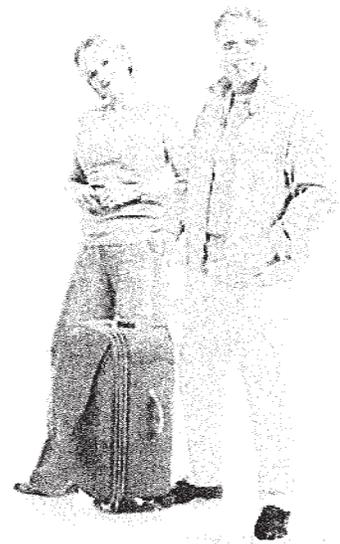


Recently the NCVB database of more than 80,000 potential leisure visitors was “scrubbed” by a research firm. RUF Strategic Solutions was able to match the names in our database to information available to them. The members of the database represented household clusters and the descriptions of those clusters provide us insights as to the typical visitor to Norman:

- The head of the household is 45 to 75+; one cluster well represented trended younger at 35- to 54-years-of-age
- The household income is \$50,000 to 150,000; one cluster well represented trended higher at \$75,000 to \$250,000
- They have completed high school and most likely graduate school
- They are married
- They have been in their home for 16 years or more
- They generally do not have children in their home. However, two clusters well represented show a strong propensity to having kids 13- to 18-years-of-age in the home.
- They are strong magazine and newspaper readers and television watchers. Although some clusters well represented suggest the exact opposite – weak propensity to listen to the radio, watch TV, read magazines and newspaper and pay attention to advertising outside the home.
- Magazines they most likely read are Smithsonian, AARP, Better Homes and Garden, Southern Living and Golf Digest
- Serves or has served in the military
- Belongs to a social, fraternal or civic group

### Specific to travel

- They took a domestic trip in the last year
- Most will travel twice a quarter
- Stay 4 to 8+ nights



- Spend \$900 or more per trip
- Most likely visit in the fall. The clusters with kids in the household will visit in the summer.
- On the trips they will golf, gamble, visit historic places, museums and beaches, participate in water activities
- The clusters with kids in the household attended a theme park in the last year and attend sporting and other events. They also hike/bike, boat/sail, and hunt/fish.

The interest in Norman comes primarily from Oklahoma and Texas. Missouri, Illinois, Kansas, California, Ohio, Wisconsin, Michigan, Arkansas and Indiana are the other states in the top 10 with regards to states represented most by leisure inquiries.

## **Marketing Goals and Objectives**

### **Marketing Goals**

Through strategic, research based sales, promotions and public relations initiatives, the NCVB marketing goal is to show growth in the following key indicators:

1. Occupancy rates of Norman hotels
2. Average daily rates of Norman hotels
3. Transient guest tax collections
4. Sales tax collections

Performance and Activity Measures that lead to the growth of the above key indicators include:

1. Number of leisure promotions programs
2. Number of gross impressions of those programs
3. Number of conversions through those programs
4. Number of leisure media placements
5. Number of gross impressions of those media placements
6. Number of leads sent to hotels for meeting/sport groups
7. Number of room nights booked for meeting/sport groups
8. Number of room nights serviced for meeting/sport groups
9. Room nights booked for group tours

### **Marketing Objectives**

The following marketing objectives will be the concentration of the CVB in FY 2014:

1. Aid in the continued development of Norman as a destination
2. Continue to collect secondary research and pursue primary research to aid in our marketing and branding effectiveness
3. Create a genuine brand encompassing the entire destination experience
4. Execute promotions to meetings/conventions, sports and leisure target markets

Proper execution of the above objectives will assure growth in the four key indicators above.

## Marketing Objectives

### Destination Development

Marketing 101 teaches the Four Ps of Marketing – Product, Price, Place and Promotion. Clearly Product drives the other three P's of the Marketing Mix. Without a quality Product, no matter the Price, Place or Promotion, the Product will not satisfy the consumer. Just as Apple, Chevy and Proctor & Gamble concentrate on the quality, design, features, sizes and services of their products, a destination must concentrate on the quality of the destination and the features it offers to the tourist. The NCVB Board of Directors and staff recognize development of the Product – Norman as a destination – is our first and foremost concentration.



Refer back to the Market Overview and specifically the list of attractions being developed – museums, sport facilities, destination restaurants, retail, entertainment outlets, etc. As previously stated, while Norman celebrates that the attraction base around us continues to be developed, the contrast is recognizing the increased competition for visitor spending from surrounding Oklahoma communities and from the increase in these leisure and group opportunities in general.

### Key Objectives

Aid in the continued development of Norman as a destination. Focus areas to include:

- A. Development of new attractions (i.e., National Weather Museum)
- B. Development of an events center in University North Park
- C. Development of upgraded competitive or new sport facilities
- D. Development of a Travel Information Center along Interstate 35
- E. Continued development of districts within Norman as destinations (i.e., Downtown, Campus Corner, University North Park etc.)
- F. Redevelopment of distressed districts (i.e., Main Street, Ed Noble Parkway, Porter corridor etc.)
- G. Continued beautification of Norman
- H. Enhancement of current attractions
- I. Development and promotion of existing festivals and events
- J. Development of new festivals and events
- K. Engagement in transportation enhancements
- L. Expansion of the Certified Tourism Ambassador program

### Development of new attractions (i.e., National Weather Museum)

**Key Strategy** - The NCVB will continue to look for ways we can assist with the development of new attractions. NCVB staff presently sits on the board of directors for the long envisioned National Weather Museum. We constantly monitor activities and discussions related to other possible attractions in Norman. More attractions than the National Weather Museum are being discussed.

### **Development of an events center in University North Park**

**Key Strategy** - The NCVB will continue to advocate for an events center in University North Park. There have been discussions of a feasibility study to be done for such a project. The NCVB will push for such a study to be conducted towards the development of an events center to compliment the Embassy Suites Hotel and Conference Center and neighboring hotels.

### **Development of upgraded competitive or new sport facilities**

**Key Strategy** - The NCVB will continue to look for ways we can assist with the upgrading or development of new competitive sport facilities, specifically facilities able to host lucrative weekend tournaments. The Parks and Recreation Master Plan outlined initiatives. A group has long advocated for a competitive swim facility. We constantly monitor activities and discussions related to each and will advocate for their development.

### **Development of a Travel Information Center along Interstate 35**

The need for Travel Information Centers (visitor or welcome centers) is growing, at least according to a recent survey of DMO professionals conducted by Destination Marketing Association International. 16% of destinations indicated an increase in the number of visitor centers they manage. With 81% of DMOs indicating they manage at least one visitor center, one perspective for this growth is that today's centers are finding fresh ways to draw in visitors. From touch-screen technology to ticket sales, today's evolving TICs are producing new ways to engage tourists. While the storm damage to the NCVB Downtown office provided the opportunity to locate closer to Interstate 35, we must continue to explore opportunities to establish a very visible presence on I-35 through a Travel Information Center.

The NCVB Executive Director attended a seminar on Travel Information Centers. With this information from DMAI's Certified Destination Marketing Executive program, Norman now has a blueprint for developing the long envisioned Travel Information Center along Interstate 35.

**Key Strategy** – continue to explore opportunities to establish a very visible presence on Interstate 35 through a Travel Information Center.

### **Continued development of districts within Norman as destinations (i.e., Downtown, Campus Corner, University North Park etc.)**

**Key Strategy** - The NCVB will continue to look for ways we can assist with the development of districts within Norman as destinations. NCVB staff presently sits on the board of directors for the Downtowners Association. We remain in communications with key Campus Corner tenants and owners. We constantly monitor activities and discussions related to other all districts and remain prepared to work with those entities to advocate for the further enhancement of those districts.

## **Redevelopment of distressed districts (i.e., Main Street, Ed Noble Parkway, Porter Corridor etc.)**

**Key Strategy** – Recognizing there are districts or corridors that perhaps are not the most attractive, the NCVB maintains public enhancements should be explored that will drive private investments. Whether those be beautification efforts such as streetscape or landscaping, or putting in place incentives such as tax increment financing or tax abatements, with public investment, private investment will follow.

## **Continued beautification of Norman**

*Almost every aspect of your physical destination presents an opportunity to make favorable impressions. You have a captive audience and a controlled environment where you can communicate your marketing message any way you choose. What will you do with it?*

- Explore design and beautification initiatives
- Explore signage and way-finding programs
- And in general, work on the Norman mojo and ambiance

**Key Strategy** - The NCVB will continue to look for ways we can assist with the beautification of corridors and gateways to Norman. NCVB staff presently sits on boards and committee for numerous entities and through those will advocate for beautification efforts. The NCVB co-funded a wayfinding study that lead to a plan being prepared. We will work with City staff on the implementation of that plan.

## **Enhancement of current attractions**

**Key Strategy** - The NCVB will continue to look for ways we can assist with the further enhancement of current attractions. Naturally, the key way to do that is with research-based, targeted promotions. Through constant communication with personnel at Norman's attractions, we can continue to understand other ways we can assist.

## **Development and promotion of existing festivals and events**

**Key Strategy** - The NCVB will continue to look for ways we can assist with the further development of existing festivals or events. Naturally, the key way to do that is with research-based, targeted promotions of the festivals and events. Another is that we will continue our involvement with community events and send media releases about such events. At present, the Communications Manager is actively involved with the organizing committee or lends media support to more than 15 community events. But whether that be a new feature of a parade, new offering at a festival, or the expansion of an event to include an additional day, the NCVB is ever ready to assist with opportunities to enhance one of our iconic events.

## **Development of new festivals and events**

**Key Strategy** - The NCVB will continue to look for ways we can assist with the development of new festivals or events. We constantly monitor activities and discussions related to such and remain ever ready to assist with opportunities to add a new festival or event to our ever popular line-up.

## **Engagement in transportation enhancements**

**Key Strategy** – While research indicates the overwhelming majority of tourists drive a vehicle into Norman when visiting, providing them with transportation, the NCVB recognizes there are visitors who do not have transportation and could use public transit. We will continue our engagement in public transit initiatives such as the current bus system and discussions of future expanded rail service and remain ready to advocate for expansion or development of systems to move visitors conveniently from one attraction to another.

## **Expansion of the Certified Tourism Ambassador program**

Recognizing one can always improve customer service, the NCVB partnered with the Oklahoma City and Edmond CVBs to bring the Certified Tourism Ambassador program to the OKC metro. This national program trains and certifies people who work in front-line industries with the skills to enhance a visitor experience to increase tourism, from hotel employees to convenience-store clerks to taxi drivers and museum guides. The CTA program goes well beyond basic customer service training; it gives participants the opportunity to build upon their knowledge of the local region, enhance their skills in serving customers, increase their awareness of information resources and discover the power of tourism. A summary of the program is included as Appendix B.



**Key Strategy** – The NCVB will continue the promotion of the program in hopes more front-line staff will become certified.



4. Monitoring brand effectiveness.

This will measure and benchmark satisfaction and loyalty levels. Research will identify critical elements of the destination experience as well as competitors' relative performance. Routine, periodic research is required to gauge the destination brand's ability to deliver on its promise over time and track changes toward any of its inherent brand attributes.

5. Evaluating VisitNorman.com's effectiveness.

The evaluation is designed to provide an objective measurement to gauge the "brand" effectiveness of VisitNorman.com by taking into consideration some important applications of basic brand-building principles. The evaluation will also examine VisitNorman.com from the perspective of its intended target audience. The criterion used in the evaluation process is designed to assess the visitor's experience and potential to meet brand expectations.

Additionally, a future studies will look to determine the conversion of potential visitors into actual visitors to Norman.

In the interim, memberships in Destination Marketing Association International, National Association of Sports Commissions, and Oklahoma Travel Industry Association allow the NCVB access to secondary research.



The Norman CVB took a step towards developing a genuine brand for Norman with the “brand realignment” completed in 2010. But as the Norman Wayfinding Plan was being prepared, it became apparent that Norman is not consistently communicating what Norman is and does. We need to continue developing brand Norman.

If we think that developing a strategic direction for brand Norman is basically “image building,” “positioning” and advertising, then we will miss out on many other opportunities and benefits. Too often, destination brand initiatives are focused on naming, logo makeover, advertising slogans and media spend. Without the umbrella of an overarching strategy for the destination brand experience, tactics such as the aforementioned may garner short-term gains in building awareness, but may lack the staying power vital to the long-term good health and wellbeing of a brand.

### **Key Objective**

To create a genuine brand – brand Norman. Genuine brands are not designed. Genuine brands are the result of a comprehensive, well thought-out and carefully crafted strategy that encompasses the entire destination *experience* reflecting visitors’ needs and expectations. It is for this reason that the destination brand-building process must focus on strategic development of a brand versus individual tactics focused on identity, image, awareness and promotion.

### **Strategy Towards Key Objective**

To create a distinctive, long-lasting, one-of-a-kind brand is a process that comes from within. The Norman CVB will lead a team of stakeholders representing a cross section of key constituents. This “brand commission” will own and direct the destination brand development and implementation process.

The first task of the “brand commission” will be to conduct a brand assessment that will objectively evaluate perceptions of the destination brand’s current brand position, building toward consensus among the organization’s primary stakeholders with the brand’s reality: where and how the destination is perceived today.

However, an objective assessment of the organization’s destination brand cannot be accomplished without quality research. Effective destination brand research gets inside consumers’ minds to discover the primary motivating or influential factors driving tourism and visitor decision-making. The “brand commission” will be reviewing options for conducting the research needed for a brand assessment.

Consumer and customer satisfaction must be understood from an absolute standpoint: “How satisfied are customers with our destination’s products, accommodations and service?” It is also important to gain a high level of understanding of satisfaction relative to other competitors and from a macro point of view. In other words, determine what is reasonable, acceptable or the norm in a particular market or market segment. Studying best-demonstrated practices helps identify the industry’s “gold standard” or top performance (inside or outside the industry) to help establish benchmarking targets.

Any research will coincide with the research mentioned above. (See pages 21-22.)

## Promotions

### Meetings/Convention and Sports

The NCVB will continue to work with conference centers, hotels and the University of Oklahoma's Center for Continuing Education to increase the number of meetings, conferences, and events-related spending in Norman – particularly during off-peak time periods.

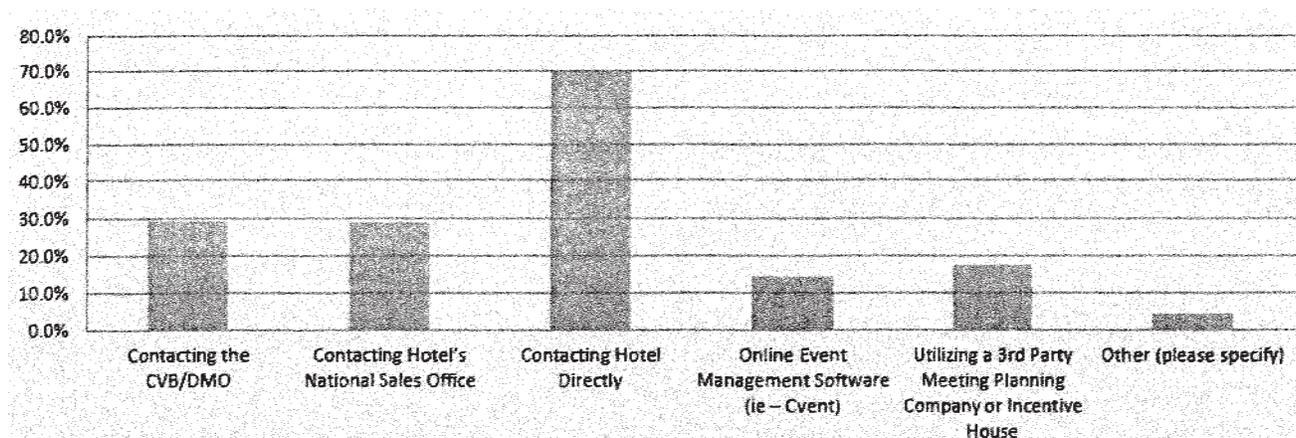
#### Key Objectives towards Meetings, Conventions and Sports

1. Brand Norman, enhance awareness and expand promotion of Norman as a convention, meetings and sports destination
2. Continue to develop Norman as a destination for meetings/conventions and sports
3. Expand our digital activities
4. Enhance the servicing of groups meeting or hosting a sports event in Norman

#### Branding the Destination for Meetings

Recent research has revealed that we, as a DMO, must continue to re-find our niche in the ever-growing meetings, conventions and sports industries. Whereas in the past a meeting planner had two resources available to them – the hotel/conference center or the DMO – today the online world has made available countless websites (Cvent.com, ASAEBuyersGuide.com) providing hotel, conference space and destination information. Third-party meeting planning / site-selection companies like HelmsBriscoe, Conference Direct and Experient have also “crowded our space.”

A most telling statistic from a recent study revealed that the preferred method of meeting planners when submitting a request for proposal is contacting hotels directly (70.1%). 29.1% contact the hotel's national sales office. 14.4% use online event management software (i.e. Cvent.com) and 17.5% use a third-party meeting planning company. Only 29.3% of meeting planners contact a DMO. (Respondents could respond to multiple options.)



E-pro Direct Meeting Planner Survey, 2012

## Key Strategy

Thus, a key strategy in the meetings/conventions and sports markets is that we must take a more “promotions-oriented” strategy towards group business through branding Norman and enhancing the awareness of Norman as a convention and meetings destination, while also establishing a strong regional and state presence in the meetings and sport industries.

In an article in *Successful Meetings*, the late Gary Sain, then the Visit Orlando President and CEO, stated he was *less concerned about his (DMO) generating leads and more concerned about booked business, however that is accomplished.*

*“We believe our first job is to brand the destination. We don’t care if a lead goes through us or directly to the hotel. As long as they’re coming to Orlando, we don’t care.”*

Another industry colleague emphasized the need for additional promotions centered around sales by stating, *“No sales person can close the deal if there isn’t ad awareness or desire for our destination.”* (Don’t recall source.)

As the CVB further enhances our promotions to the meeting planners, we in return, expect to see a direct economic impact through increased room-night production for our area hotel partners.

In addition to promotions to meeting planners, we must promote Norman to third-party meeting planning companies and build relationships with their associates. John Cychol of the Fort Worth CVB stated, *“It’s important for (Fort Worth) to partner with (third-party companies) to make sure the planner gets the best impression of our destination when going through a third party.”*

Our message to the third-party meeting planners: *CVBs offer a depth of knowledge that helps planners sell the destination to their attendees, and CVB staff has the relationships within the community that can resolve problems when they arrive and the best relationships with the hotel community third-party companies are representing.*

When the opportunity arises to actually sell Norman with an individual meeting planner, the CVB will target “city-wides.” We must capitalize on the fact that *(DMOs) are the undisputed kings in marketing destinations to groups holding city-wide conventions. The knowledge about the destination that the (DMOs) have is also crucial to creating a complete package for a large meeting.*

*(DMOs) can enjoy a competitive edge for city-wides by coordinating all the hospitality and travel components in the destination, negotiating vendor discounts or subsidies on behalf of groups, and providing groups a housing bureau at a discounted price.*



***“We don’t care if a lead goes through us or directly to the hotel. As long as they’re coming to Orlando.”***

**Gary Sain, President and CEO, Visit Orlando**

## **Destination Development**

Meetings are not just about the conference center or hotel. Open evenings or off-site functions can provide the attendees with an experience which may entice them to visit the destination with family or friends again. By working with local partners, the CVB can help deliver an experience to our visitors that is distinctly Norman. Our goal is to add value and maximize the group visitor's experience. If we build strong relationships and provide wonderful experiences this will affect repeat and referral business.

*"Planners have to create an experience as well as a meeting, and that's created by what goes on outside of the education, reception, and convention hall," Heidi Longton, Meeting Industry Experts Inc.*

## **Key Strategy**

The CVB will engage in the initiatives outlined above. (See pages 19-22.)

## **Expand Digital Activities**

Our industry has been charged that *today's (DMOs) have to strive to distinguish themselves from a host of digitally empowered competitors.* That means continuing to add meaningful content to the Meeting Professionals' section on VisitNorman.com

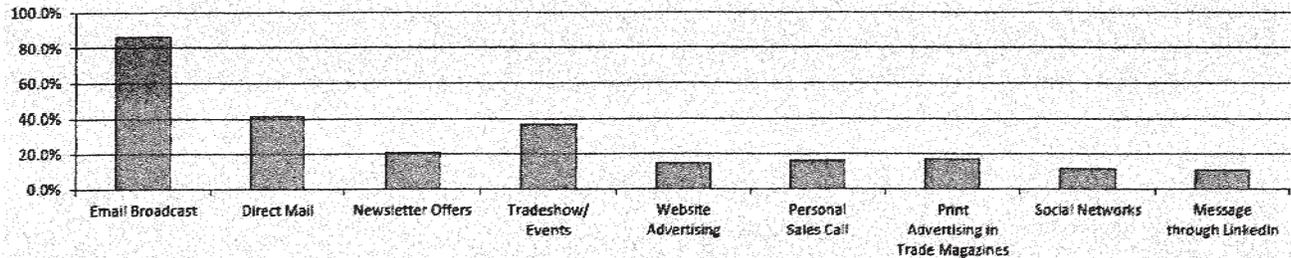
*Brian John Riggs, Association Headquarters, recommends that (DMOs) act as curators for their destinations, a reference to the gaining concept that people researching a subject online want a single trusted source. "As the official voice for their destinations, (DMOs) are well-positioned to fulfill that role."*

*(DMOs) must aggressively embrace the new communications technology. "It is fast becoming a component of our everyday life. The impressions made through electronic platforms are almost decision points. There has to be a 'capture experience' at the point of contact. If (DMOs) can leverage the culture of their destination and let it shine in that 'capture moment,' then I think they take a leap ahead." (Riggs)*

It's not just VisitNorman.com. We must develop strategies to use Social Media in the branding and promotion of Norman as a meetings and sport destination. Recent best practices include *people posting favorable expressions about Vancouver (Canada) on various social-networking websites (after a disturbance) and the (DMOs) advertising agency deployed software to automatically aggregate those postings into a single site, ThisIsOurVancouver.com. The effort helped restore some of the city's battered pride and presented a more positive image to the public.*

Another example includes the Long Beach (DMO) using its Facebook page to run contests that promote attendance for groups meeting in the city. *"It has been very effective in driving attendance for the events we've done it for." Steve Goodling*

A survey of meeting planners unveiled how planners prefer to receive meeting supplier information. *Email broadcast was by far, the most preferred (86.2%). Direct mail and Tradeshow/Events followed at 41.6 and 36.4%.*



E-pro Direct Meeting Planner Survey, 2012

It is no surprise, then, that a different survey showed the top three most common online and digital marketing activities used by DMOs to reach event producers and group clients are, in order, social media, email blasts, and e-newsletters.

	DMOs	Convention Centers
Social media (Facebook, Twitter, blogs)	85%	61%
Email blasts	75%	61%
E-newsletters	71%	67%
Dedicated website	69%	83%
Search marketing, key words	67%	39%
Online video promoting destination and/or hotels, venues, activities/ YouTube, etc.	56%	39%
Banner ads on other websites	54%	44%

### Key Strategy

The Norman CVB will concentrate on these proven promotion strategies to promote Norman to meeting planners.

As the database of meeting planners expands, regular communication through email will promote new enhancements to meeting facilities, hotels, and attractions – exactly what a meeting planner suggested they wanted in these communications – *quarterly e-newsletters that give a quick update on (a destination’s) facilities and promotions. Another desires constant updates on services/properties so I know that the information I am seeing is up to date and current.*

The emails will also promote our office’s services and the value proposition of a destination marketing organization to a meeting planner. We will additionally look to publications with greater databases in which to “e-blast” Norman’s message. Direct mail pieces will complement the emails. And social media will further promote VisitNorman.com.

## **Servicing**

It's not just sales either. It's service, too! Convention services enhance the visitor experience through customer service excellence and differentiated product development and delivery.

Many recognize that *"(DMOs) offer a depth of knowledge that helps planners sell the destination to their attendees, and we have the relationships within the community that can resolve problems when they arise."* Steve Goodling, Long Beach CVB

What type of services? A recent survey unveiled that a considerable 85% of DMOs provide event organizers with attendance marketing support or assistance. See the chart below for the most common types of attendance marketing support provided:

	<b>DMOs</b>	<b>Convention Centers</b>
<b>Public relations support</b>	<b>91%</b>	<b>71%</b>
<b>Liaison with city, state or regional affiliated groups or government agencies</b>	<b>88%</b>	<b>64%</b>
<b>Adding event information to the DMO and/or venue website(s)</b>	<b>74%</b>	<b>64%</b>
<b>Emails to potential local attendees</b>	<b>67%</b>	<b>29%</b>
<b>Airport signage and around the destination before the event</b>	<b>64%</b>	<b>29%</b>
<b>Hotel discounts/rebates</b>	<b>55%</b>	<b>14%</b>
<b>Assistance securing event speakers, keynoters</b>	<b>55%</b>	<b>7%</b>
<b>Entertainment, sports, cultural event or facility discounts</b>	<b>50%</b>	<b>50%</b>
<b>Cash payments/rebates/marketing support fees</b>	<b>48%</b>	<b>21%</b>

## **Key Strategy**

Staff will also look to expand a new Attendance Generation Program. The program offer tools to help groups generate attendance. Studies show 85% of DMOs provide event organizers with attendance marketing support or assistance. *Norman needs to expand our attendance marketing support.*

## **Tradeshows**

*"People-based" marketing, including the sales force and participating at industry trade shows and conferences, account for a total of 44% of the average DMO's total marketing expenditure. Strong investments as the industry reports the marketing mediums and activities that drive the highest quality leads are attending industry trade shows and events and the sales force. And competitors are investing more in those mediums: The marketing mediums that received the most increased investment recently have been industry trade shows, conventions and conferences, according to half of the DMOs responding to the survey.*

The Norman CVB will continue to invest significant resources in the sales force and our presence at trade shows and conferences. Collaborate, Connect, NASC, OSAE, PCMA, RCMA, Red Carpet Travel

Show, Rejuvenate, Small Market Meetings, SGMP and TEAMS are all shows that we are budgeting to attend.

Other shows under consideration include: Christian Meetings and Conferences Association Trade Show (CMCA), Chuck Cooke & Associates Trade Show, Destination Showcase, Fraternity Executives Association, HelmsBriscoe Annual Business Conference Trade Show, NIRSA (intramurals), National Panhellenic Conference, Reunion Friendly Network, Smart Meetings, and Student Youth Travel Association.

## **Digital Activities**

DMOs are finding value in digital activities. *The online and digital marketing activities considered the most effective by DMOs are their dedicated website, banner ads on other websites, email blasts and social media.* And with success, are investing more in digital.

*More than 30% of DMOs increased their spending on their internal sales force, websites and digital activities by more than 5%. Sixty-two percent of convention centers say they increased their budget for their website and digital activities by more than 5% in this fiscal year.*

As shared above, we must look to expand our digital activities. In addition to electronic communications, the NCVB will continue to expand and enhance VisitNorman.com. Photos, videos, a digital marketing tool kit, will look to be added among the expansion of information already provided. Meeting professionals have offered feedback on what additional tools and resources they would welcome in a destination's website:

- *The total number of rooms, suites, etc. clearly stated*
- *A dedicated conference website*
- *Make websites user-friendly – make sure floorplans are downloadable and printable*
- *More online 360 tours*
- *Easy to access hotel listing with group sales contacts*
- *Online meeting kits – photos of meeting rooms, hotel/resort layouts, etc.*

Additional digital activities will include the monitoring of Norman's web presence on other online listings and the expansion of Social Media as a promotions tool for meetings and sports. Careful consideration will be made for targeted advertising on websites for meeting planners.

## **Sales**

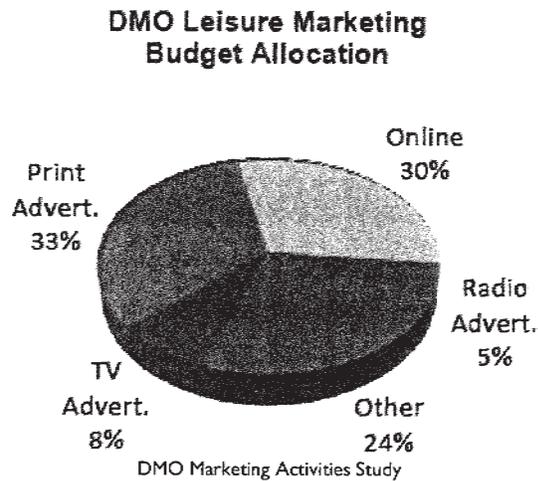
Not to be lost in all of the above is the importance of "people-based" marketing including direct sales. The Norman CVB will continue to start and build relationships through all the outlets presently being employed. A planner shared *one of the most effective services offered by (DMOs) is one of the oldest – a hosted site inspection of the destination*, the CVB will budget resources to be able to provide site inspections to meeting planners as identified.

One other consideration is the discovery that 37% of DMOs maintain a separate fund to cover discounts and incentives for qualified events and groups that book local hotels. The average incentive fund size is \$156,000 at DMOs. These incentives and discounts are mainly used to cover convention center rent and provide transportation for attendees. The NCVB Executive Director was told by a colleague that another shared “he had to provide some incentive to every piece of business booked (in 2012.)” Incentives are becoming more and more prevalent in the meetings and sports industries. We must look to develop a fund and identify resources to continue to feed the fund.

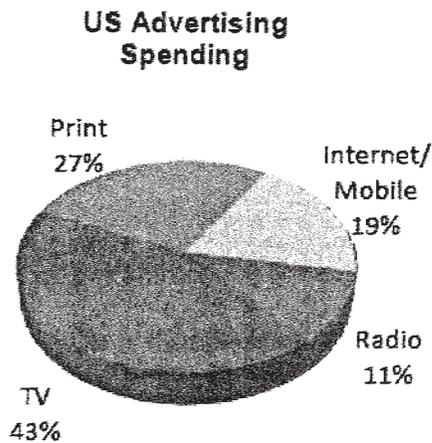
## Tourism (Leisure) Advertising

Leisure travel makes up 76% of all travel and tourism. It's no wonder DMOs commit two-thirds of their marketing budget to the lucrative leisure market segment.

A recent study by DMAI revealed how DMOs are allocating their leisure marketing budget:



Interesting when compared to U.S. adult weekly media consumption:



Source: eMarketer.com

This is especially interesting when one considers the average leisure traveler to Norman has a weak propensity to pay attention to advertisements on television and radio, in magazines and newspapers, or those found outside the home.

Past data has revealed :

- Travel plans are done online: 66% use the internet for travel information; 42% word-of-mouth; 33 % state travel websites; 21% brochures; and 18% travel books and magazines.
- Family travelers are more likely to have taken a vacation in their local area (less than 50 miles from home) as an alternative to vacationing in a destination that would have required traveling a greater distance.
- 31% of families took a “last-minute” trip last year, departing an average of just six days after deciding to take the trip.
- All family travelers surveyed have access to the Internet at home and practically all have gone online to get information about travel suppliers and make reservations.
- Online search remains the No. 1 planning source for leisure travel. There also has been significant growth in search throughout the purchase funnel, as one-third of travelers say search prompted them to book travel. Search-engine users most often search for overnight accommodations, destinations, vacation activities, road trips and air travel.
- Online video use for travel is growing significantly among travelers. Throughout the travel planning process, 41% of personal travelers, 63% of business travelers and 58% of affluent travelers specifically watch travel-related video online. YouTube remains the most popular source of online video for these travelers, as 81% of travelers who watch videos visit YouTube.
- Substantiated with the report that YouTube is the second largest search engine in the U.S. (after Google), YouTube is processing more than 3.5 billion searches on the site each month.
- Personal travelers more than doubled their usage of mobile devices for travel purposes in the past year alone. Research also shows significant increases in the use of mobile devices for specific behaviors like booking and checking in. Mobile continues to offer immense growth opportunities, as one-third of travelers who currently do not use their mobile device for travel will likely do so in the next year.
- In the last 15 years, the Internet has become the foremost influence on the consumer’s decision-and-purchase process and continues to grow every year. How big is the Internet’s influence? According to a June 2007 report titled, “Frames of Reference: Online Video Advertising, Content and Consumer Behavior” (from Online Publishers Association and OTX) the Internet influenced 48-57% of purchase decisions at varying stages of consideration, compared to 20-26% influenced by word-of-mouth and just 18-29% for all other media (radio, magazines, newspapers and television) combined.
- Advance Travel Planning: 19% plan their trip one month out; 80% plan their trip less than 6 months out. (2009 SMRI indicates that 64% plan their trip less than one month out.)

The aforementioned DMAI marketing activity study shared *DMOs have fully embraced a wide variety of online activities into their overall destination marketing efforts. Banner ads and search engine marketing/adwords dominate, comprising more than half of DMO online budgets. (See chart below)*

(% of Online Marketing Budget)	Total	Less than \$500,000	\$500,000-\$999,999	\$1,000,000-\$1,999,999	\$2,000,000-\$3,999,999
Banner ads	30	18	32	22	32
Adwords/Search Engine Mktg	28	8	25	31	41
<i>% spent on Google</i>	<i>72</i>	<i>55</i>	<i>70</i>	<i>68</i>	<i>72</i>
Social Media Campaigns/Sites	18	32	23	18	12
OTA Campaigns	6	3	4	5	4
Mobile Campaigns	5	6	5	8	3
Email List Acquisition	3	5	3	6	2
App Development	2	1	4	2	1
Other*	6	10	5	8	4

\* online video, consumer sites, microsites, webinar sponsorships, development, lead generation, retargeting (one mention each)

DMO Marketing Activities Study

All of the above suggests the need for year-round advertising – with more online – instead of the conventional thought of advertising late-winter/early spring as the traveler plans for the traditional summer vacation. As budget allows, we can do more year-round advertising. The above findings further suggest a tremendous shift in strategy – away from ‘Bought Media’ as the only outlet – and more towards ‘Owned Media’ – channels that one develops and manages themselves, i.e., website, blog, Facebook page, Twitter feed, YouTube channel, and even the destination itself (as already mentioned on page 11.)

### Key Objectives towards Leisure Travel

1. Continue to expand and enhance our Owned Media
2. Continue to assess and select Paid Media for maximum return on investment
3. Continue to take advantage of and maximize the effort from Earned Media coverage

## Strategies Towards Key Objectives

### Owned Media

We must continue to build-out VisitNorman.com by adding tools and resources utilized by the visitor.

*DMO websites continue to command a high level of investment as market expectations for more sophisticated content and functionality increase. Content or functions present on DMO websites:*

Present on Website:	
Calendar of Events	99
Deals and Discounts	78
Mapping Technology	75
Online Booking Engine for Lodging	59
Trip or Itinerary Builder	47
User-generated Content	42

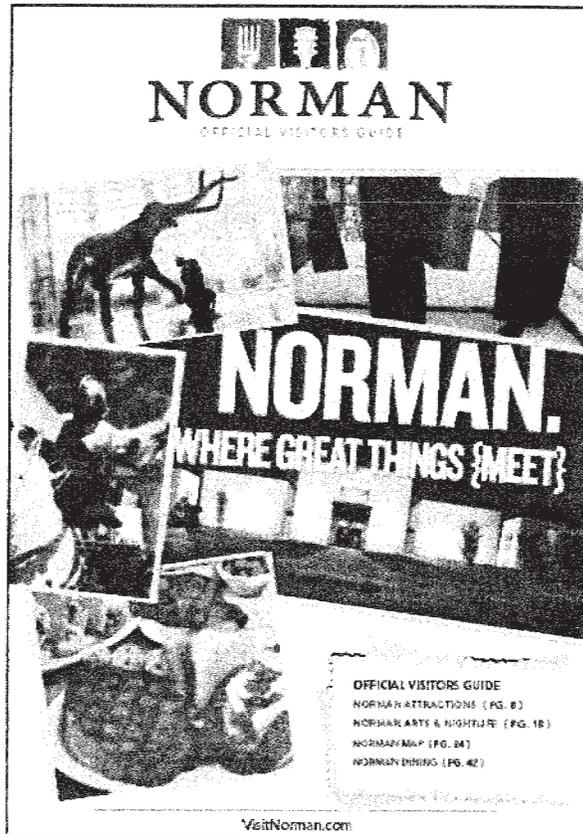
VisitNorman.com features a calendar of events and an online booking engine for lodging. The 2013-14 year will bring a “deals and discounts” function, more robust mapping technology – specifically on the mobile site – and itinerary builder. VisitNorman.com will also spotlight partner brochures and will also allow the visitor to request those partners’ brochures in addition to the *Official Visitors Guide for Norman*.

We will continue to look to leverage search-engine optimization and keyword rankings to attract the right audience to the site as well as develop a content strategy that continuously provides key information and optimize the site to the fullest by way of pictures, video, blogs, and functionality. These photos, videos and itineraries will work to fuel the imagination, and in turn, create a desire for Norman that will ultimately convert prospects to customers.

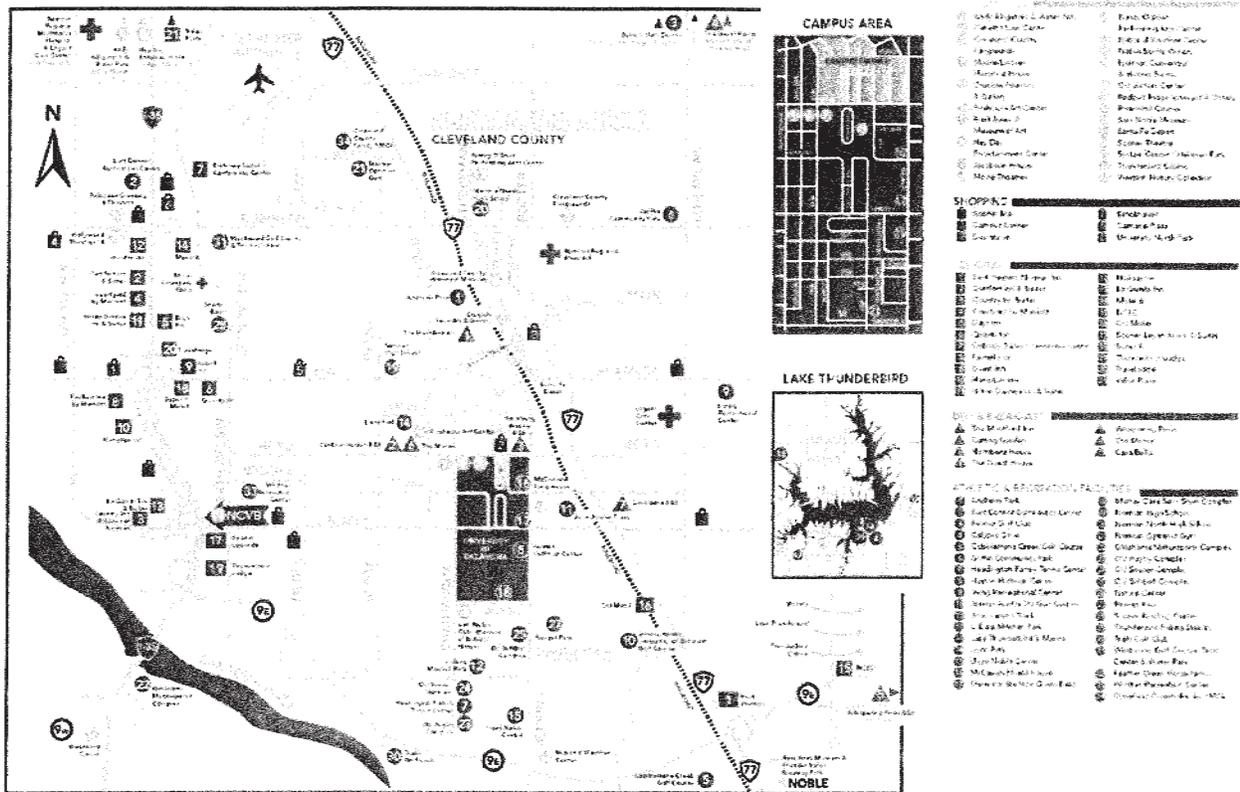
Beyond VisitNorman.com, the NCVB will continue to focus on Norman’s online presence. As the ‘brand police’ for Norman, we will monitor other sites to see how they ‘sell’ Norman and suggest edits as needed to guard our brand.

As a result, this may include assisting community partners with their websites. Presently, the NCVB maintains the Downtown Association website (DowntownNorman.org), and the Main Street Christmas Parade site (NormanChristmasParade.com). As needed, we will maintain other partners’ sites to assure the visitor is accessing the best image of Norman and the most recent information.

As for non-digital outlets, the NCVB will continue to publish the *Official Visitors Guide for Norman* and the popular “pad-map.” See images of each below.



Cover of Official Visitors Guide for Norman



Norman "Pad Map"

Moreover, we will continue to work with community partners on the development of their collateral. We have recently assisted in the editing and publishing of the guide for Downtown as well as a brochure spotlighting the public art on display.

While maintaining the Welcome Center near 24<sup>th</sup> Ave. NW and Lindsey Ave., in addition to the service desk at the Sooner Mall, we must continue to discuss the future of state-approved Oklahoma Travel Information Center in Norman. Discussions with community leaders have indicated support for a TIC in Norman. Staff and the Board will continue their efforts to establish one. There have also been discussions of a Mobile Welcome Center that would travel to both local and regional events to promote Norman.

"Norman as a destination" is another part of the NCVB owned media strategy. In addition to those destination enhancements outlined in pages 18-21, we must provide greater customer service. The NCVB will continue the promotion of the Certified Tourism Ambassador program. See page 21 and Appendix B for more on the program. Our hope is that more entity staffs go through the training.



In addition, the NCVB will continue to monitor municipal and state issues that affect community and economic development – i.e. the Storm Water and Greenway Master Plan, Greenbelt Commission, waste water treatment, and water supply.

### **Paid Media**

In early 2013, the Norman CVB launched the “Be The First” campaign. This campaign seeks to provide a “call-to-action” for the visitor that drives traffic to VisitNorman.com and helps the CVB grow its database for ongoing marketing efforts. A summary of the campaign can be found in Appendix C.

Upon completion of the campaign and review of its analytics, staff will then outline the 2014 spring campaign.

The above are the initiatives budgeted at this time. With our limited budget as cited previously (see page 12), many initiatives have been left out of the budget. To date, more than \$350,000 worth of marketing initiatives remain unfunded. As budget allows, staff will explore more non-traditional paid tactics including advertising on social networks, rich media banner advertising, cinema advertising in feeder markets, long-form video-on-demand delivered through cable networks, guerilla strategies at concerts and other large venues, contextual advertising and digital billboard advertising.

### **Earned Media**

*A recent article affirmed some of the most trustworthy and reliable recommendations a resort or destination can receive are those of the free press, the unbiased reviews from guests or the opinions of established bloggers. These are the earned media outlets – you don’t control them, but if you deliver an authentic, honest brand experience, you’ll earn their attention and support.*

In addition to assisting with owned media initiatives the NCVB will also:

- A. Participate in media blitzes offered through the Frontier Country Marketing Association.
- B. Plan four additional media blitzes
- C. Host targeted media for familiarization tours
- D. Continue to establish working relationships with media to promote editorial coverage about Norman and calculate advertising equivalence of generated coverage
- E. Monitor comments of online media coverage and bloggers to acknowledge critics, correct mistakes, thank fans and encourage/inspire dialogue
- F. Continue involvement with community events and send media releases about such events. At present, the Communications Manager is actively involved with the organizing committee or lends media support to more than 15 community events.
- G. With further development of the site, look to provide visitors the opportunity to share their experiences as testimonials and advocacy
- H. Sponsor the Norman, Oklahoma, ‘front page’ on TripAdvisor to control content provided to the visitor to the page
- I. Explore development of Norman content other social networks like Yelp and AroundMe
- J. Post current news releases, story ideas and pictures on VisitNorman.com for use by media as an online press kit

## V. Fiscal Year 2014 Budget

### NORMAN CONVENTION & VISITORS BUREAU Fiscal Year 2013-14 Budget

#### REVENUES:

	<u>2013-14</u>	<u>(2012-13)</u>
Transient Guest Tax	606,900	(550,000)
Advertising	13,000	( 1,500)
Special Events	10,000	( 10,000)
Interest	1,500	( 1,500)
Other/Reserves	0	( 00)
<b>TOTAL REVENUES</b>	<b>\$631,400</b>	<b>(563,000)</b>

#### EXPENSES:

Marketing/Advertising	265,150	(223,322)
Research	2,250	( 2,250)
Special Events	8,000	( 10,000)
Operations	80,000	( 75,841)
Personnel	276,000	(251,587)
<b>TOTAL EXPENSES</b>	<b>\$631,400</b>	<b>(563,000)</b>

## Appendix A

### Big XII Conference and other Comparable Communities\*

City	Population	DMO Annual Budget	TGT Rate	Percentage of TGT DMO Receives
1. Austin, TX	790,300	\$9,000,000	15%	66%
2. Ann Arbor, MI	114,000	\$2,600,000	5%	67%
3. Lubbock, TX	225,000	\$2,500,000	13%	50%
4. Tempe, AZ	175,500	\$2,381,000	5%	60%
5. Gainesville, FL	124,000	\$2,000,000	5%	40%
6. Bryan/College Station, TX	184,000	\$1,250,000	13%	35%; 27%
7. Lincoln, NE	254,000	\$1,100,000	4%	50%
8. Ames, IA	50,700	\$978,000	7%	71%
9. Manhattan, KS	52,800	\$883,077	6%	88%
10. Norman, OK	113,000	\$557,500	4%	50%
11. Berkeley, CA	102,000	\$365,000	12%	75%

\*population of 100,000 + with a major University within major metro

### City of Norman Benchmark Communities

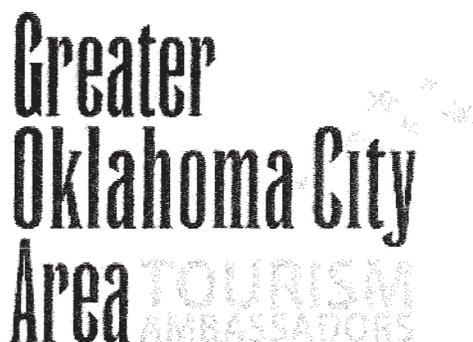
City	Population	DMO Annual Budget	TGT Rate	Percentage of TGT DMO Receives
1. Oklahoma City, OK	560,000	\$4,980,000	5.5%	45%
2. Las Cruces, NM	93,570	\$1,549,000 ('09)	unknown	unknown
3. Columbia, MO	101,100	\$1,300,000	4%	100%
4. St. Joseph, MO	76,200	\$1,300,000	N/A***	N/A
5. Waco, TX	126,000	\$1,300,000	13%	90%
6. Fort Smith, AR	86,200	\$894,500	3%	100%
7. Odessa, TX	90,900	\$870,000	13%	51%
8. Lawton, OK	93,000	\$780,000*	5%	unknown
9. Boulder, CO	94,200	\$727,000	N/A***	N/A
10. Lawrence, KS	92,000	\$685,000	6%	80%
11. Denton, TX	119,450	\$650,076	13%	51%
12. Stillwater, OK	39,000	\$580,400	4%	100%
13. Norman, OK	113,000	\$557,500	4%	50%
14. Edmond, OK	81,000	\$452,350	4%	100%
15. Broken Arrow, OK	92,000	\$350,000	4%	100%
16. Enid, OK	47,000	\$250,000	8%	0
17. Midwest City, OK	54,000	\$185,000 ('09)	unknown	unknown
18. Westminster, CO	108,850	N/A**	N/A	N/A

\*includes Economic Development

\*\*Westminster, CO has no DMO

\*\*\*St. Joseph, MO and Boulder, CO's funding structures differ greatly

## Appendix B



THOUSANDS OF CTAs...  
TURNING EVERY VISITOR ENCOUNTER  
INTO A POSITIVE EXPERIENCE

### Turning Front-Line Employees & Volunteers into Certified Tourism Ambassadors

Greater Oklahoma City area tourism leaders have partnered to unite our front-line tourism representatives not only to serve our current visitors, but also to prepare for the future. This program demonstrates our dedication to promoting our destination as one of the best, with a high level of commitment to our visitors.

#### Why Choose the Greater Oklahoma City Area Tourism Ambassadors?

**For Employers** Tourism is big business not only to large cities, but also to small communities in the United States and around the world. Visitors spend money attending to business, touring attractions, or learning about the history of the area. This infusion of "new money" into the local economy often holds local tax increases at bay and gives the Greater Oklahoma City Area extra money to enhance its infrastructure—making the destination more appealing over time. As a result, destinations spend lots of money courting convention and leisure travelers.

But in reality, no amount of money will make up for the visitor having a bad experience, which negatively impacts our region's brand and overall image as a destination.

This program teaches front-line employees and volunteers best practices and ensures that they understand their role in increasing tourism. GOKCA CTA helps your front-line increase their knowledge of the region; provides answers to the variety of questions received from visitors; and gives your front-line a chance to meet one another, learn from each other's experiences and celebrate together!

**For Employees & Volunteers** What separates the Greater Oklahoma City Area Certified Tourism Ambassadors program from other training programs is that it's certification, not just training. Employees and volunteers who complete the program receive a credential and accompanying initials that can be used behind the person's name to denote their commitment to their profession as a *Certified Tourism Ambassador™* (e.g., Jim Smith, CTA). The CTA logo may also be used on your website and business cards/communications with approval.

As an Accredited Provider, the Oklahoma City Convention and Visitors Bureau presents the official CTA designation on behalf of the *Tourism Ambassador Institute™*, the national oversight body for the certification program.



**CERTIFIED TOURISM AMBASSADOR™**  
*Enhancing the Visitor Experience™*

### What's in it for you?

- Provides a meaningful credential
- Increased business, higher tips
- Builds valuable skills
- Career advancement
- Networking opportunities
- Receive regular advice & updates
- Rewards and incentives

By becoming a *Certified Tourism Ambassador™* you'll have the tools and knowledge necessary to create a more memorable visitor experience and you'll reap the benefits. Being a CTA is a great achievement. It is a national designation to add to your resume.

### Program Curriculum

Module 1: The Power of Tourism

Module 2: Discovering the Greater Oklahoma City Area

Module 3: Knowing, Finding, Using Resources

Module 4: Exceeding Customer Expectations

The curriculum is delivered through reading assignments and in-class participation.

### Program Requirements

Every certification program requires successful completion of a core curriculum. The following recaps the requirements to earn the CTA designation:

- Complete required reading
- Attend half-day classroom session
- Complete learning assignments
- Complete open-book examination

Upon successful completion, participants will earn the *Certified Tourism Ambassador™* designation and receive a CTA certificate and lapel pin. An annual renewal process of certification is also necessary to maintain your certification.

### Cost

There is a one-time non-refundable, non-transferable application fee of \$49 per person and an annual renewal fee of \$25 (if you renew by October 31; \$35 between November 1 and December 31.)

### How to Enroll

To access the class schedule and enroll in the program, visit [www.CTANetwork.com](http://www.CTANetwork.com), or call the Norman CVB at 405-637-6225.

## Appendix C



### Spring, 2013 Call-to-Action Campaign

Cubic Creative was retained to assist in the development of a 'call-to-action' campaign for Norman. The goal of the campaign is to provide a 'call-to-action' for the visitor driving traffic to VisitNorman.com and building a database for ongoing marketing efforts.

Cubic suggested further brand review – further understanding of what differentiates Norman from similar destinations and thus, help determine what would help Norman stand out. Through review of existing data, online research, in-person interviews, onsite ethnography and personal stories, the following was developed.

#### **Brand DNA**

The Norman DNA crystallized when “Sooners” were clever enough to find a way to be first in the First Land Run of 1889. While other Oklahoma towns were battling to be the capitol, Norman’s Mayor, T.R. Waggoner, directed a bill through the Territorial Legislature to become home of the state’s first institution of higher learning.

#### ***It’s Good To Be First***

This concept acknowledges the thirst to be first that lies at the heart of Norman. This is what drives the city and those who love it to excel at everything. Norman is bold, clever and charming. This is what our marketing messages are evolving to express in an even more striking way.

The *Be The First* campaign makes a connection with the audience that likes to be first, a little competitive and ultimately engaged. Norman’s Sooner spirit, to be first, is with which something a lot of people can identify with. The integrated marketing approach will entice people to register to win *Be The First* packages that bring people to Norman and can be tracked in many ways.

#### **Campaign Execution**

- Continue print advertising in budgeted outlets
- Direct mail to 45,000 in database
- Social media – teaser messages on Facebook
- Online – build search ads and replace ads on TravelOK.com
- Travel shows / expos

## VisitNorman.com Landing Page:

### BE THE FIRST IN NORMAN

ShareThis Print Friendly

Norman is a special place where it pays to be first. Enter to win a special Norman experience, from private, behind-the-scenes tours to special activities that are not open to the public. You never know what we might be offering. But you can't win if you don't enter. And, of course, sooner is better than later.

In Norman, it's good to be first.



### THE EXPERIENCES

Be The First... at Andy Alligator's Water Park's 2013 Season!



A family of four will be the first four to go down the water slides to open the 2013 season at Andy Alligator's Waterpark. In addition, you'll receive VIP treatment in one of Andy's Cabanas. (Includes private area with upgraded furnishings, flat screen TV, lunch for four, 4 bottled waters, leather furniture, staff). After the Waterpark closes, enjoy all access

## Online Registration Form:

**Enter TO WIN!**

Norman is a special place where it pays to be first. Enter to win a special Norman experience, from private, behind-the-scenes tours to special activities that are not open to the public. You never know what we might be offering. But you can't win if you don't enter. And, of course, sooner is better than later.

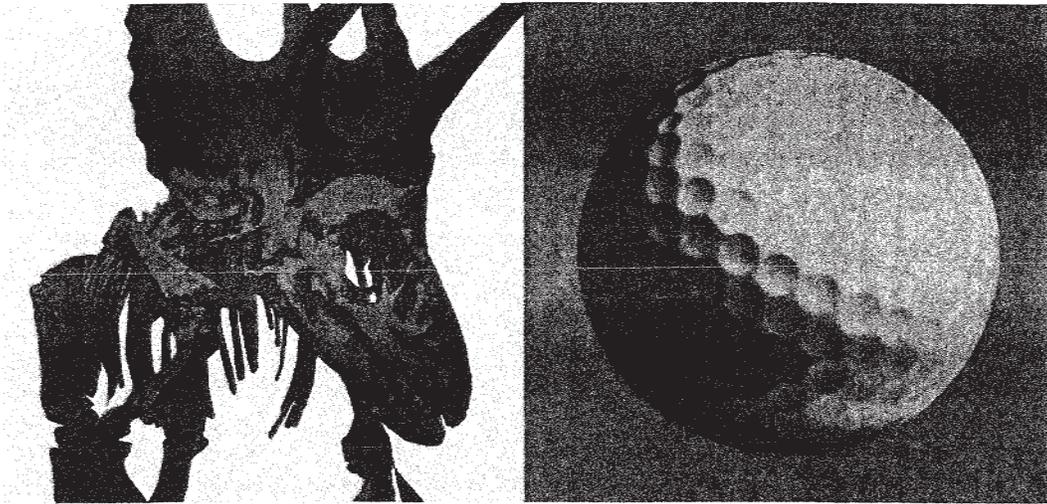
In Norman, it's beautiful to be first.

Family Fun  Me  My Friends  All of the above

Yes! I want to be the first to get special offers and inside information on Norman! Sign me up for your First-to-Know emails. (We promise we won't share your name and information with ANY ONE.)

**Submit**

**Print Ad:**



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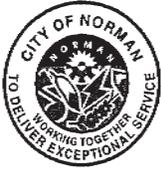


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# City of Norman, OK

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

## Master

File Number: O-1213-47

<b>File ID:</b> O-1213-47	<b>Type:</b> Ordinance	<b>Status:</b> Non-Consent Items
<b>Version:</b> 1	<b>Reference:</b> Item No. 31	<b>In Control:</b> City Council
<b>Department:</b> Legal Department	<b>Cost:</b>	<b>File Created:</b> 06/04/2013
<b>File Name:</b> Open Meeting Act Codification		<b>Final Action:</b>

**Title:** CONSIDERATION OF ORDINANCE NO. O-1213-47 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER FOUR OF THE CODE OF THE CITY OF NORMAN TO ADD SECTION 4-107 REQUIRING ALL BOARDS, COMMISSIONS, COMMITTEES AND SUB-COMMITTEES TO COMPLY WITH THE OPEN MEETINGS ACT WHEN POSTING MEETING NOTICES AND AGENDAS AND POSTING SAID NOTICES AND AGENDAS ON THE CITY OF NORMAN WEBSITE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

**Notes:** ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-47 upon Second Reading section by section.

ACTION TAKEN: \_\_\_\_\_

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-47 upon Final Reading.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 31

**Attachments:** Text File Second Reading, O-1213-47, O-1213-47 Annotated, Pert Excerpts April 10 Oversight Minutes, Pert Excerpts April 30 SS Minutes

**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:
1	City Council	06/11/2013	Introduced and adopted on First Reading by title only Aye: 9 Mayor Rosenthal, Council Member Spaulding, Council Member Lockett, Council Member Gallagher, Council Member Williams, Council Member Jungman, Council Member Kovach, Council Member Griffith, and Council Member Castleberry				Pass

### Text of Legislative File O-1213-47

Body

**BACKGROUND:** The Oklahoma Open Meetings Act (25 O.S. §301 et seq.) sets forth requirements that a "public body" must follow related to disseminating information about its meetings in way that will "encourage and facilitate an informed citizenry's understanding of the governmental processes and governmental problems". *Id.* at §302. The term "public body" as defined in the Open Meetings Act does not encompass all of the City's committees.

In 2002, Council adopted Resolution No. R-0102-110 to specifically require the Citizens Oversight Committee, Wastewater Master Plan Implementation Committee, and the Northside Wastewater Site Selection Review Committee to follow the provisions of the Open Meeting Act. In 2011, Council adopted Resolution No. R-1112-9 to require all committees, sub-committees and ad hoc committees to following the Open Meeting Act and a state law provision (74 O.S. §3106.2) that requires meeting agendas to be posted on the City's website.

Councilmember Kovach, as Chairman of the Oversight Committee, requested that Staff prepare an ordinance which would ensure that all boards, commissions, committees, sub-committees, and ad hoc committees of the City of Norman comply with the Open Meeting Act when posting meeting notices and agendas and requiring the same to be posted on the City's website similar to the requirements of 74 O.S. §3106.2. The Oversight Committee met on April 10, 2013 to review Ordinance No. O-1213-47 and recommended it go forward to the full Council for review during a Study Session. Council reviewed the Ordinance during its Study Session on April 30, 2013. The Ordinance is coming forward as presented during the Study Session.

**DISCUSSION:** Ordinance No. O-1213-47 would add a section to Chapter 4 of the Code of the City of Norman to clearly express this intent. Under proposed Section 4-107(a), all City of Norman boards, commissions, committees, sub-committees, and ad hoc committees would be required to follow the provisions of the Open Meeting Act when posting notices and agendas. Under proposed Section 4-107(b), those same entities would be required to post the meeting notices and agendas on the City website similar to the provision found in Title 74.

**RECOMMENDATION:** Staff forwards Ordinance No. O-1213-47 for Council's consideration.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER FOUR OF THE CODE OF THE CITY OF NORMAN TO ADD SECTION 4-107 REQUIRING ALL BOARDS, COMMISSIONS, COMMITTEES AND SUB-COMMITTEES TO COMPLY WITH THE OPEN MEETINGS ACT WHEN POSTING MEETING NOTICES AND AGENDAS AND POSTING SAID NOTICES AND AGENDAS ON THE CITY OF NORMAN WEBSITE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That Section 4-107 of Chapter 10 of the Code of the City of Norman shall be added to read as follows:

**Sec. 4-107. Meeting notices.**

(a) All boards, commissions, committees, council sub-committees and ad hoc committees of the City of Norman shall follow the provisions of the Open Meeting Act (25 O.S. 301 *et seq.*) when posting meeting notices and agendas.

(b) All boards, commissions, committees, sub-committees and ad hoc committees of the City of Norman shall post meeting notices and agendas on the City of Norman website.

§ 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 \_\_\_\_\_, 2013.

NOT ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Cindy Rosenthal, Mayor

\_\_\_\_\_  
Cindy Rosenthal, Mayor

ATTEST:

\_\_\_\_\_  
Brenda Hall, City Clerk

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER FOUR OF THE CODE OF THE CITY OF NORMAN TO ADD SECTION 4-107 REQUIRING ALL BOARDS, COMMISSIONS, COMMITTEES AND SUB-COMMITTEES TO COMPLY WITH THE OPEN MEETINGS ACT WHEN POSTING MEETING NOTICES AND AGENDAS AND POSTING SAID NOTICES AND AGENDAS ON THE CITY OF NORMAN WEBSITE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2013

NOT ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Cindy Rosenthal, Mayor

\_\_\_\_\_  
Cindy Rosenthal, Mayor

ATTEST:

\_\_\_\_\_  
Brenda Hall, City Clerk

Item 2, continued:

Ms. Madden said there are tools that would allow the City the ability to tier data. She said the City would be able to tier data to be saved for one year, five years, ten years, or infinity. She asked for direction on what Council was trying to achieve so she can find the tools that would best accomplish that. Chairman Kovach said Council is trying to get some level of transparency that is not overly burdensome on the City. He said saving emails for one year is fine unless they are involved in litigation. Ms. Madden said she would look at tools that can assist with Council's desire and bring information back to the Committee for further review.

Mr. Knighton said one concern is that he and other employees have folders that contain emails older than one year and if I.T. goes through and deletes everything over one year old, how will that affect those folders. Mr. Francisco said if the direction is to delete everything that is more than one year old in an inbox, the tool can do that, but some employees have email in their inbox and sent box that is ten years old and want to keep it.

Ms. Madden said policy can be applied to the exchange server because that needs to be kept lean to keep the mail moving. Every day at 5:00 p.m. the server is backed up and stored in the archives forever. Chairman Kovach asked Staff to do what needs to be done to keep the exchange server lean and still allow people to keep folders of old emails on their computers as well as documents required by law. He asked Staff to clarify language in the resolution regarding issues discussed tonight and bring it back to the Committee for further review.

Items submitted for the record

1. Memorandum dated April 4, 2013, from Rickey J. Knighton II, Assistant City Attorney, and Kari Madden, Network Manager, to City Council Oversight Committee

Item 3, being:

#### DISCUSSION REGARDING A PROPOSED ORDINANCE ESTABLISHING AN OPEN MEETING POLICY.

Mr. Knighton said the Oklahoma Open Meetings Act sets forth requirements that a public body must follow related to disseminating information about its meetings in a way that will encourage and facilitate an informal citizenry's understanding of the governmental processes and problems. The term "public body" as defined in the Open Meetings Act does not encompass all the City's committees.

In 2002, Council adopted Resolution No. R-0102-110 to specifically require the Citizen's Oversight Committee, Wastewater Master Plan Implementation Committee, and the Northside Wastewater Site Selection Review Committee to follow the provisions of the Open Meetings Act. In 2011, Council adopted Resolution No. R-1112-9 to require all committees, sub-committees, and ad-hoc committees follow the Open Meetings Act as well as State law requiring agendas be posted on a City's website.

Chairman Kovach said he wanted the resolution to be codified and asked Staff to draft an ordinance that would ensure all boards, commissions, committees, sub-committees, and ad hoc committees of the City of Norman comply with the Open Meetings Act and State law requiring agendas be posted on the City's website.

Ms. Walker said Staff drafted an ordinance using language from the resolution to be placed in Section 4-107, Meeting Notices. She provided a list of board, committees, and commissions. Councilmember Gallagher asked why there are no subcommittees on the list and Ms. Walker said there are currently no sub-committees.

Item 3, continued:

Councilmember Spaulding asked the time limit for posting meeting agendas and Ms. Walker said an annual meeting schedule must be filed with the City Clerk's Office by December 15th. Meeting agendas must be posted 24 hours prior to the meeting and 48 hours if it is a Special Meeting. If the meeting is an emergency meeting you have to give notice as soon as possible.

Councilmember Jungman asked what is unique about Norman Economic Development Coalition (NEDC) that they are not on the list. Ms. Walker said NEDC is not a City created committee. The City Manager serves on the board as an ex-officio member. Councilmember Castleberry said NEDC is not subject to the Open Meetings Act and they have a legal opinion on that. Chairman Kovach asked Ms. Walker if it is fair to say the City cannot impose their beliefs on NEDC and Ms. Walker said that is true and under the Open Meetings Act they are not considered a public body by definition. Councilmember Gallagher said in the spirit of cooperation, NEDC should be approached about following the Open Meetings Act. Chairman Kovach said a lot of NEDC discussions would probably require them to adjourn into Executive Session, but it would not hurt to ask.

Councilmember Jungman asked if all 501-C companies fall under the Open Meetings Act and Ms. Walker said some City contracts require them to follow the Open Meetings Act, but some like the Norman Convention and Visitors Bureau (NCVB) do not. Ms. Hampton said the NCVB has always welcomed her at their meetings and have always acted as if they had to follow the Open Meetings Act. She said the key in case law is whether the committee or group receiving public funds is also acting with decision making authority for the City.

Chairman Kovach said the reason he asked for the resolution to be codified as an ordinance is because as time goes by people forget about resolutions and making it an ordinance gives it more strength and makes it more permanent.

Councilmember Spaulding asked if requiring advanced notice of meetings interferes with the development streamlining process the City is implementing and Ms. Walker said the only thing that is part of the development process is groups that are currently following the Open Meetings Act such as Parks Board, Greenbelt Commission, Planning Commission, etc.

Ms. Hampton expressed concern regarding Youth Council following the Open Meetings Act. She said it is treated like the other boards, committees, and commissions, but an adult male attended a meeting and began interacting and participating in the teenager's activities, which was very awkward for the group and Staff. She said Youth Council is basically a mock meeting and wants to make sure they are not swept up in the regulations since they are not making any decisions. Ms. Hall said the Youth Council is under the umbrella of the Children's Rights Commission. She said they do not make decisions, but they may sometimes make suggestions to Council about certain things from the perspective of youth. Chairman Kovach said the resolution deals with sub-committees of Council not sub-committees of citizen committee's so they should not fall under the Open Meetings Act and members agreed.

Items submitted for the record

1. Memorandum dated April 3, 2013, from Kathryn L. Walker, Assistant City Attorney, through Jeff. H. Bryant, City Attorney, to Members of the Council Oversight Committee
2. Draft ordinance
3. Boards, Committees, Commissions List

## CITY COUNCIL STUDY SESSION MINUTES

April 30, 2013

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a study session at 5:35 p.m. in the Municipal Building Conference Room on the 30th day of April, 2013, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

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

ABSENT: Councilmembers Gallagher and Spaulding

Item 1, being:

### DISCUSSION REGARDING AN ORDINANCE TO REQUIRE PERMITS FOR DOMESTIC AND INDUSTRIAL WATER WELLS.

Mr. John Harrington, Director of Water Resources, Association of Central Oklahoma Governments (ACOG), provided background of the legacy of oil and gas well areas in Oklahoma. He said the Corporation Commission has been mapping out particular areas and providing maps to the member cities of ACOG. Mr. Harrington said eventually the Corporation Commission will be mapping out all of the oil and gas well areas throughout the state.

The Corporation Commission has had many complaints of water well pollution, both suburban and rural, from homeowners over the past 20 years. Mr. Harrington said the complaints are in and near oilfields, mostly older oilfields with activity initiated pre-1980, when modern regulations began. He said the complaints vary from petroleum to the most common salinity (salty). The Corporation Commission now understands enough about how these particular problems occur to propose prevention solutions.

Mr. Harrington said the groundwater issue is important and matters to the people of Oklahoma as groundwater supplies almost 40% of all water used in Oklahoma; 295,000 Oklahoma residents are served by privately owned individual wells and 73% of all irrigation for agriculture comes from groundwater. For example, a recent homebuyer in a fairly new gated community in Northwest Oklahoma City complained of salty well water and soon thereafter, her neighbors also complained. This area was a historic oilfield area until 1980; therefore, a Corporation Commission field inspector went to the home community and sampled several water wells. Mr. Harrington said later the Corporation Commission learned that two original (older) domestic water wells had been drilled in residential backyards within the subdivision and when the wells became salty, the homeowners re-drilled the wells in their front yards without plugging the well in the backyard. This worked for a couple a years, but eventually the wells in the front yard also went salty. Mr. Harrington said salt water has a tendency to be real hard on vegetation and highlighted the samples retrieved from the Corporation Commission field inspector that reflected high chloride levels.

The Corporation Commission's conclusion was the gravel packed construction caused contamination to the open surface up to 300 feet below the surface which allowed contaminants into the Garber Wellington Aquifer. In effect, the water wells, by their standard design, polluted themselves and the aquifer, especially the unplugged backyard wells.

Mr. Harrington said the City of Oklahoma City was persuaded to bring a water line into the subdivision so the homeowners could connect to clean drinking water for a fee and the Corporation Commission's Brownfields Program paid to have the now "unused" water wells drilled out and plugged to prevent the spread of more contaminants into the aquifer.

The Corporation Commission is currently mapping old (pre 1980) wells on Oklahoma aquifers, starting with the Central Oklahoma aquifer. The pit design, well plugging oversight, and field inspection was not as rigorous before 1980 as it is currently and the mechanical integrity testing of well casing, lines, and equipment was not required until after 1980.

Item 1, continued:

Unfortunately many of these old oilfields are just open fields today, so pollution risks are often not obvious to developers or well drillers. Mr. Harrington said the Corporation Commission also realized the information gathered could be utilized by the general public and town planners and will load the maps, once made, onto the OWRB's website map viewer.

These Geographical Information System (GIS) maps can be output on any area basis, by aquifer, county, town, or individual 36 square mile townships.

ACOG came up with a plan to protect the aquifers of Oklahoma from similar old oilfield problems in the future as well as protect others and requested OWRB establish rules to assist with the prevention of shallow pollutants from entering the water wells and traveling down the gravel pack into the aquifer. Mr. Harrington said the Corporation Commission requested a new rule requiring future water wells to be cased and cemented from the surface to at least 30 feet deep, with gravel pack only being allowed below 30 feet.

Mr. Harrington provided a Legacy Oil and Gas Fields map depicting Cleveland County 10N 2W oilfield areas and said the information has already been sent to the City of Norman Planning Department. He said the Corporation Commission will be making a proposal to the OWRB in the fall to essentially amend Chapter 35 in the drilling standards to incorporate the Legacy Oil and Gas Field maps and recommend to the drillers to install any future water well inside 30 feet of casing.

Councilmember Williams asked Mr. Harrington if any studies had been done with water wells utilizing a 30 foot casing and Mr. Harrington said no. Mr. Harrington said the Corporation Commission originally discussed the casing as 50 feet but determined 30 feet would be acceptable because that is the depth most oil surface pollution would be present.

Councilmember Griffith asked whether the expense of adding an additional 20 feet of casing would be an extraordinary expense and Mr. Harrington said it would add approximately \$1,000 more to the well.

#### ORDINANCE REQUIRING PERMITS FOR DOMESTIC AND INDUSTRIAL WATER WELLS.

Ms. Kathryn Walker, Assistant City Attorney, said Staff was made aware of Mr. Harrington's work and presentation relating to the old oilfield water well pollution and case studies and began to look at Norman's ordinance, specifically how the City could incorporate the same or similar kinds of protection measures, as well as update the ordinance to make it more consistent with State law.

Ms. Walker highlighted recent events regarding domestic water wells. She said a property owners association (POA) inquired about the potential for drilling a water well from which water could be drawn and used for irrigation of the neighborhood's common areas. The Oversight Committee met and discussed POAs drilling water wells for irrigation purposes on February 13, 2013, and again on March 6, 2013. Staff examined the City's existing ordinances relating to wells and determined the applicable Code provision needs to be updated, both to reflect the current constraints of State law on water well regulation by cities, as well as to ensure contamination and quality issues with domestic water wells are addressed to protect the public water supply. The Oversight Committee recommended the Ordinance go forward to full Council.

Ms. Walker said the applicable State law is as follows:

- General Authority – Oklahoma Water Resources Board (OWRB) regulates groundwater use and issues permits for most, but not all wells.
  - ❖ OWRB permit required to put groundwater to beneficial use for other than domestic purposes, i.e., municipal, industrial, agricultural, irrigation, recreation, fish and wildlife, etc.;
  - ❖ Cities can regulate and permit the drilling of domestic and industrial water wells, however the extent to which cities can regulate is unclear;
  - ❖ All public wells have to be built to Department of Environmental Quality (DEQ) standards.

Item 1, continued:

Ms. Walker provided an overview of OWRB's definition of industrial and domestic water use.

***Industrial Use***

The use of water in processes designed to convert materials of a lower order of value into forms having greater usability and commercial value. The quantity is set by the terms of the OWRB permit.

***Domestic Use***

Use of water by an individual, family, and/or household can include: household purposes, farm and domestic animals (up to normal grazing capacity of land), irrigation of land can not exceed three (3) acres for gardens, orchards, and lawns. For non-household entities the domestic use is as follows: drinking water, restrooms, and watering of lawns up to five (5) acres (approximately 1,630,000 gallons) per year. Domestic use is not subject to well spacing standards; however, the domestic use is subject to sanctions against waste.

***OWRB Well Construction Standards***

**Location:**

- At least 10 feet from closed sanitary sewer line, 24 feet from above ground sprinkler spray, and 50 feet from above ground sprinkler head;
- At least 300 feet from outside perimeter of waste lagoon for feedlot; and
- At least 50 feet from other pollution sources.

**Well Surface Casing**

- Must be sealed off from the groundwater zones containing water not meeting groundwater quality standards; no wells in salt water zones;
- At least 10 inches below minimum seasonal stage of water table; and
- At least 12 inches above the natural ground level; 24 inches above the maximum level if known to flood.

Ms. Walker said there are several reasons to regulate domestic wells. State standards for construction do not always adequately protect the groundwater, widespread proliferation of domestic wells can ultimately deplete the aquifer, i.e., the source of our municipal well supply and regulation can provide a tool to monitor water usage to ensure the character of the use remains "domestic".

The current Code provision requires permits for all water wells and they must comply with Oklahoma Department of Health rules. Domestic wells are limited to "domestic uses" under State law and the Code forbids drilling into the Garber Welling sandstone formation unless the City does not service the location or it is a commercial or industrial well where the City has granted permission.

***Proposed Code Amendments***

Staff proposed the following code amendments:

- Increase permit fee from \$5.00 to \$50.00;
- Update to ensure we are in compliance with State law (regulate only domestic and industrial wells);
- Update to ensure appropriate State agencies are listed;
- Use of State definitions for domestic and industrial use to ensure consistency in application; and
- Permit requirements to protect water supply and monitor usage.
  - ❖ **Permit Requirements**
    - Well must be constructed by OWRB certified well driller;
    - OWRB Groundwater Well Completion Report submitted to City;
    - 30 feet of well surface casing – reduce risk of contamination; and
    - No cross connection to the public water supply.

Item 1, continued

❖ **Character of Use Measures**

- Water meter must be installed;
- Water cannot be drawn in excess of limits set by State law;
- Water used only for stated purposes; and
- Records submitted to the City annually that document amount of water withdrawn.

**Private Wells**

- Domestic use for household purposes = three (3) acre feet per year (980,000 gallons);
- Domestic use for non-household purposes = five (5) acre feet per year (1,630,000 gallons);
- Cost of private wells in Norman vary with location and depth;
- Domestic well in East Norman = \$6,500 and is 100 feet deep with 15-20 gallons per minute (gpm); and
- Domestic well in West Norman = \$45,000 and is 650 feet deep with 15-20 gpm.

**Property Owners Association**

A POA would be able to withdraw five (5) acre feet per year that would equal 1.63 million gallons, 60 inches per year per acre, and 60 applications of 1-inch over one acre.

Ms. Walker said every domestic use is somewhat de minimis, but every hole in the aquifer is a potential source of pollution. She said ultimately if there are a lot of domestic water wells drilling deep into the aquifer, the City may be competing for the same water. The City is also pushing to get re-use standards and Ms. Walker felt customers who would like to use non-potable water or the domestic wells for irrigation eventually would be good customers for re-use when that comes to fruition. She said the biggest consideration is balancing the community's water supply versus individual water usage.

Councilmember Griffith asked how deep the Garber Wellington Aquifer is and Mr. Harrington said it varies from 400 feet on the east to 600 to 700 feet on the west.

Mr. Harold Heiple, Attorney representing Oklahoma Electric Co-op (OEC), said the City needs to protect the Garber Wellington Aquifer and he felt the following verbiage should be included in the ordinance "...any property served by City water or required by law to be served by City water is not eligible for a permit to drill into the Garber Wellington..." He said Mr. DiCastro with the Cascade Addition POA met with OEC regarding the POAs request for a water well permit and it was a very productive meeting. Mr. Heiple felt OEC will get on board with the POAs request as long as the POA does not go into the Garber Wellington for irrigation purposes.

Councilmember Kovach said for clarification purposes, the Oversight Committee began discussing this ordinance before the POA came forward with their request. He asked Staff if the City can regulate how deep a person can drill and Ms. Walker said the current ordinance reads that a person can not drill into the Garber Wellington unless you do not get City water or you are an industrial or commercial user and Council approves it. She said the City can not regulate commercial wells, but the City does have some degree of regulatory authority over industrial and domestic wells. Ms. Walker said she is not certain the law is clear, it is a gray area, whether or not the City can regulate how deep a person can drill into the aquifer. She said Staff has chosen not to include this issue in the ordinance at this point, but will continue to research it. She said there is a balance between the fact the property owner has a right to domestic use versus the City's interest in protecting the aquifer and try to determine how the Courts might interpret this issue.

Mr. Jeff Bryant, City Attorney, said his office has had many discussions on this topic and the existing ordinance language has verbiage that prohibits person(s) from drilling into the Garber Wellington if the person(s) already has City water supplied to the property. He said the law is not very clear and the issue is whether or not the law is enforceable. Staff

Item 1, continued:

drafted the proposed ordinance based on prior meeting discussions and Staff felt Council desired to have more regulation on the actual wells, casing, etc., rather than language regulating and not allowing person(s) to drill into the Garber Wellington. Mr. Bryant said if Council desires to keep the current language of not allowing person(s) to drill into the Garber Wellington,

Staff can certainly pursue that. Council discussed and agreed that Sub-Section C Section 21-404, should be put back into the Ordinance prohibiting person(s) from drilling into the Garber Wellington. Councilmember Kovach asked if the language stating "... any property served by City water or required by law to be served by City water is not eligible for a permit to drill into the Garber Wellington..." could be added to the proposed ordinance and Mr. Bryant said that particular language is already in the proposal stating if the City provides water service then you are prohibited from drilling into the Garber Wellington. He said one compromise to that might be focusing on potable and non-potable, which is what Mr. Heiple is suggesting, i.e., if a person can drill a 200 or 250 foot water well and get water that is suitable for irrigation purposes but is not potable then that is not water that the City would be using for the municipal water supply anyway.

Councilmember Williams asked if the regulation would apply to existing wells if the City extended water lines/services and Mr. Bryant felt the City should be consistent stating that if the City was to extend water service, by statute the City would get those water rights as long as the City is providing municipal water supply. He said this is the area that is a little unclear, and Council could certainly discuss a policy that would allow the person(s) to waive the requirement for municipal water.

Mr. Bobby Stevens, P.O. Box 6226, asked how the City would enforce the water laws on tribal land and Mr. Bryant said there has recently been an argument at the U.S. Supreme Court regarding water rights and how far states can pursue the issue. He said if tribal land rights versus municipal water rights came into fruition, the City would be pre-empted if the land is federal Indian land.

Mayor Rosenthal said the City does need to protect the Garber Wellington since it is the City's water supply, but felt allowing non-potable drilling for irrigation purposes is a reasonable compromise. Councilmember Kovach agreed and Councilmember Williams felt if person(s) are within 300 feet of City water they should connect for potable water; however, if they choose to drill and use a private well that is not in the aquifer for non-potable uses they should be allowed to do so. Mr. Chris Mattingly, Utilities Superintendent, said he was concerned about the definition of potable changing in the future due to the changing dynamics and regulations regarding water. Mayor Rosenthal said the ordinance needs to distinguish between (not) drilling into the aquifer and non-potable water.

Councilmember Williams asked if the City were to extend water supply services to an area that already has a water well in the aquifer, would they be "grandfathered in", and therefore the person(s) would not have to connect to City water services unless the person(s) made a change to the existing well. Mr. Bryant said the ordinance can be created however Council desires and he said it is not unusual to have "grandfathering" provisions. He said the current language already has a "grandfathering" provision stating "...domestic or non-industrial uses existing before February 8, 1955..." and can be added to the draft ordinance going forward if Council desires.

Staff drafted the proposed ordinance from the most conservative approach recognizing the domestic use water rights. Regardless when a private well was drilled, if someone connects to City water services they must disconnect the private well so there will not be a risk cross-contamination. Councilmember Castleberry asked if the private well would need to be plugged and Ms. Walker said the proposed draft would not require the well be plugged; however, it could be required under other regulations. She said the requirement to plug the disconnected private water wells can be added to the draft ordinance if Council so desires.

Mr. Harrington said the City may want to consider collecting water quality data as part of the ordinance and Councilmembers Kovach and Castleberry said the City should collect and carry the burden of testing water quality samples. Staff will re-draft the ordinance and bring forward for Council consideration and approval.



# City of Norman, OK

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

## Master

**File Number: O-1213-48**

<b>File ID:</b> O-1213-48	<b>Type:</b> Ordinance	<b>Status:</b> Non-Consent Items
<b>Version:</b> 1	<b>Reference:</b> Item No. 32	<b>In Control:</b> City Council
<b>Department:</b> Legal Department	<b>Cost:</b>	<b>File Created:</b> 06/04/2013
<b>File Name:</b> Domestic Water Wells	<b>Final Action:</b>	

**Title:** CONSIDERATION OF ORDINANCE NO. O-1213-48 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 21, SECTION 21-404 OF THE CODE OF THE CITY OF NORMAN TO REQUIRE PERMITS FOR DOMESTIC AND INDUSTRIAL WATER WELLS AND SET FORTH CONDITIONS FOR APPROVAL OF SUCH PERMITS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

**Notes:** ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-48 upon Second Reading section by section.

ACTION TAKEN: \_\_\_\_\_

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-48 upon Final Reading.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 32

**Attachments:** Text File Final Reading, O-1213-48, O-1213-48 Annotated, Oversight Committee Minutes 3-6-13, Pert excerpt April 30 SS Minutes Water Wells

**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:
1	City Council	06/11/2013	Introduced and adopted on First Reading by title only Aye: 9 Mayor Rosenthal, Council Member Spaulding, Council Member Lockett, Council Member Gallagher, Council Member Williams, Council Member Jungman, Council Member Kovach, Council Member Griffith, and Council Member Castleberry				Pass

## Text of Legislative File O-1213-48

Body

**BACKGROUND:** Recently, a property owners association (POA) inquired about the potential for drilling a well from which water could be drawn and used for irrigation of the neighborhood's common areas. As discussed in the February 13, 2013 Oversight Committee meeting, Staff has been examining the City's existing ordinances regulating wells and determined that the applicable Code provision needs to be updated both to reflect the current constraints of state law on water well regulation by cities as well as to ensure contamination and quantity issues with domestic water wells are addressed to protect the public water supply. The Oversight Committee met on March 6, 2013 and recommended the Ordinance go forward to full Council. The ordinance was discussed by the full City Council at its April 30, 2013 Study Session. Changes were made to the ordinance consistent with the discussion by the full Council. The first portion of this memorandum will examine the applicable laws related to domestic water wells, and the second portion will outline the proposed changes to Section 21-404 of Norman's Code.

### Applicable State Law

The Oklahoma Water Resources Board (OWRB) has exclusive authority by law to regulate groundwater use and to issue permits allowing its withdrawal. Any landowner has a right to take groundwater from land owned by him for domestic use without a permit from the OWRB. Although a municipality cannot deny a landowner the right to withdraw groundwater for a domestic use, it can regulate or permit the drilling of domestic and industrial water wells within its corporate limits. Pursuant to this authority, the City can require landowners in Norman to obtain a permit from the City to drill a water well for domestic or industrial use. Water wells drilled for other beneficial uses - e.g., irrigation use - require a permit from the OWRB. The OWRB estimates that approximately 100,000 groundwater wells existed in 2012, with an estimated 70,000 of those being domestic wells. Because domestic wells are exempt from permitting requirements through the OWRB, it is unknown how much water is being withdrawn from the 70,000 domestic wells.

The City's ordinances do not define the term "domestic use." Oklahoma groundwater law defines "domestic use" as "the use of water by a natural individual or by a family or household for household purposes, for farm and domestic animals up to the normal grazing capacity of the land and for the irrigation of land not exceeding a total of three (3) acres in area for the growing of gardens, orchards and lawns, and for such other purposes, specified by Board rules, for which *de minimis* amounts are used[.]" The Oklahoma Water Resources Board has specified that "domestic use" also includes "the use of water by non-household entities for drinking water purposes, restroom use, and the watering of lawns, provided that the amount of groundwater used for any such purposes does not exceed five acre-feet per year."

Reading the two definitions together, the domestic use exemption appears to have four components: (1) household use for natural individuals, families, households; (2) farm and animal use to the normal grazing capacity of the land; (3) irrigation use for gardens, orchards, and lawns not exceeding three acres; and (4) other purposes specified by the OWRB in *de minimis* amounts, i.e. up to 5 acre feet of water per year for use by non-household entities for drinking water, restrooms, and watering of lawns.

The use of groundwater by a property owner's association for irrigation of the common areas appears to qualify as a "domestic use" under the OWRB rule as a use by a non-household entity for the watering of lawns. As such, the use of the water would be limited to 5 acre feet or 1,629,257 gallons of water per year. Such a domestic use would not require a permit from the OWRB, but would require a permit from the City.

### Water Well Permits, Norman Code, Section 21-404

Section 21-404 was adopted by the City Council of Norman in the early 1970's and has not been updated since that time. It requires all persons desiring to drill a water well to obtain a permit from the City of Norman and forbids non-domestic users from drilling or deepening a privately owner well into the Garber Wellington sandstone formation without approval by City Council. It also empowers Council to issue cease and desist orders during a period of drought, low water supply, or when deemed necessary to safeguard the citizen welfare. Finally, it requires the owners of private water wells to plug and abandon those wells when the City furnishes water service to them.

The ordinance, while well intentioned, is out of date and is inconsistent with existing State law. Staff has been

working on draft amendments to this section that would be consistent with State law while providing reasonable protection of the public water supply.

**DISCUSSION:** Ordinance No. O-1213-48 would limit the City's authority to regulate to only domestic and industrial wells and also limit the use of such water to domestic and industrial use as defined by State law. The protections for the City are contained in the proposed amendments to Section 21-404(c). Permits for industrial and domestic water wells would be conditioned on the following:

Wells must be constructed by an OWRB certified well driller;  
The OWRB Groundwater Well Completion Report must be submitted to the City upon completion;  
An operable totalizing meter must be installed and maintained by the permit applicant;  
At least 30 feet of well surface casing must be installed to reduce the risk of groundwater contamination;  
There must be no cross-connection of the well to the public water supply;  
Water must not be withdrawn in excess of the limits set by law;  
Water withdrawn from the well will be used only for the stated purpose for which the well is installed;  
Water withdrawn from the well must not be applied or discharged to property owned by others; and  
Well user must submit records annually that document the volume of water being withdrawn .

These items will help protect the public water supply by reducing the risk of contamination and monitoring the amount of water being withdrawn from each domestic or industrial water well. Additionally, on those properties served by City water, or required to be served by City water, privately owned wells may not be drilled into the Garber-Wellington sandstone formation.

**RECOMMENDATION:** Staff recommends adoption of Ordinance No. O-1213-48.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER 21, SECTION 21-404, OF THE CODE OF THE CITY OF NORMAN TO REQUIRE PERMITS FOR DOMESTIC AND INDUSTRIAL WATER WELLS AND SET FORTH CONDITIONS FOR APPROVAL OF SUCH PERMITS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That Section 21-404 of Chapter 21 of the Code of the City of Norman shall be added to read as follows:

**Sec. 21-404. - Installation and use of water wells.**

- (a) No person shall drill or enlarge any domestic or industrial water well, or subsequently use the water from such well, except upon:
  - (1) Application for a permit for such activity or usage from the Utilities Department,
  - (2) Payment of a \$50.00 permit fee, and
  - (3) Compliance with this Code and applicable Federal and State laws.
- (b) Water from such wells shall be used only for domestic or industrial purposes as defined by applicable Oklahoma law on the premises where the well is located, and there shall be no inter-connection of any kind between such well and the water supply of the City.
- (c) Except as otherwise provided, no person whose property is served by City water or is required to be served by City water shall drill, deepen, or otherwise complete any privately owned well into the Garber-Wellington sandstone formation, the water from such formation being part of the City of Norman municipal water supply system.
- (d) Persons excepted from the provisions of the above subsection (c) are
  - (1) Domestic users residing in areas not serviced by the City water supply, and
  - (2) Those industrial users specifically granted permission by the Oklahoma Water Resources Board.
- (e) Permits for industrial and domestic wells shall be conditioned on the following:
  - (1) Well construction by a well driller certified by the Oklahoma Water Resources Board and submission of the Oklahoma Water Resources Board Groundwater Well Completion Report to the Utilities Department of the City upon completion;
  - (2) Installation and maintenance of an operable totalizing water meter;

- (3) Installation of at least 30 feet of properly installed surface casing grouted or cemented into place to reduce the risk of groundwater contamination;
- (4) There is no cross connection of the well to the City of Norman public water supply.
- (5) The water withdrawn from the well shall not exceed the volume limits (in acre feet) set by State law and applicable Oklahoma Water Resources Board rules on an annual basis and shall only be used for the stated purpose for which the well is installed;
- (6) The water withdrawn from the well shall not be wasted or allowed to run off the property on which the well is installed;
- (7) The water withdrawn from the well shall not be applied or discharged to property owned by others; and
- (8) Records of monthly meter readings of the well shall be kept by the well user to document the volume of water being withdrawn from the well.
- (9) The volume of water withdrawn in the previous calendar year shall be reported to the Utilities Department no later than February 1 of the following year. Such reports shall include the meter readings, the dates of the meter readings, well location and the name, address, and phone number of the permit holder.

Failure to comply with these provisions may result in the denial or withdrawal of the well permit and/or imposition of a penalty as described in Section 21-501.

- (f) All domestic and industrial wells drilled, deepened, or completed pursuant to this Section, and the operation of such wells, are subject to periodic inspection and water quality testing by the City.
- (g) Should the City subsequently furnish water service to users of private water wells drawing water from the Garber-Wellington formation, those persons owning such wells shall immediately plug those wells in accordance with State law.

§ 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  
\_\_\_\_\_, 2013.

NOT ADOPTED this \_\_\_\_\_ day of  
\_\_\_\_\_, 2013.

\_\_\_\_\_  
Cindy Rosenthal, Mayor

\_\_\_\_\_  
Cindy Rosenthal, Mayor

ATTEST:

\_\_\_\_\_  
Brenda Hall, City Clerk

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 21, SECTION 21-404 OF THE CODE OF THE CITY OF NORMAN TO REQUIRE PERMITS FOR DOMESTIC AND INDUSTRIAL WATER WELLS AND SET FORTH CONDITIONS FOR APPROVAL OF SUCH PERMITS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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  - (1) Application for a permit for such activity or usage from the ~~Public Works-Utilities~~ Department,
  - (2) Payment of a \$50.00 permit fee, and
  - (3) Compliance with this Code and applicable Federal and State laws, the rules and regulations of the Oklahoma Department of Health.
  
- (b) Water from such wells shall be used only for domestic or industrial purposes as defined by applicable Oklahoma law on the premises where the well is located, and there shall be no inter-connection of any kind between such well and the water supply of the City. ~~Any non-domestic or non-industrial usage existing before February 8, 1955, may be continued to the same extent and for the same purposes, but such uses shall not be extended or increased.~~
  
- (c) Except as otherwise provided, no person whose property is served by City water or is required to be served by City water shall drill, deepen, or otherwise complete any privately owned well into the Garber-Wellington sandstone formation, the water from such formation being part of the City of Norman municipal water supply system.
  
- (d) Persons excepted from the provisions of the above subsection (c) are
  - (1) Domestic users residing in areas not serviced by the City water supply, and
  - (2) Those ~~commercial or industrial~~ users specifically granted permission by the Oklahoma Water Resources Board. ~~City Council.~~
  
- (e) Permits for industrial and domestic wells shall be conditioned on the following:

- (1) Well construction by a well driller certified by the Oklahoma Water Resources Board and submission of the Oklahoma Water Resources Board Groundwater Well Completion Report to the Utilities Department of the City upon completion;
- (2) Installation and maintenance of an operable totalizing water meter;
- (3) Installation of at least 30 feet of properly installed surface casing grouted or cemented into place to reduce the risk of groundwater contamination;
- (4) There is no cross connection of the well to the City of Norman public water supply.
- (5) The water withdrawn from the well shall not exceed the volume limits (in acre feet) set by State law and applicable Oklahoma Water Resources Board rules on an annual basis and shall only be used for the stated purpose for which the well is installed;
- (6) The water withdrawn from the well shall not be wasted or allowed to run off the property on which the well is installed;
- (7) The water withdrawn from the well shall not be applied or discharged to property owned by others; and
- (8) Records of monthly meter readings of the well shall be kept by the well user to document the volume of water being withdrawn from the well.
- (9) The volume of water withdrawn in the previous calendar year shall be reported to the Utilities Department no later than February 1 of the following year. Such reports shall include the meter readings, the dates of the meter readings, well location and the name, address, and phone number of the permit holder.

Failure to comply with these provisions may result in the denial or withdrawal of the well permit and/or imposition of a penalty as described in Section 21-501.

~~(e) (f) All domestic and industrial wells drilled, deepened, or completed to the Garber Wellington sandstone formation pursuant to this Section, and the operation of such wells, are subject to periodic inspection and water quality testing by the City. the inspection, periodic water quality testing, and regulation of the City, so as to prevent pollution and/or damage to those water producing sands.~~

~~(f) The City Council may issue cease and desist orders to all users of water from the Garber Wellington sandstone formation during any period of drought, low water supply, or at those times the Council deems necessary to safeguard the welfare of its citizens.~~

(g) Should the City subsequently furnish water service to users of private water wells drawing water from the Garber-Wellington formation, those persons owning such wells shall immediately plug ~~and abandon~~ those wells in accordance with State law.

§ 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  
\_\_\_\_\_, 2013.

NOT ADOPTED this \_\_\_\_\_ day of  
\_\_\_\_\_, 2013.

\_\_\_\_\_  
Cindy Rosenthal, Mayor

\_\_\_\_\_  
Cindy Rosenthal, Mayor

ATTEST:

\_\_\_\_\_  
Brenda Hall, City Clerk

## CITY COUNCIL OVERSIGHT COMMITTEE MINUTES

March 6, 2013

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 6th day of March, 2013, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray 48 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Castleberry, Lockett, and Chairman Kovach

ABSENT: Councilmembers Jungman and Spaulding

OTHERS PRESENT: Councilmember Roger Gallagher, Ward One  
Mayor Cindy Rosenthal  
Ms. Joy Hampton, The Norman Transcript

STAFF PRESENT: Mr. Jeff Bryant, City Attorney  
Mr. Mark Daniels, Utilities Engineer  
Mr. Ken Komiske, Director of Utilities  
Mr. Steve Lewis, City Manager  
Ms. Kathryn Walker, Assistant City Attorney  
Ms. Syndi Runyon, Administrative Assistant IV

Item 1, being:

### DISCUSSION REGARDING DOMESTIC WATER WELLS FOR NON-POTABLE USE AND RELATED PERMIT REQUIREMENTS.

Ms. Kathryn Walker, Assistant City Attorney, said with recent conservation measures, Property Owner Associations (POA) and other entities are becoming more interested in drilling their own wells to use non-potable water for irrigation purposes. She said citizens, businesses, and organization's that have a well are not subject to the City's conservation regulations.

Ms. Walker said the Oklahoma Water Resources Board (OWRB) regulates groundwater use and issues permits for beneficial use of groundwater that includes municipal, industrial, agricultural, recreational, fish and wildlife, etc., but they do not issue permits for domestic wells. She said cities can regulate and permit domestic and industrial wells, but cannot forbid domestic wells because that is a property owner's right. She said all public wells have to be built to the Department of Environmental Quality (DEQ) standards.

Ms. Walker said the definition for industrial use is "the use of water in processes designed to convert materials of a lower order of value into forms having greater usability and commercial value" and water quantity is set by the terms of the OWRB permit. She said the Legislative definition of domestic use is "the use of water by an individual/family/household for household purposes; farm and domestic animals (up to normal grazing of land); and irrigation of land not exceeding three acres in area for gardens, orchards, and lawns." State Statute also states that other domestic uses can be approved by OWRB as they see fit. OWRB has specified the use of water by non-household entities for drinking water purposes, restroom use, and watering of lawns up to five acre feet per year (1.6 million gallons).

Ms. Walker said OWRB's well drilling standards are as follows:

Location

- Must be at least ten (10) feet from a close sanitary sewer line, twenty-five (25) feet from above ground sprinkler spray, and fifty (50) feet from above ground sprinkler head
- Must be at least three hundred (300) feet from outside perimeter of waste lagoon for feedlot
- Must be at least fifty (50) feet from other pollution sources

Well Surface Casing

- Must be sealed off from groundwater zones containing water not meeting groundwater quality standards – no well in salt water zones
- Must be at least ten (10) feet below minimum seasonal state of water table
- Must be at least twelve (12) inches above the natural ground level and twenty-four (24) inches above the maximum level if known to flood

Ms. Walker said there are approximately 70,000 domestic wells in Oklahoma. She highlighted reasons the City should regulate domestic wells as 1) State standards for construction do not always adequately protect groundwater, 2) widespread proliferation of domestic wells can ultimately deplete the aquifer, and 3) the City can provide a tool to monitor usage to ensure the character of the use remains *domestic*.

Ms. Walker highlighted the current Code provision that requires permits for all wells; wells must comply with Oklahoma Department of Health rules; domestic wells are limited to *domestic use* as defined under State law; and forbids drilling into the Garber Wellington sandstone formation unless they are not serviced by City water or it is a commercial or industrial well and Council has granted permission.

Ms. Walker said permit fees are currently \$5 and is proposed to be increased to \$50 because some of the proposed reporting requirements will require more Staff time. She highlighted proposed amendments as follows:

- Wells must be constructed by an OWRB certified well driller;
- The OWRB Groundwater Well Completion Report must be submitted to the City upon completion
- An operable totalizing meter must be installed and maintained by the permit applicant;
- At least thirty (30) feet of well surface casing must be installed to reduce the risk of groundwater contamination;
- There must be no cross-connection of the well to the public water supply;
- Water must not be withdrawn in excess of the limits set by law;
- Water withdrawn from the well will be used only for the stated purpose for which the well was installed;
- Water withdrawn from the well must not be applied or discharged to property owned by others; and
- Well user must submit records annually that document the volume of water being withdrawn.

Mr. Ken Komiske, Director of Utilities, said with a domestic well you can use three acre feet (980,000 gallons) of water year for household purposes and five acre feet (1,630,000 gallons) for non-household purposes. He said costs vary depending on the depth of the well as a 100 foot well will cost approximately \$6,500 and a 650 foot well will cost approximately \$45,000.

Mr. Komiske said a POA would be able to produce five acre feet of water (1.63 million gallons) per year. Councilmember Castleberry asked if a POA would be subject to water conservation rules and Mr. Komiske said anyone with their own well would not be subject to water conservation rules, but POA's would be subject to the *volume* of water they use. They would only be allowed to use 1.6 million gallons per year and highlighted two scenarios of how POA's could allocate the use of 1.63 million gallons per year.

Mr. Komiske said the State has always classified domestic use as *De minimis* and not worth caring about; however, when States start getting into drought conditions, everyone wants to drill their own well and when you have tens of thousands of wells in the aquifer it is no longer *De minimis*. He said some States are beginning to realize this and are considering permitting and monitoring domestic wells differently. He said every hole in aquifer is a potential source for pollution. He said surface water is pretty forgiving and can be straightened out easily, but if you pollute an aquifer it takes tens of years to straighten out.

Mr. Komiske said the City cannot prevent someone from drilling into the Garber Wellington so domestic wells will be competing with the City for water. Mayor Rosenthal asked if that could be avoided by limiting the depth of domestic wells and Mr. Komiske said, according to the OWRB, a homeowner can do what they want on their property. Ms. Walker said the City has the ability to regulate, but it is not clear how far those regulations can be structured planned because it is a property right. Councilmember Gallagher said municipalities can make laws less severe than State laws, but cannot be more severe and Mr. Jeff Bryant, City Attorney, said municipalities can regulate a little bit beyond what the States does, but property rights are different and State laws would preempt the City's ability to regulate that.

Mr. Komiske said the City needs to consider what message they are sending to their customers. Will citizens and POA's with domestic wells be able to water their yards as much as they like no matter what is happening to citizens around them that do not have domestic wells and are subject to water conservation rules? He said these are also potential customers for highly treated effluent from the Wastewater Treatment Plant if the City ever gets reuse permission. Chairman Kovach said a constituent contacted him regarding concerns about domestic well users overwatering and that is a legitimate concern. Ms. Walker said that is why a meter requirement is being proposed so the customer and the City are aware of how much water is being used.

Chairman Kovach said the Association of Central Oklahoma Government (ACOG) is recommending well casings be cement for thirty (30) feet with gravel below that. He said this is important because there are a lot of pre-1980 oil wells and whenever there is a water well near a pre-1980 oil well, there is a high risk of salt polluting the water, which affects everyone's water.

Councilmember Gallagher asked how many POA's have applied for a permit and Ms. Walker said the City has not received any permit applications, but there has been a lot of inquiry. Mr. Mark Daniels, Utilities Engineer, said five to ten permits are obtained on an annual basis, but not everyone that drills a well gets a permit like they should or informs the City.

Mayor Rosenthal said the POA's want domestic wells to water common areas, but felt OWRB regulations already rule that out because of the distance requirement from sewer lines. Mr. Komiske said many of the POA's have a park in their area so it could be possible to drill a well near the park. Mayor Rosenthal asked if the City should be more aggressive in drilling wells for the parks embedded in developments. She said that way the City could control the water usage and protect the water supply. Mr. Komiske said Westwood and Griffin Parks have wells due to the golf course and/or having sports fields. He said if the area is a park with playground equipment and nothing else, the City should not care whether the park is green or not. Mr. Steve Lewis, City Manager, said a majority of parks are not irrigated. Mayor Rosenthal said watering the parks is a public benefit, but raises the question again of what message the City is sending to citizens.

Chairman Kovach asked if non-potable water can be used at the splash pads and Mr. Daniels said no, there are too many variables for water contamination.

Councilmember Castleberry said he did not like the requirement that a POA or citizen annually report how much water they use. He said he does not mind that information being made available upon request, but it should not be required. He asked what would happen if someone went over their amount of water and Mr. Komiske said that has not been determined. Chairman Kovach said OWRB regulates how much water you can use, but they do not seem to have enough teeth to regulate what happens when someone goes over the amount. Ms. Walker said she assumes that if the City permits wells, Staff would be put in the position of having to notify OWRB of over usage. Councilmember Gallagher felt there will be more requests for wells the longer the drought continues and Chairman Kovach agreed and said it is his understanding that water well diggers have a three month backlog.

Councilmember Castleberry asked what was wrong with someone drilling a well on their own property and Chairman Kovach said the problem is the aquifer is not something located under a single person's parcel of land it is under everyone's parcel of land. Councilmember Kovach said New Mexico is very strict on how many water wells can be in a certain area and they make owners plug old wells before digging new ones. He said they understand there is a certain amount of subsurface water that has to be shared. Mayor Rosenthal said the City has a public obligation in terms of pollution issues of the aquifer so the City should protect all customers who rely on that aquifer. Councilmember Gallagher said pollution should not be a problem if proper casing is used. Councilmember Castleberry said the City needs to be responsible and conscious of property rights and Ms. Walker said Staff tried to find a balance between protecting the water and property owners rights.

Mayor Rosenthal said the Code needs to be updated and she likes the proposed revisions; however, she would like more discussion on required reporting versus requesting usage and what will be done if someone goes over the amount allowed by law.

Councilmember Castleberry said the current Code provision requires wells comply with Oklahoma Department of Health rules, but what would happen if that agency merged into the Oklahoma Water Board, for example. Ms. Walker said that is a good point since there is a lot of talk about merging different State agencies so Staff will change language to reflect appropriate State agencies.

Mr. Daniels asked if existing wells will be grandfathered in and Chairman Kovach said wells have a shelf life and new wells have to be dug so that seems to be a natural solution. He did not believe the City could make people report whether or not they have a well. Mayor Rosenthal asked if water well diggers will be required to report wells to the City and Mr. Daniels said most do that already. Councilmember Gallagher asked if there is a list of wells and Mr. Daniels said there is only a list of permitted wells.

Councilmember Gallagher suggested giving developers guidelines for domestic wells and Chairman Kovach said developers in Edmond are being sued for water contamination. He felt citizens needed to be better educated on the value of water.

Ms. Joy Hampton, [The Norman Transcript](#), said the City needs to lead by example. She noticed a leaky faucet at Reaves Park, but nothing was done about it until she reported it to Mr. Jud Foster, Director of Parks and Recreation. She said the leak was repaired after she reported it, but the City needs to be more proactive on these issues instead of waiting for someone to complain. She said the University of Oklahoma (OU) has their own wells, but they do not seem to be too conservative in their use and asked if the City could talk to them about that. Mr. Lewis said the City has communicated with OU and OU has changed internal practices and are saving 10% on water usage. Ms. Walker said OU has been very aggressive in water savings by removing knobs on spigots so students cannot use them to wash cars, changing to waterless urinals, they have stopped using lunch trays that had to be washed, etc. Councilmember Lockett said she has seen a lot less water running down Elm Street from OU property.

Councilmember Gallagher said Parking Officers and Code Enforcement Inspectors could talk to violators especially if water is seen running into the streets and Mr. Lewis said Parking Officers do report violations to Code Enforcement, but Parking Officers only patrol certain areas of the City. He said Code Enforcement Officers patrol throughout the City and make contact with violators when violations are reported and/or when witnessed. Mayor Rosenthal suggested cross training other departments such as sanitation, line maintenance, and police to watch for violations since these employees are out every day in neighborhoods. She said they could carry information with them to place on the doors of citizens in violation to let them know the City is under moderate mandatory conservation and what the rules are.

Chairman Kovach said there seems to be a consensus on most of the requirements and he would like to move the recommended amendments forward to the full Council.

Items submitted for the record

1. Memorandum dated February 27, 2013, from Kathryn L. Walker, Assistant City Attorney, through Jeff H. Bryant, City Attorney, to Members of the Council Oversight Committee
2. Draft ordinance
3. PowerPoint presentation entitled, "Domestic Wells," City Council Oversight Committee, March 6, 2013

Item 2, being:

MISCELLANEOUS DISCUSSION.

Chairman Kovach said the Open Meetings Act and storage of e-mails will be discussed at the next meeting.

ADJOURNMENT.

The meeting adjourned at 6:28 p.m.

ATTEST:

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City Clerk

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Mayor

## CITY COUNCIL STUDY SESSION MINUTES

April 30, 2013

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a study session at 5:35 p.m. in the Municipal Building Conference Room on the 30th day of April, 2013, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

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

ABSENT: Councilmembers Gallagher and Spaulding

Item 1, being:

### DISCUSSION REGARDING AN ORDINANCE TO REQUIRE PERMITS FOR DOMESTIC AND INDUSTRIAL WATER WELLS.

Mr. John Harrington, Director of Water Resources, Association of Central Oklahoma Governments (ACOG), provided background of the legacy of oil and gas well areas in Oklahoma. He said the Corporation Commission has been mapping out particular areas and providing maps to the member cities of ACOG. Mr. Harrington said eventually the Corporation Commission will be mapping out all of the oil and gas well areas throughout the state.

The Corporation Commission has had many complaints of water well pollution, both suburban and rural, from homeowners over the past 20 years. Mr. Harrington said the complaints are in and near oilfields, mostly older oilfields with activity initiated pre-1980, when modern regulations began. He said the complaints vary from petroleum to the most common salinity (salty). The Corporation Commission now understands enough about how these particular problems occur to propose prevention solutions.

Mr. Harrington said the groundwater issue is important and matters to the people of Oklahoma as groundwater supplies almost 40% of all water used in Oklahoma; 295,000 Oklahoma residents are served by privately owned individual wells and 73% of all irrigation for agriculture comes from groundwater. For example, a recent homebuyer in a fairly new gated community in Northwest Oklahoma City complained of salty well water and soon thereafter, her neighbors also complained. This area was a historic oilfield area until 1980; therefore, a Corporation Commission field inspector went to the home community and sampled several water wells. Mr. Harrington said later the Corporation Commission learned that two original (older) domestic water wells had been drilled in residential backyards within the subdivision and when the wells became salty, the homeowners re-drilled the wells in their front yards without plugging the well in the backyard. This worked for a couple a years, but eventually the wells in the front yard also went salty. Mr. Harrington said salt water has a tendency to be real hard on vegetation and highlighted the samples retrieved from the Corporation Commission field inspector that reflected high chloride levels.

The Corporation Commission's conclusion was the gravel packed construction caused contamination to the open surface up to 300 feet below the surface which allowed contaminants into the Garber Wellington Aquifer. In effect, the water wells, by their standard design, polluted themselves and the aquifer, especially the unplugged backyard wells.

Mr. Harrington said the City of Oklahoma City was persuaded to bring a water line into the subdivision so the homeowners could connect to clean drinking water for a fee and the Corporation Commission's Brownfields Program paid to have the now "unused" water wells drilled out and plugged to prevent the spread of more contaminants into the aquifer.

The Corporation Commission is currently mapping old (pre 1980) wells on Oklahoma aquifers, starting with the Central Oklahoma aquifer. The pit design, well plugging oversite, and field inspection was not as rigorous before 1980 as it is currently and the mechanical integrity testing of well casing, lines, and equipment was not required until after 1980.

Item 1, continued:

Unfortunately many of these old oilfields are just open fields today, so pollution risks are often not obvious to developers or well drillers. Mr. Harrington said the Corporation Commission also realized the information gathered could be utilized by the general public and town planners and will load the maps, once made, onto the OWRB's website map viewer.

These Geographical Information System (GIS) maps can be output on any area basis, by aquifer, county, town, or individual 36 square mile townships.

ACOG came up with a plan to protect the aquifers of Oklahoma from similar old oilfield problems in the future as well as protect others and requested OWRB establish rules to assist with the prevention of shallow pollutants from entering the water wells and traveling down the gravel pack into the aquifer. Mr. Harrington said the Corporation Commission requested a new rule requiring future water wells to be cased and cemented from the surface to at least 30 feet deep, with gravel pack only being allowed below 30 feet.

Mr. Harrington provided a Legacy Oil and Gas Fields map depicting Cleveland County 10N 2W oilfield areas and said the information has already been sent to the City of Norman Planning Department. He said the Corporation Commission will be making a proposal to the OWRB in the fall to essentially amend Chapter 35 in the drilling standards to incorporate the Legacy Oil and Gas Field maps and recommend to the drillers to install any future water well inside 30 feet of casing.

Councilmember Williams asked Mr. Harrington if any studies had been done with water wells utilizing a 30 foot casing and Mr. Harrington said no. Mr. Harrington said the Corporation Commission originally discussed the casing as 50 feet but determined 30 feet would be acceptable because that is the depth most oil surface pollution would be present.

Councilmember Griffith asked whether the expense of adding an additional 20 feet of casing would be an extraordinary expense and Mr. Harrington said it would add approximately \$1,000 more to the well.

#### ORDINANCE REQUIRING PERMITS FOR DOMESTIC AND INDUSTRIAL WATER WELLS.

Ms. Kathryn Walker, Assistant City Attorney, said Staff was made aware of Mr. Harrington's work and presentation relating to the old oilfield water well pollution and case studies and began to look at Norman's ordinance, specifically how the City could incorporate the same or similar kinds of protection measures, as well as update the ordinance to make it more consistent with State law.

Ms. Walker highlighted recent events regarding domestic water wells. She said a property owners association (POA) inquired about the potential for drilling a water well from which water could be drawn and used for irrigation of the neighborhood's common areas. The Oversight Committee met and discussed POAs drilling water wells for irrigation purposes on February 13, 2013, and again on March 6, 2013. Staff examined the City's existing ordinances relating to wells and determined the applicable Code provision needs to be updated, both to reflect the current constraints of State law on water well regulation by cities, as well as to ensure contamination and quality issues with domestic water wells are addressed to protect the public water supply. The Oversight Committee recommended the Ordinance go forward to full Council.

Ms. Walker said the applicable State law is as follows:

- General Authority – Oklahoma Water Resources Board (OWRB) regulates groundwater use and issues permits for most, but not all wells.
  - ❖ OWRB permit required to put groundwater to beneficial use for other than domestic purposes, i.e., municipal, industrial, agricultural, irrigation, recreation, fish and wildlife, etc.;
  - ❖ Cities can regulate and permit the drilling of domestic and industrial water wells, however the extent to which cities can regulate is unclear;
  - ❖ All public wells have to be built to Department of Environmental Quality (DEQ) standards.

Item 1, continued:

Ms. Walker provided an overview of OWRB's definition of industrial and domestic water use.

***Industrial Use***

The use of water in processes designed to convert materials of a lower order of value into forms having greater usability and commercial value. The quantity is set by the terms of the OWRB permit.

***Domestic Use***

Use of water by an individual, family, and/or household can include: household purposes, farm and domestic animals (up to normal grazing capacity of land), irrigation of land can not exceed three (3) acres for gardens, orchards, and lawns. For non-household entities the domestic use is as follows: drinking water, restrooms, and watering of lawns up to five (5) acres (approximately 1,630,000 gallons) per year. Domestic use is not subject to well spacing standards; however, the domestic use is subject to sanctions against waste.

***OWRB Well Construction Standards***

**Location:**

- At least 10 feet from closed sanitary sewer line, 24 feet from above ground sprinkler spray, and 50 feet from above ground sprinkler head;
- At least 300 feet from outside perimeter of waste lagoon for feedlot; and
- At least 50 feet from other pollution sources.

**Well Surface Casing**

- Must be sealed off from the groundwater zones containing water not meeting groundwater quality standards; no wells in salt water zones;
- At least 10 inches below minimum seasonal stage of water table; and
- At least 12 inches above the natural ground level; 24 inches above the maximum level if known to flood.

Ms. Walker said there are several reasons to regulate domestic wells. State standards for construction do not always adequately protect the groundwater, widespread proliferation of domestic wells can ultimately deplete the aquifer, i.e., the source of our municipal well supply and regulation can provide a tool to monitor water usage to ensure the character of the use remains "domestic".

The current Code provision requires permits for all water wells and they must comply with Oklahoma Department of Health rules. Domestic wells are limited to "domestic uses" under State law and the Code forbids drilling into the Garber Welling sandstone formation unless the City does not service the location or it is a commercial or industrial well where the City has granted permission.

***Proposed Code Amendments***

Staff proposed the following code amendments:

- Increase permit fee from \$5.00 to \$50.00;
- Update to ensure we are in compliance with State law (regulate only domestic and industrial wells);
- Update to ensure appropriate State agencies are listed;
- Use of State definitions for domestic and industrial use to ensure consistency in application; and
- Permit requirements to protect water supply and monitor usage.
  - ❖ **Permit Requirements**
    - Well must be constructed by OWRB certified well driller;
    - OWRB Groundwater Well Completion Report submitted to City;
    - 30 feet of well surface casing – reduce risk of contamination; and
    - No cross connection to the public water supply.

Item 1, continued

❖ **Character of Use Measures**

- Water meter must be installed;
- Water cannot be drawn in excess of limits set by State law;
- Water used only for stated purposes; and
- Records submitted to the City annually that document amount of water withdrawn.

**Private Wells**

- Domestic use for household purposes = three (3) acre feet per year (980,000 gallons);
- Domestic use for non-household purposes = five (5) acre feet per year (1,630,000 gallons);
- Cost of private wells in Norman vary with location and depth;
- Domestic well in East Norman = \$6,500 and is 100 feet deep with 15-20 gallons per minute (gpm); and
- Domestic well in West Norman = \$45,000 and is 650 feet deep with 15-20 gpm.

**Property Owners Association**

A POA would be able to withdraw five (5) acre feet per year that would equal 1.63 million gallons, 60 inches per year per acre, and 60 applications of 1-inch over one acre.

Ms. Walker said every domestic use is somewhat de minimis, but every hole in the aquifer is a potential source of pollution. She said ultimately if there are a lot of domestic water wells drilling deep into the aquifer, the City may be competing for the same water. The City is also pushing to get re-use standards and Ms. Walker felt customers who would like to use non-potable water or the domestic wells for irrigation eventually would be good customers for re-use when that comes to fruition. She said the biggest consideration is balancing the community's water supply versus individual water usage.

Councilmember Griffith asked how deep the Garber Wellington Aquifer is and Mr. Harrington said it varies from 400 feet on the east to 600 to 700 feet on the west.

Mr. Harold Heiple, Attorney representing Oklahoma Electric Co-op (OEC), said the City needs to protect the Garber Wellington Aquifer and he felt the following verbiage should be included in the ordinance "...any property served by City water or required by law to be served by City water is not eligible for a permit to drill into the Garber Wellington..." He said Mr. DiCastro with the Cascade Addition POA met with OEC regarding the POAs request for a water well permit and it was a very productive meeting. Mr. Heiple felt OEC will get on board with the POAs request as long as the POA does not go into the Garber Wellington for irrigation purposes.

Councilmember Kovach said for clarification purposes, the Oversight Committee began discussing this ordinance before the POA came forward with their request. He asked Staff if the City can regulate how deep a person can drill and Ms. Walker said the current ordinance reads that a person can not drill into the Garber Wellington unless you do not get City water or you are an industrial or commercial user and Council approves it. She said the City can not regulate commercial wells, but the City does have some degree of regulatory authority over industrial and domestic wells. Ms. Walker said she is not certain the law is clear, it is a gray area, whether or not the City can regulate how deep a person can drill into the aquifer. She said Staff has chosen not to include this issue in the ordinance at this point, but will continue to research it. She said there is a balance between the fact the property owner has a right to domestic use versus the City's interest in protecting the aquifer and try to determine how the Courts might interpret this issue.

Mr. Jeff Bryant, City Attorney, said his office has had many discussions on this topic and the existing ordinance language has verbiage that prohibits person(s) from drilling into the Garber Wellington if the person(s) already has City water supplied to the property. He said the law is not very clear and the issue is whether or not the law is enforceable. Staff

Item 1, continued:

drafted the proposed ordinance based on prior meeting discussions and Staff felt Council desired to have more regulation on the actual wells, casing, etc., rather than language regulating and not allowing person(s) to drill into the Garber Wellington. Mr. Bryant said if Council desires to keep the current language of not allowing person(s) to drill into the Garber Wellington,

Staff can certainly pursue that. Council discussed and agreed that Sub-Section C Section 21-404, should be put back into the Ordinance prohibiting person(s) from drilling into the Garber Wellington. Councilmember Kovach asked if the language stating "... any property served by City water or required by law to be served by City water is not eligible for a permit to drill into the Garber Wellington..." could be added to the proposed ordinance and Mr. Bryant said that particular language is already in the proposal stating if the City provides water service then you are prohibited from drilling into the Garber Wellington. He said one compromise to that might be focusing on potable and non-potable, which is what Mr. Heiple is suggesting, i.e., if a person can drill a 200 or 250 foot water well and get water that is suitable for irrigation purposes but is not potable then that is not water that the City would be using for the municipal water supply anyway.

Councilmember Williams asked if the regulation would apply to existing wells if the City extended water lines/services and Mr. Bryant felt the City should be consistent stating that if the City was to extend water service, by statute the City would get those water rights as long as the City is providing municipal water supply. He said this is the area that is a little unclear, and Council could certainly discuss a policy that would allow the person(s) to waive the requirement for municipal water.

Mr. Bobby Stevens, P.O. Box 6226, asked how the City would enforce the water laws on tribal land and Mr. Bryant said there has recently been an argument at the U.S. Supreme Court regarding water rights and how far states can pursue the issue. He said if tribal land rights versus municipal water rights came into fruition, the City would be pre-empted if the land is federal Indian land.

Mayor Rosenthal said the City does need to protect the Garber Wellington since it is the City's water supply, but felt allowing non-potable drilling for irrigation purposes is a reasonable compromise. Councilmember Kovach agreed and Councilmember Williams felt if person(s) are within 300 feet of City water they should connect for potable water; however, if they choose to drill and use a private well that is not in the aquifer for non-potable uses they should be allowed to do so. Mr. Chris Mattingly, Utilities Superintendent, said he was concerned about the definition of potable changing in the future due to the changing dynamics and regulations regarding water. Mayor Rosenthal said the ordinance needs to distinguish between (not) drilling into the aquifer and non-potable water.

Councilmember Williams asked if the City were to extend water supply services to an area that already has a water well in the aquifer, would they be "grandfathered in", and therefore the person(s) would not have to connect to City water services unless the person(s) made a change to the existing well. Mr. Bryant said the ordinance can be created however Council desires and he said it is not unusual to have "grandfathering" provisions. He said the current language already has a "grandfathering" provision stating "...domestic or non-industrial uses existing before February 8, 1955..." and can be added to the draft ordinance going forward if Council desires.

Staff drafted the proposed ordinance from the most conservative approach recognizing the domestic use water rights. Regardless when a private well was drilled, if someone connects to City water services they must disconnect the private well so there will not be a risk cross-contamination. Councilmember Castleberry asked if the private well would need to be plugged and Ms. Walker said the proposed draft would not require the well be plugged; however, it could be required under other regulations. She said the requirement to plug the disconnected private water wells can be added to the draft ordinance if Council so desires.

Mr. Harrington said the City may want to consider collecting water quality data as part of the ordinance and Councilmembers Kovach and Castleberry said the City should collect and carry the burden of testing water quality samples. Staff will re-draft the ordinance and bring forward for Council consideration and approval.



# City of Norman, OK

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

## Master

**File Number: R-1112-129**

<b>File ID:</b> R-1112-129	<b>Type:</b> Resolution	<b>Status:</b> Non-Consent Items
<b>Version:</b> 1	<b>Reference:</b> Item No. 33	<b>In Control:</b> City Council
<b>Department:</b> Planning and Community Development Department	<b>Cost:</b>	<b>File Created:</b> 04/17/2012
<b>File Name:</b> NE Development 2025	<b>Final Action:</b>	

**Title:** RESOLUTION NO. R-1112-129: 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-1112-6**, 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 COMMERCIAL DESIGNATION AND REMOVE THE SAME FROM THE HIGH DENSITY RESIDENTIAL DESIGNATION AND OFFICE DESIGNATION. (LOCATED AT 612 ASP AVENUE, 421-427 BUCHANAN AVENUE, 700, 706 AND 710 ASP AVENUE, AND THE ADJACENT LOT TO THE SOUTH)

**Notes:** ACTION NEEDED: Motion to adopt or reject Resolution No. R-1112-129, Land Use Plan Amendment No. LUP-1112-6; and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according thereto

ACTION TAKEN: \_\_\_\_\_

ACTION NEEDED: Motion to amend Resolution No. R-1112-129, Land Use Plan Amendment No. LUP-1112-6, to add 700 and 706 Asp to the list of property under consideration for land use change and amend the legal description of the subject property under consideration.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 06/25/2013

**Agenda Number:** 33

**Attachments:** Text File 6-13-13, Developer of Record, NEDC letter on NE Development as agent, R-1112-129 NE Development - 6-13-13, R-1112-129 REV 5-13, Location Map 5-31-13, 2025 Staff Report 6-13-13, Location map 9-4-12, 2025 Staff Report 9-13-12, Pre-Development Summary July 26, 2012, Pre-Development Summary April 26, 2012, Pre-Development Summary March 22, 2012, 7-12-12 PC Minutes - B3 Postpone, 8-9-12 PC Minutes - B3, 9-13-12 PC Minutes - B3 Devel, 6-13-13 PC Minutes Transcript - NE Development

**Project Manager:** Jane Hudson, Principal Planner

**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	05/10/2012					
1	Planning Commission	07/12/2012	Postponed		01/08/2013	01/08/2013	
1	Planning Commission	07/12/2012					
1	Planning Commission	08/09/2012	Postponed				
1	Planning Commission	08/09/2012					
1	Planning Commission	09/13/2012	Recommended for Adoption at a subsequent City Council Meeting	City Council	11/27/2012	11/27/2012	Fail
	<b>Notes:</b>	<i>Motion for adoption failed on 3-4 vote.</i>					
1	Planning Commission	09/13/2012					
1	City Council	11/13/2012	Postponed		01/08/2013		Pass
			Aye: 9	Mayor Rosenthal, Council Member Spaulding, Council Member Lockett, Council Member Gallagher, Council Member Williams, Council Member Jungman, Council Member Kovach, Council Member Griffith, and Council Member Castleberry			
1	City Council	01/08/2013	Postponed		02/12/2013		Pass
			Aye: 7	Mayor Rosenthal, Council Member Spaulding, Council Member Lockett, Council Member Williams, Council Member Kovach, Council Member Griffith, and Council Member Castleberry			
			Nay: 2	Council Member Gallagher, and Council Member Jungman			
1	City Council	02/12/2013	Postponed		04/09/2013	04/09/2013	Pass
	<b>Notes:</b>	<i>Postponed until April 9, 2013</i>					
			Aye: 9	Mayor Rosenthal, Council Member Spaulding, Council Member Lockett, Council Member Gallagher, Council Member Williams, Council Member Jungman, Council Member Kovach, Council Member Griffith, and Council Member Castleberry			
1	City Council	04/09/2013	Postponed		05/14/2013		Pass
	<b>Notes:</b>	<i>Postponed until May 14, 2014</i>					
			Aye: 9	Mayor Rosenthal, Council Member Spaulding, Council Member Lockett, Council Member Gallagher, Council Member Williams, Council Member Jungman, Council Member Kovach, Council Member Griffith, and Council Member Castleberry			
1	City Council	05/14/2013	Postponed				Pass
			Aye: 8	Mayor Rosenthal, Council Member Lockett, Council Member Gallagher, Council Member Williams, Council Member Jungman, Council Member Kovach, Council Member Griffith, and Council Member Castleberry			
1	City Council	06/11/2013	Postponed		06/25/2013		
1	Planning Commission	06/13/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	06/25/2013		Fail
	<b>Notes:</b>	<i>Failed by vote of 2-3</i>					
1	City Council	06/25/2013					

**Text of Legislative File R-1112-129**

Body

**SUMMARY OF REQUEST:** The Council has previously seen a similar version of this application. Since the earlier submittal the applicant acquired additional land. The applicant was requesting to rezone approximately 1.43 acres; the applicant now requests rezoning for 1.53 acres. The applicant has included the squared off area located in the middle of this earlier proposed development. Previously, the development created a "U" shape around this area; now the expansion has included this area as part of the development. The additional land to be included in the project adds approximately seven percent (7%) to the land area, does not change the required notification area, and addresses a prior protest by the property owners whose property would have been surrounded under the prior configuration of the project. This applicant is requesting a change in the 2025 Land Use and Transportation Plan from Office and High Density Residential Designations to Commercial Designation. The current zoning consists of C-2, General Commercial District, C-1, Local Commercial District, CO, Suburban Office Commercial District and R-3, Multi-Family Dwelling District. Currently, there are three land uses on the site; multi-family, office and commercial/retail. The uses proposed for the new development are the same; multi-family, office and commercial/retail. The applicant intends to develop the area into a Mixed Building consisting of a parking garage, commercial/retail, office and apartments. This proposed Mixed Building use is permitted as a Special Use under the C-3 zoning district. The project will be one six story building, five and one-half stories above grade and one-half of a level below grade. The parking garage will house approximately 306 parking spaces. There are two levels to the parking garage, a portion of which will be below grade. The first at grade floor of the development will house the commercial/retail and office area. The third through the sixth floors will house apartments. At this time the unit count for the apartments is 200 dwelling units. This equates to 130.7 units per acre. The parking garage has 306 parking spaces. This equates to 1.53 parking spaces per dwelling unit.

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.** Over the last year there have been several developments in this general vicinity that have proposed higher residential densities and another that proposed a mixed use development. Currently there is an apartment development to the northeast of this proposal, located south of Duffy Street on the east side of Monnett Avenue. There is a five-story condominium development just east of the railroad tracks on the north side of Boyd Street, as well as a future three-story mixed use development at the northwest corner of Boyd and Monnett Avenue. This area near the University of Oklahoma and Campus Corner, as well as other commercial/retail and office developments, are creating growth in this area.
- 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 University of Oklahoma is located to the south about one block. The Campus Corner retail area is about one-half block to the south of this proposal, as well as Main Street attractions about one-half mile to the northeast. There is an abundance of places/businesses in this general area to frequent via bike, pedestrian trails, or sidewalks. With the limited parking around the University, Campus Corner and Main Street, the location of this development gives the residents walking and biking options for accessing these areas. The parking incorporated into the design of the building helps eliminate larger sprawling parking lots. The area to be developed currently has four curb cuts along Asp Avenue. This proposal eliminates three of the curb cuts. With the elimination of additional curb cuts and the access to this development now aligned with Duffy Street, traffic conflicts are reduced. Asp Avenue is a two-way street, which creates access to both north and south destination points for the residents. The west side of the development is Buchanan Avenue. There are five curb cuts along Buchanan Avenue. Of those five curb cuts, three back into the street also creating unsafe traffic issues. This proposed development has eliminated all curb cuts along Buchanan Avenue.

The applicant submitted a Traffic Impact Analysis (TIA). The Public Works staff, on May 9, 2013, sent a letter to TEC, the applicant's traffic engineering firm, with a series of questions and concerns regarding the TIA. Subsequent to that letter, City staff met with the applicant and their engineers on

May 20, 2013. At that meeting, traffic concerns were discussed, and TEC agreed to submit a revised TIA. Public Works staff received a revised TIA from the applicant's traffic engineering firm on June 10, 2013. Staff has reviewed the TIA and developed a staff report regarding possible traffic and pedestrian impacts for the area. The staff report and revised TIA are attached to this packet.

**STAFF RECOMMENDATION:** The Campus Corner area is typically zoned 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. This request for a change in Land Use Designation is consistent with the current Land Use Designation that would allow high density residential and office at present. The Land Use and Zoning request for this development is a continuation of what is already established in the Campus Corner area. Due to the close proximity to the University, Campus Corner and Main Street, the residents will be able to walk or bike to many destinations.

Staff recommends approval of this 2025 Land Use & Transportation Plan amendment from High Density Residential and Office Designations to Commercial Designation.

At their June 13, 2013 meeting, the Planning Commission, by a vote of 2-3, failed to recommend adoption of Resolution R-1112-129, Land Use Plan Amendment LUP-1112-6.

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

Date: May 7, 2013

Project: Campus Corner Project – Asp Avenue  
612 / 700 / 710 Asp Ave.  
421 – 427 Buchanan Ave.  
Norman, OK.

Purpose: Notification of Developer of Record

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**DEAR CITY STAFF:**

Please accept this notification regarding the above referenced project. Formerly referred to as Risser/B3 Development Group, the Developer of Record for the proposed project will be:



N.E. Development  
420 Southfork Drive  
Lewisville, TX. 75057  
972.221.0095  
[www.neconstruction.net](http://www.neconstruction.net)  
Contact #1: Charlie Moussa (972)221.0095  
Contact #2: Ben Sellers (405)802.6993  
[bsellers@nedevdevelopment.net](mailto:bsellers@nedevdevelopment.net)

We will serve in a co-development role, and should continue to be included in communications.

Please let me know if you have any questions.

Respectfully,

Mark Risser



May 15, 2013

City of Norman  
201 W. Gray St.  
Norman, OK 73069

710 Asp Avenue  
Suite 100  
Norman, Oklahoma  
73069

Tel: 405.573.1900

Fax: 405.573.1999

e-mail: [nedc@nedcok.com](mailto:nedc@nedcok.com)

Web: [www.nedcok.com](http://www.nedcok.com)

To Whom It May Concern,

We hereby confirm in this correspondence that the NEDC authorizes NE Development to act as the agent of NEDC in the zoning and associated applications and matters at the City of Norman. Please let me know if you have any questions or need anything further to confirm as such.

Regards,

Don Wood  
Executive Director

R-1112-129  
LUP-1112-6

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO PLACE PART OF THE NORTHWEST QUARTER OF SECTION THIRTY-ONE (31), TOWNSHIP NINE (9) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN COMMERCIAL DESIGNATION AND REMOVE THE SAME FROM THE HIGH DENSITY RESIDENTIAL DESIGNATION AND OFFICE DESIGNATION. (Located at 612 Asp Avenue, 421-427 Buchanan Avenue, 700, 706 and 710 Asp Avenue)

- § 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, N.E. Development has requested that the following described property be moved from the High Density Residential Designation and Office Designation and placed in the Commercial Designation for the hereinafter described property, to wit:

A tract of land being a part of the Northeast Quarter (NE/4) of Section Thirty-One (31), Township Nine (9) North, Range Two (2) West, of the Indian Meridian, Norman, Cleveland County, Oklahoma, being more particularly described as follows:

The south 1/2 of Lot 2, all of Lots 3 through 7, and the north 15' of Lot 8, Block 1, LARSH'S UNIVERSITY ADDITION.

Said tract contains 1.527 acres, more or 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 to the NORMAN 2025 Land Use and Transportation Plan should be adopted, and does hereby approve the requested designation.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
(Mayor)

ATTEST:  
\_\_\_\_\_  
(City Clerk)



A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO PLACE PART OF THE NORTHWEST QUARTER OF SECTION THIRTY-ONE (31), TOWNSHIP NINE (9) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN COMMERCIAL DESIGNATION AND REMOVE THE SAME FROM THE HIGH DENSITY RESIDENTIAL DESIGNATION AND OFFICE DESIGNATION. (Located at 612 Asp Avenue, 421-427 Buchanan Avenue, 710 Asp Avenue and the adjacent lot to the south)

- § 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, N.E. Development has requested that the following described property be moved from the High Density Residential Designation and Office Designation and placed in the Commercial Designation for the hereinafter described property, to wit:

A tract of land being a part of the Northeast Quarter (NE/4) of Section Thirty-One (31), Township Nine (9) North, Range Two (2) West, of the Indian Meridian, Norman, Cleveland County, Oklahoma, being more particularly described as follows:

BEGINNING at the Northeast corner of Lot 6, Block 1 of 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 within 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 to 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.

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

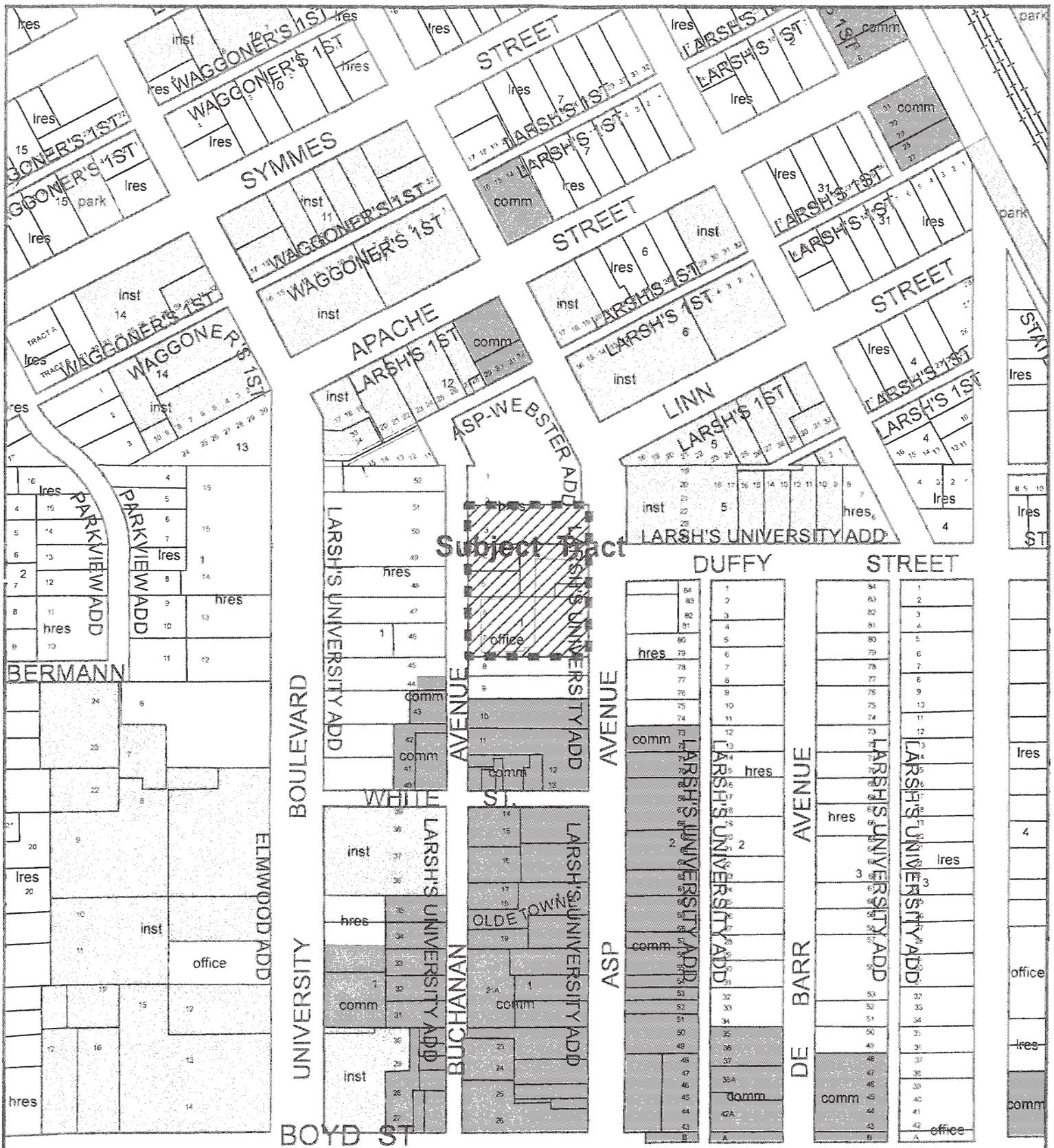
- § 4. That the Council of the City of Norman recognizes the need to control the future growth of the City of Norman; and, that after due consideration has determined that the requested amendment to the NORMAN 2025 Land Use and Transportation Plan should be adopted, and does hereby approve the requested designation.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
(Mayor)

ATTEST:

\_\_\_\_\_  
(City Clerk)

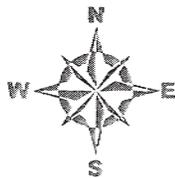


# Norman 2025 Land Use Plan

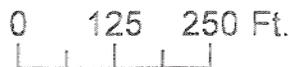


Map Produced by the City of Norman  
 Geographic Information System.  
 (405) 366-5316

The City of Norman assumes no  
 responsibility for errors or omissions  
 in the information presented.



May 31, 2013



Subject Tract

Zoning

33-6

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RESOLUTION NO. R-1112-129

ITEM NO. 15a

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**STAFF REPORT**

**ITEM:** N.E. Development requests consideration of an amended application for 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, 706 and 710 Asp Avenue.

**SUMMARY OF REQUEST:** The Commission has previously seen this application on September 13, 2012. Since the earlier submittal the applicant acquired additional land. The applicant was requesting to rezone approximately 1.43 acres; the applicant now requests rezoning for 1.53 acres. The applicant has included the squared off area located in the middle of this earlier proposed development. Previously, the development created a "U" shape around this area; now the expansion has included this area as part of the development. The additional land to be included in the project adds approximately seven percent (7%) to the land area, does not change the required notification area, and addresses a protest by the property owners whose property would have been surrounded under the prior configuration of the project. This applicant is requesting a change in the 2025 Land Use and Transportation Plan from Office and High Density Residential Designations to Commercial Designation. The current zoning consists of C-2, General Commercial District, C-1, Local Commercial District, CO, Suburban Office Commercial District and R-3, Multi-Family Dwelling District. Currently, there are three land uses on the site; multi-family, office and commercial/retail. The uses proposed for the new development are the same; multi-family, office and commercial/retail. The applicant intends to develop the area into a Mixed Building consisting of a parking garage, commercial/retail, office and apartments. This proposed Mixed Building use is permitted as a Special Use under the C-3 zoning district. The project will be one six story building, five and one-half stories above grade and one-half of a level below grade. The parking garage will house approximately 306 parking spaces. There are two levels to the parking garage, a portion of which will be below grade. The first at grade floor of the development will house the commercial/retail and office area. The third through the sixth floors will house apartments. At this time the unit count for the apartments is 200 dwelling units. This equates to 130.7 units per acre. The parking garage has 306 parking spaces. This equates to 1.53 parking spaces per dwelling unit.

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.*** Over the last year there have been several developments in this general vicinity that have proposed higher residential densities and another that proposed a mixed use development. Currently there is an apartment development to the north east of this proposal, located south of Duffy Street on the east side of Monnett Avenue. There is a five-story condominium development just east of the railroad tracks

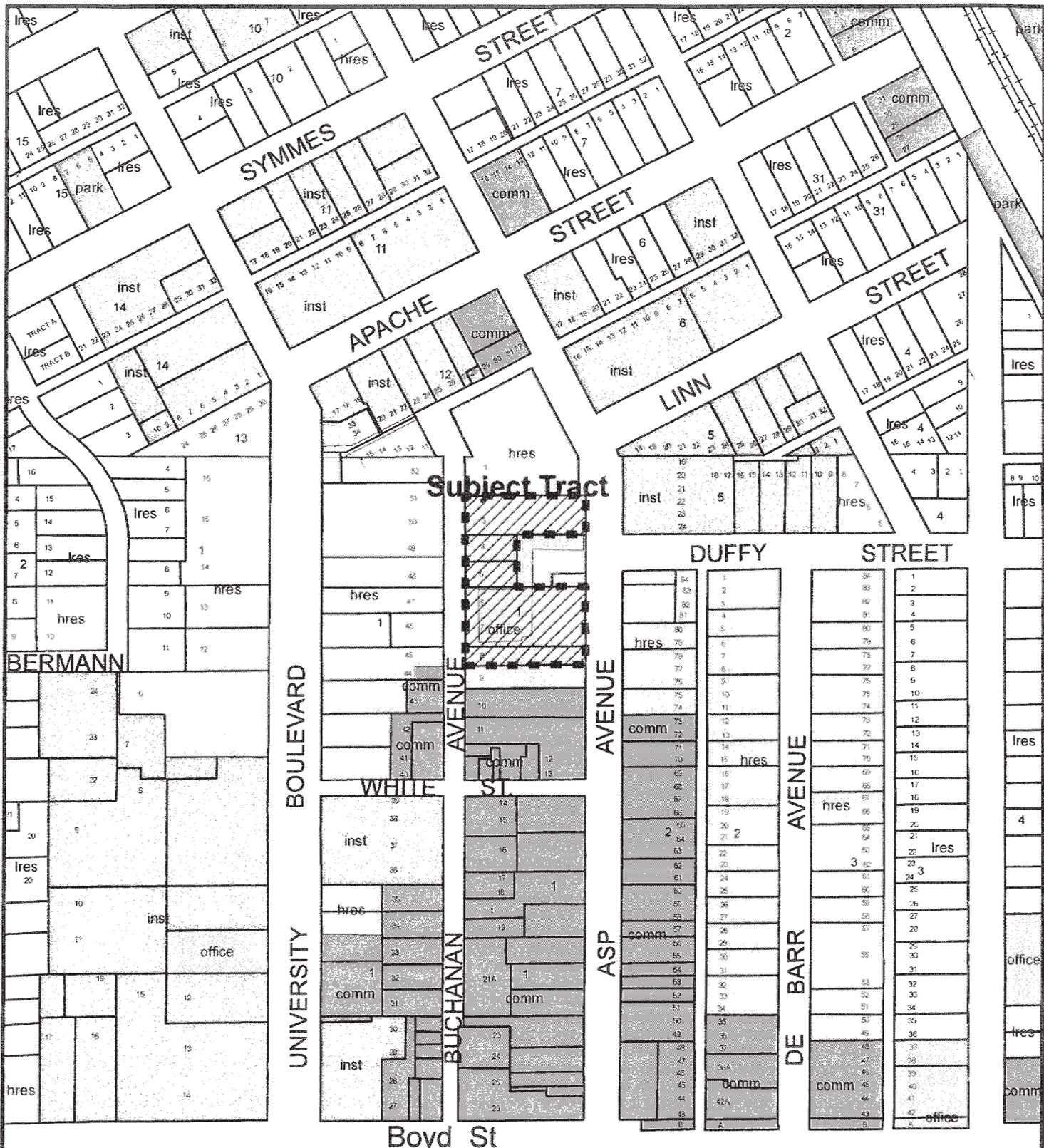
on the north side of Boyd Street, as well as a future three-story mixed use development at the northwest corner of Boyd and Monnett Avenue. This area near the University of Oklahoma and Campus Corner, as well as other commercial/retail and office developments, are creating growth in this area.

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 University of Oklahoma is located to the south about one block. The Campus Corner retail area is about one-half block to the south of this proposal, as well as Main Street attractions about one-half mile to the northeast. There is an abundance of places/businesses in this general area to frequent via bike, pedestrian trails, or sidewalks. With the limited parking around the University, Campus Corner and Main Street, the location of this development gives the residents walking and biking options for accessing these areas. The parking incorporated into the design of the building helps eliminate larger sprawling parking lots. The area to be developed currently has four curb cuts along Asp Avenue. This proposal eliminates three of the curb cuts. With the elimination of additional curb cuts and the access to this development now aligned with Duffy Street, traffic conflicts are reduced. Asp Avenue is a two-way street, which creates access to both north and south destination points for the residents. The west side of the development is Buchanan Avenue. There are five curb cuts along Buchanan Avenue. Of those five curb cuts, three back into the street also creating unsafe traffic issues. This proposed development has eliminated all curb cuts along Buchanan Avenue.

The applicant has submitted a Traffic Impact Analysis (TIA). The Public Works staff, on May 9, 2013, sent a letter to TEC, the applicant's traffic engineering firm, with a series of questions and concerns regarding the TIA. Subsequent to that letter, City staff met with the applicant and their engineers on May 20, 2013. At that meeting, traffic concerns were discussed, and TEC agreed to submit a revised TIA. That revised TIA has not been submitted to date, but it is anticipated the revision will be submitted early next week.

**STAFF RECOMMENDATION:** The Campus Corner area is typically zoned 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. This request for a change in Land Use Designation is consistent with the current Land Use Designation that would allow high density residential and office at present. The Land Use and Zoning request for this development is a continuation of what is already established in the Campus Corner area. Due to the close proximity to the University, Campus Corner and Main Street, the residents will be able to walk or bike to many destinations.

Staff recommends approval of this 2025 Land Use & Transportation Plan amendment from High Density Residential and Office Designations to Commercial Designation.



# 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.



September 4, 2012



-  Subject Tract
-  Zoning

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RESOLUTION NO. R-1112-129

ITEM NO. 6a

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**STAFF REPORT**

**ITEM:** 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.

**SUMMARY OF REQUEST:** This applicant is requesting a change in the 2025 Land Use and Transportation Plan from Office and High Density Residential Designations to Commercial Designation. The current zoning for this area of development is C-1, Local Commercial District, CO, Suburban Office Commercial District and R-3, Multi-family Dwelling District. There are three land uses on the sites included in this proposal; multi-family, office and commercial/retail. The uses proposed for the new development are the same; multi-family, office and commercial/retail. The applicant intends to develop the area into a Mixed Building consisting of a parking garage, commercial/retail space and apartments. This proposed Mixed Building use is permitted as a Special Use under the C-3 zoning district. The project will be one building. This single building will wrap around creating a six story "U Shape" structure. The parking garage will house approximately 250 parking spaces and occupy the first and second floors. The first floor parking will share approximately 7,500 square feet with the commercial/retail proposal. The remaining four floors will house apartments. At this time the unit count for the apartments is 200 dwelling units with 230 bedrooms. However, this number is still preliminary.

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.*** Over the last year there have been several developments in this general vicinity that have proposed higher residential densities and another that proposed a mixed use development. Currently there is an apartment development to the north east of this proposal, located south of Duffy Street on the east side of Monnett Avenue. There is a five-story condominium development just east of the railroad tracks on the north side of Boyd Street, as well as a future three-story mixed use development at the northwest corner of Boyd and Monnett Avenue. This area near the University of Oklahoma and Campus Corner as well as other commercial/retail and office developments are creating growth in this area.
- 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 University of Oklahoma is located to the south about one block. The Campus Corner retail area is about one-half block to the south of this proposal, as well as Main Street attractions about one-half mile to the northeast. There is an abundance of places/businesses in

this general area to frequent via bike, pedestrian trails, or sidewalks. With the limited parking around the University, Campus Corner and Main Street the location of this development gives the residents walking and biking options for accessing these areas. The parking incorporated into the design of the building helps eliminate larger sprawling parking lots. The area to be developed currently has four curb cuts along Asp Avenue. Of those four curb cuts one requires the driver to back into Asp Avenue, creating a traffic issue as it is located along a curve. This proposal eliminates two of the curb cuts which includes the unsafe curb cut. Asp Avenue is a two-way street, which creates access to both north and south destination points for the residents. The west side of the development is Buchanan Avenue. There are five curb cuts along Buchanan Avenue. Of those five curb cuts, three back into the street also creating unsafe traffic issues. This proposed development has eliminated all curb cuts along Buchanan Avenue.

**STAFF RECOMMENDATION:** The Campus Corner area is typically zoned 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. This request for a change in Land Use Designation is a formality as the current Land Use Designation would allow high density residential and office at present. The Land Use and Zoning request for this development is a continuation of what is already established in the Campus Corner area. Due to the close proximity to the University, Campus Corner and Main Street the residents will be able to walk or bike to many destinations. As noted above, destination points continue to develop and the demand for places such as this proposal increase. Staff recommends approval of this 2025 Land Use & Transportation Plan Amendment from High Density Residential and Office Designations to Commercial Designation.

**Applicant** Mark Risser/B3 Development Group  
**Location** Generally located at 612 and 710 Asp Avenue and 421-427 Buchanan Avenue  
**Case Number** PD 12-27  
**Time** 5:30-6:00 PM

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<b>Attendee</b>	<b>Stakeholder</b>	<b>Address</b>	<b>Phone</b>
Mark Risser	Applicant	10999 Petal St. Dallas, TX 75238	329-6070
Janice Oak	Neighbor/Interested Party	111 W. Linn St.	292-8224
Steve Davis	Neighbor/Interested Party	539 Shawnee St.	550-7758
Jayne Crumpley	Neighbor/Interested Party	423 Elm Ave.	321-2563
Linda Lancaster	Neighbor/Interested Party	700 Asp Ave.	517-1381
Rocky & Jane Martin	Neighbor/Interested Party	523 S. University Blvd.	573-7773
Rev. Dwight Helt	Neighbor/Interested Party	235 Asp Ave.	321-3020
Council Member Greg Jungman	Neighbor/Interested Party	642 S. Lahoma	250-6145
Tracy Gordon	Neighbor/Interested Party	700 Asp Ave.	650-9676
Ann Groff	Neighbor/Interested Party	806 Mockingbird	329-3900
Council Member R. Gallagher	Neighbor/Interested Party	1522 E. Boyd St.	329-4395
Cindy Rogers	Neighbor/Interested Party	633 Reed Ave.	397-3067
Dennis & Barbara Fite	Neighbor/Interested Party	535 Shawnee	808-8553

**City of Norman Predevelopment****July 26, 2012**

Jeanette Coker	Neighbor/Interested Party	620 E. Main	321-5944
Bill Waterhouse	Neighbor/Interested Party	428 Buchanan	360-1727
Nancy Yoch	Neighbor/Interested Party	617 Okmulgee	329-7042
John BuFran			
Ken Danner	City Staff – Public Works Department		366-5458
Jane Hudson	City Staff – Planning Department		366-5344
Leah Messner	City Staff –Legal Department		271-7700
Terry Floyd	City Staff – Development Coordinator		366-5446

**Application Summary** The applicant, 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 generally located at 612 Asp Avenue, 421-427 Buchanan Avenue, 710 Asp Avenue and the adjacent lot to the south.

**Applicant's Opportunity** This is our third Pre-Development meeting due to some changes we have made to the proposal. We started with one parcel and have now added 2 more parcels. We had previously proposed to only use the lot where NEDC is currently located. Now we have included an additional area along Buchanan and an area north along Asp Avenue. We plan to relocate NEDC temporarily while we construct a mixed use, multi-family building. The first two floors of the building will have commercial/retail and parking which accesses off Asp Avenue on both the north and south ends of the development. The balance of the building height will be residential, not limited to student housing. Currently we are estimating 230 units. There will be a mixture of bedroom counts within those units but the bedroom count is not set at this time. Our goal for this development is to bring added activity and life in and updated feature to the Campus Corner area and near the OU Campus itself. The surface parking currently at this location is dilapidated. Foot traffic from developments such as this can bring more business to merchants in Campus Corner Area. Concern is to create a lot of open space even though the building

is on a tight lot. We have created an elevated second floor court yard as well as stepping back the building so that we have green space that are elevated. I am from Norman, I grew up in Norman. With these types of development it is my intent to keep Norman's best interest in mind.

**Neighbor's Question/Comment**

How far back is building from Buchanan?

**Applicant's Response**

15' off street (There is 15' between the sidewalk and the building)

**Neighbor's Question/Comment**

How close is the building to Buchanan

**Applicant's Response**

10' off Buchanan

**Neighbor's Question/Comment**

What is the height in feet and how does it compare to the buildings in the vicinity?

**Applicant's Response**

It is about 70 feet; the 2 buildings which are about the same are on Main Street, Republic Bank and Vista.

**Neighbor's Question/Comment**

How tall is McFarland Tower?

**Applicant's Response**

Don't know but it is taller than our building.

**Neighbor's Question/Comment**

How far away are buildings you referred to on Main?

**Applicant's Response**

About 3 blocks

**Neighbor's Question/Comment**

What is your parking ratio?

**Applicant's Response**

We are proposing one parking space per bedroom, and will accommodate commercial spaces as well. Parking count will boil down to what the unit count is but at this time we don't have a definite unit count.

**Neighbor's Question/Comment**

How much guest parking will be provided?

**Applicant's Response**

Again the parking will depend on the unit count but at this time a rough estimate might be 5-20 spaces for guests.

**Neighbor's Question/Comment**

Depending on how many students, with 15-20 spaces that is just not a realistic number of guest parking for core area developments

**Neighbor's Question/Comment**

Will you comply with the ADA requirements?

**Applicant's Response**

Yes, we will comply.

<b>Applicant</b>	B3 Development Group
<b>Location</b>	Generally located on the west side of Asp Avenue just south of the Duffy Street and Asp Avenue intersection
<b>Case Number</b>	PD 12-17
<b>Time</b>	7:00-7:30 PM

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<b>Attendee</b>	<b>Stakeholder</b>	<b>Address</b>	<b>Phone</b>
Mark Risser	Applicant Architect	-	214-460-1636
Yola Risser	Applicant	-	-
Ty Hardiman	Neighbor	630 Miller Avenue	-
Andrea Loughridge	Neighbor	226 E. Duffy Street	321-1777
Teresa Rhymes	Neighbor	1917 Vanessa Dr.	249-2138
Linda Lankister	Neighbor	700 Asp Avenue	517-1381
Kirk Milby	Neighbor	310 S. University	834-4168
John Martin	Neighbor	-	625-4346
Rocky & Jane Martin	Neighbor	523 S. University Blvd.	571-7773
John DuFran	Neighbor	409 S. University Blvd	306-0003
Ron Robinson	Neighbor/NEDC	2601 Wood Hollow	701-1907
Don Wood	Neighbor/NEDC	2715 72 <sup>nd</sup> Avenue SE	573-1900
Leah Messner	City Staff – Legal		217-7748
Ken Danner	City Staff – Public Works Department		366-5458
Jane Hudson	City Staff – Planning Department		366-5344

**Application Summary.** The applicant is proposing a “mixed use” development consisting of a parking garage with approximately 230 spaces, commercial/retail consisting of

approximately 7,500 square feet and apartment housing with approximately 116 units. The vision of this project is to bring a higher level of housing to the Campus Corner District. We would like to create a high density mixed use project which 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 of Norman have to offer.

**Applicant's Opportunity**

**City of Norman Predevelopment****March 22, 2012**

**Applicant** Mark Risser  
**Location** 710 Asp Avenue  
**Case Number** PD 12-09  
**Time** 6:30-7:00 PM

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<b>Attendee</b>	<b>Stakeholder</b>	<b>Address</b>	<b>phone</b>
Mark Risser	Applicant	B3 Development 10999 Petal St Dallas, TX 75238	214-460-1636
Yola Risser	Applicant's wife	10999 Petal St Dallas, TX 75238	214-460-1636
Julie Schubert	Applicant's employee	401 Lofts 401 E Boyd St	
Mell Trissel	Applicant's banker	Coppermark Bank OKC	
John & Sheri Lungren	Neighboring owners		
Don Wood	Subject Property owner	NEDC 710 Asp Avenue	
Ben Odom	Representative, neighboring church	2350 McKown Drive Norman	701-1863
Judy Hatfield	Neighboring owner	Equity Realty PO Box 1763 Norman 73070	640-6167
Dak Hatfield	Interested party		
Kirk Milby	Neighboring owner	310 S University	834-4168
Linda Lankister	Neighboring owner	700 Asp	517-1391
Marty Coltrane	Neighboring owner	305 S Peters	202-2022

Dean Harrington	Interested party	1228 Broad Acres Dr	760-0306
Keith McCabe	Neighboring owner	753 Asp	818-1097
Susan Atkinson	City staff		366-5392
Doug Kosciński	City staff		
Leah Messner	City staff		

**Application Summary.** The applicant and his partners are seeking to rezone a .8-acre parcel in Campus Corner from C-1, Local Commercial to C-3 Intensive Commercial with a Special Use Permit for a Mixed Use Building. *The Norman 2025 Land Use Plan* designation is Commercial.

**Applicant's Opportunity.** The applicant has a option to purchase this parcel which currently houses the Norman Economic Development Council offices and parking lot. The applicant proposes to redevelop the parcel to become a single building, mixed-use development that would include office/retail on the ground floor, a two-floor parking garage with 150 spaces, and 80+/- of 1 and 2-BR apartment units for a total of six stories.

The applicant and his partners believe this is a product that doesn't exist in Norman at present and he believes there is market demand for this type of housing product which he has witnessed in other urban markets such as Dallas, Austin and Tuscaloosa. The building would include a rooftop courtyard and would have a 2<sup>nd</sup> floor pool. While the building would front on Asp, four-sided design would be used so the building would not turn its back on Buchanan.

**Neighbors' Questions and Comments.**

**Q. Will this development compete for tenants with existing landlords?**

Applicant's Answer. Applicant stated that this development would not target students so he did not envision it as creating competition for existing area landlords.

**Q. How will drainage be handled?**

Applicant's Answer. On-site and internally so there would be no need for on-site retention.

**Q. Will a traffic study be required?**

Staff Answer. 100 trips per hour triggers traffic study requirement. This development not anticipated to generate that level of traffic.

**Q. What is the anticipated timing of construction?**

Applicant's Answer. Anticipate a delivery date of July 2013 so would begin construction as soon as they can get the required permit review, in other words ASAP.

**Q. What would site lighting be?**

Applicant's Answer. Majority of site lighting would be in the courtyard and would be uplit.

**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 12<sup>th</sup> 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/B<sup>3</sup> DEVELOPMENT GROUP FOR PROPERTY LOCATED AT 710 AND 730 ASP AVENUE AND 421-427 BUCHANAN AVENUE.**

**8A. RESOLUTION NO. R-1112-129 – MARK RISSER/B<sup>3</sup> 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/B<sup>3</sup> 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 Pailles, 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.

\* \* \*

**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 9<sup>th</sup> 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 Pailles  
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/B<sup>3</sup> DEVELOPMENT GROUP**

**7A. RESOLUTION NO. R-1112-129 – MARK RISSER/B<sup>3</sup> 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/B<sup>3</sup> 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 Pailles, 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.

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**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 13<sup>th</sup> 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.

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Item No. 1, being:

**ROLL CALL**

MEMBERS PRESENT

Dave Boeck  
Jim Gasaway  
Cindy Gordon  
Tom Knotts  
Curtis McCarty  
Roberta Pailles  
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

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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/B<sup>3</sup> 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/B<sup>3</sup> 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. Pailles – 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. Pailles – 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. Pailles – 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. Pailles – 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 30<sup>th</sup> 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. Pailles – 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 Pailles 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. Pailles 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 Pailles
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 Pailles, 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.

\*\*\*

5:28PM 1

2 Meeting of the City of Norman Planning Commission  
 3 held on June 13, 2013, discussion pertaining to N.E.  
 4 Development, items 15A, TMP-43, and 15B, TMP-42, in  
 5 which N.E. Development requested consideration of an  
 6 amended application for amendment of the Norman 2025  
 7 Land Use and Transportation Plan (LUP-1112-6) from  
 8 High Density Residential designation and Office  
 9 designation to Commercial designation for property  
 10 located at 612 Asp Avenue, 421-427 Buchanan Avenue,  
 11 706 and 710 ASP Avenue AND consideration for an  
 12 amended application for rezoning from C1, Local  
 13 Commercial District, C2, General Commercial District,  
 14 CO, Suburban Office Commercial District, and R3,  
 15 Multi-Family Dwelling District to C3, Intensive  
 16 Commercial District with Special Use for a Mixed  
 17 Building for the above-mentioned property.

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Commissioners in attendance:

**CERTIFIED COPY**

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Tom Knotts, Chairman

6:28PM 15

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Susan Bahan

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Dave Boeck

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Curtis McCarty

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6:28PM 20

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REPORTED BY JOYCE H. JONES, CSR

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5:28PM 1 BE IT REMEMBERED, that heretofore on and the 13th  
2 day of June, 2013, the aforementioned item was brought  
3 up before the Planning Commission, and the following  
4 occurred, to-wit:

6:28PM 5 BY MS. CONNORS: Mr. Chairman and Commissioners,  
6 I'm Susan Connors, the Director of Planning for  
7 the City of Norman. One thing I would like to  
8 mention before I start my report on item 15A, B,  
9 and C is that we have a Court Reporter in the  
7:45PM 10 room taking the minutes -- verbatim minutes for  
11 this case as requested by the applicant and those  
12 minutes will be used as our verbatim notes for  
13 City Council.

14 BY MR. KNOTTS: Okay. So, on to item 15, N.E.  
7:46PM 15 Development. 15A is the TMP 43, R1112-129. N.E.  
16 Development requests consideration of an amended  
17 application for amendment of the Norman 2025 Land  
18 Use and Transportation Plan from High Density  
19 Residential designation and Office designation to  
7:46PM 20 Commercial designation for property located at  
21 612 Asp Avenue, 421 to 427 Buchanan Avenue, 706  
22 and 710 Asp Avenue.

23 15B, TMP-42, 0-1112-38, N.E. Development  
24 requests consideration of an amended application  
7:47PM 25 for rezoning from C1, Local Commercial District;

7:47PM 1 C2, General Commercial District; CO, Suburban  
 2 Office Commercial District; and R3, Multi-Family  
 3 Dwelling District to C3, Intensive Commercial  
 4 District with Special Use for a Mixed Use  
 7:47PM 5 building -- a Mixed building for property located  
 6 at 612 Asp Avenue, 421 through 427 Buchanan, 706  
 7 and 710 Asp Avenue.

8 Well, that's all there is. So they wanted  
 9 three, but I guess just two.

7:48PM 10 BY MS. CONNORS: There are only two. I  
 11 apologize.

12 BY BY MR. KNOTTS: That's quite all right.

13 BY MS. CONNORS: Mr. Chairman and Commissioners,  
 14 I will just briefly reiterate the request. So we  
 7:48PM 15 have a Norman 2025 Land Use and Transportation  
 16 Plan amendment going from High Density  
 17 Residential and Office to a Commercial  
 18 designation, as well as a zone change request  
 19 from C2, C1, C0, and R3 to a C3 zoning. And, in  
 7:48PM 20 addition, they are requesting a Special Use  
 21 permit for a Mixed building. This property is  
 22 located, as you indicated, Mr. Chairman, on Asp  
 23 Avenue -- or north of White Street between Asp  
 24 Avenue and Buchanan Avenue in the general Campus  
 7:48PM 25 Corner area. This is the subject tract as you

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can see.

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This property came before the Planning Commission in September of 2012 with a different configuration, and it is returning to you with an additional acreage. The acreage you saw in September of last year was 1.43 acres, and, currently, the request is now for 1.53 acres. The additional land that was included adds approximately 7% to the land area. It doesn't change the required notification area and addresses a protest of the central property owners which has now been added to the project location.

This is a project, as I indicated, for a Mixed Use building. It will be residential primarily and commercial development on the lower floors. This is the existing zoning, as I indicated, C1, C2, C0, and R3 going to a C3 designation, which is a designation common in the Campus Corner area. The existing Land Use, now, is offices and some residential, and this is a shot of the Asp Avenue side of the project, where the NEDC offices are located. This is to the north of an apartment complex that currently exists. This is on, I believe -- Well, I think this is still on

7:50PM 1 Asp Street. This is the Buchanan Avenue side of  
2 the project. And this, again, is looking north  
3 on Asp Avenue, and this is looking south to the  
4 Boyd Street.

7:50PM 5 We had a protest -- We had some protests that  
6 were submitted, and they represent 20.7% of the  
7 protest area.

8 Now, I'm now going to turn this over -- I know  
9 there will be many questions -- I'm going to turn  
7:50PM 10 to over to the applicant, and I'll be available  
11 to address questions after his presentation.

12 BY MR. KNOTTS: Okay.

13 BY MR. RIEGER: Thank you, Mr. Chairman. Sean  
14 Rieger at 136 Thompson Drive appearing for the  
7:51PM 15 applicant in this case. This has been a long  
16 time coming. This application has been in the  
17 process since February 2012. A long time. A  
18 year -- well over a year, and we're back. Many  
19 hearings later, many discussions later, and we're  
7:51PM 20 are here for another presentation. I want to  
21 urge you to consider that this developer has been  
22 patient with great deference to the community  
23 discussions that have happened and is here  
24 tonight after considering those discussions and  
7:51PM 25 changing the project tremendously through that

7:51PM 1 process. It has been a good process for this  
2 application. It has helped this application. It  
3 has made this project a lot better. What is  
4 before you is a project for C3 with special use,  
7:51PM 5 and I'm going to explain in depth about what that  
6 is in just a little bit.

7 That is the building proposed tonight. It's  
8 quite a bit different than what was proposed  
9 before. It is shorter. It is -- now has the  
7:52PM 10 centerpiece included; it did not before. There  
11 was criticism about that. And it is now the full  
12 length of the frontage on Asp Avenue. It has a  
13 different entry point than it was before, and  
14 it's quite a bit of different than what was seen  
7:52PM 15 in the original application. It is now lower  
16 into the ground. If you look at this elevation,  
17 you see that the first story is a story and a  
18 half. There is two levels of parking behind that  
19 front commercial space, and the parking is now  
7:52PM 20 pushed down into the ground. Great expense  
21 involved in doing that, but that helps us with  
22 the height. It pushes the building down, so we  
23 have a shorter building, and then we have four  
24 stories of residential on top.

7:52PM 25 I'll get more into the details of the building

7:52PM 1 here in a minute, but I want to just talk, in  
2 general, the nature about what has brought us  
3 here. We have a lot of different uses of  
4 properties in Norman, obviously, for residential  
7:53PM 5 uses. I just, moments ago, took you through what  
6 has been a typical High Density, so-called,  
7 project in Norman although that one was Medium  
8 Density. But we've typically done it in sort of  
9 the garden-style apartments over a large area of  
7:53PM 10 land. We have many other, of course, dwelling  
11 uses in Norman from the Chautauqua Historic  
12 District, and the Classic Miller, all the way out  
13 to Brookhaven and East Norman, where we have the  
14 large lot developments. But this is something  
7:53PM 15 we're probably moving towards in Norman. I think  
16 there's a broad consensus that we are moving in  
17 this direction for a higher density. It's basic  
18 common sense. We either continue to build out  
19 like the last application I stood here and  
7:53PM 20 presented to you, or we start, also, building up.  
21 If we want to grow and meet our goal of  
22 continuing the growth of our community, we  
23 probably have to do both.  
24 There's a lot of different options for people  
7:53PM 25 to live, but, today, this offers some new

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choices. It offers choices for people that are more commonly the users of these projects. What we see, more and more, is that the fastest growing households are the young professionals and the empty nesters. You see that commonly.

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In fact, just on the last application, I would note to you that that applicant and I were talking out in the hall, and he was telling me how hid unit mix is changing, that now people are wanting the one and two bedrooms. It's becoming the norm for them. That's what they're seeing across the country. People want the walkable experience. They want to live, work, and play in the same general location.

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So we're here to offer new choices. 40% of the apartment residents choose to rent for lifestyle reasons, not because of their income levels, not because they have to. Many people, now, choose to rent for many reasons of just personal lifestyle and personal choice. In a national survey, six our of ten choose a higher density Mixed Use concept. And so the perception, then, is something that we deal with as we move into this new dynamic of housing. One of the things we discovered and circulated widely

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was a publication called "The Higher Density Development Myth Versus Fact." This was an interesting publication. It was put out by the Urban Land Institute, in conjunction with the

7:55PM 5

Sierra Club, in conjunction with the American Institute of Architects. I don't think we'll find that common collaboration very often, but we did on this point. And all three of them urge communities to consider higher density

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residential, all three of them. It's clear that it's a sustainable direction. It's the direction we go as we consider more resources -- or less resources available for communities to provide for the dwellings. And all three of those

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entities came together to say that, yes, it can be done. It can be done very well. It is the future, and it's important for communities to utilize this form of housing as they progress forward.

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The perception, though, has been, of course, large, ugly, tall, out-of-scale, higher density developments. But, as we're seeing now, commonly throughout the country, in Oklahoma City now, in Austin, Boulder -- many different places, that's

7:56PM 25

not the case. The perception is really not the

7:56PM 1 reality. This developer, for instance, Northeast  
2 Development, it was just in the paper, two days  
3 ago, in the Oklahoman talking about their Maywood  
4 Development in Oklahoma City -- Charlie Nicholas  
7:56PM 5 -- that one, and talking about the next  
6 progression of their Maywood development.  
7 They're here tonight, and they can talk to you  
8 about that. But it really is not the perception  
9 that people have. What people want to do is  
7:56PM 10 live, work, and play in the same place. A lot of  
11 people do. And it's because the dynamic of the  
12 household is changing. It's because we no longer  
13 see the direction moving toward the single-family  
14 lot with a large backyard. They're moving in  
7:56PM 15 this direction.  
16 And so we are back tonight with this project,  
17 as we move now to the conclusion of the vote for  
18 this. And so what is this project? Well, I'm  
19 going to show you as it has progressed. This is  
7:57PM 20 the project. You see Duffy Street right there  
21 off to the right. This is the site. This is  
22 actually the ground floor level which is  
23 primarily parking, of course. Two levels of  
24 parking on the ground floor. We have extensive  
7:57PM 25 parking -- a large amount of parking on this

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project, fully enclosed, fully screened  
architecturally and not bleeding out onto anyone  
else' property. We have a plaza out on the front  
that extends down as the pattern of grass does.

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I'm going to move down a little bit closer, and  
you see, now, basically, the project has one  
entry point off Duffy. This is a change. When  
we integrated the centerpiece, we were able now,  
per staff recommendation and request, to put the

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entrypiece right off of Duffy, align it directly  
across from Duffy. So now, when people are  
coming or going, they won't feel compelled to  
come down Asp Avenue. They can just go straight  
across to Duffy, straight up Asp. They can move

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quickly to the north end of downtown and move on  
into -- towards I-35, or Flood, to move on toward  
the Oklahoma City area as they feel the need. So  
that alignment helps us tremendously with this  
project.

7:58PM 20

The frontage of the building is the commercial  
spaces. It's about 10,500 square feet of  
commercial. There is always a friction of issues  
when you're designing a building like this. You  
have so much parking to put into it that it  
doesn't leave a whole lot of room for commercial,

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7:58PM 1 but here we have it. And that distance, the  
2 frontage and the depth is not too much shorter  
3 than what you find on some of the Campus Corner  
4 merchants. We have it there.

7:58PM 5 Parking is within. I'll talk to you in a  
6 minute about the number of parking spaces. But it  
7 creates a great plaza entry across the front.  
8 There was discussion actually within the team on  
9 this project as to whether we provide parking  
7:58PM 10 across the front or plaza. Very strongly, we  
11 felt, though, that we wanted the plaza across the  
12 front, and we wanted that for the pedestrian  
13 experience, that we wanted to build on the  
14 walkability of this project, and so that's what  
7:59PM 15 we did.

16 The exterior is a variation of different  
17 materials, different masses broken up with  
18 balconies. You see the courtyard in the middle.  
19 I'm having trouble with the pointer here, but you  
7:59PM 20 see the courtyard in the middle of the building,  
21 and you see the elevated plaza areas. This  
22 building actually is broken up quite well, and  
23 handles the open spaces in a very light and airy  
24 way.

7:59PM 25 You can see the massing of the building. To

7:59PM 1 the south, it opens up. To the east, it's  
2 articulated up and down the facades. And, as you  
3 see, the plaza is in shadow there, but that would  
4 be the plaza right there.

7:59PM 5 This is a typical floor plate, as we call in  
6 architecture. So we are now above the parking  
7 areas, and we're looking at a typical floor plan.  
8 You see the residential spaces around the  
9 courtyard here, the residential spaces around  
7:59PM 10 this plaza here, and both of those are open to  
11 the sky. Both of those are wide-open spaces for  
12 light and airy feeling to the residents below.

13 Green space, landscaping, plazas, views to the  
14 south toward the University, and this is an  
8:00PM 15 elevation view of each of these facades. You see  
16 the height, now, has been taken down. We,  
17 originally, were here at 75 feet. That was the  
18 proposed height at the start of this. We now are  
19 here at 68 feet, but that is at the peak. That  
8:00PM 20 is actually a hidden peak. This is a pitched  
21 roof on this building. So the peak of this  
22 building is 68 feet. The eave of this  
23 building -- the part you would see from the  
24 ground -- if I can get that pointer to go --  
8:00PM 25 there we go -- is more on the order 58 feet to 62

3:00PM 1

feet. I think one of these eaves, even, was down in the lower 50s. So we're -- On the eave height that you would see from the street level, we're down in the 50s or near 60 feet, much less height than what was originally proposed at 75 feet.

8:00PM 5

You can see, again, the plaza experience right here with the streetscape. You see the elevation with the persons right here. The scale is right there to shows you the different materials to break it up -- the balconies. There's quite a bit of architectural play across those facades.

8:01PM 10

Here's the other sides of the building, the north that Buchanan faces. And to give you a sense of how broken up the building is, again, these are building sections that we do in architecture, but it shows you that it's not just one continuous block. The parking below is, but the buildings are actually just separated by large area spaces in the middle. So there's quite a bit of breakup in the architecture of the building.

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The specs of the building: 200 units, 240 beds, mostly one- and two-bedroom units anywhere from 500 square feet studios to 1236 square feet, from studios to two-bed, two-bath. The site is

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about 1.53 acres. That all equates out to about 131 units per acre for an area ratio, which some people look at, 2.97. Sometimes these projects get quite a bit higher on that ratio. Some of them you'll see upwards of 4. 10,500 square feet of Commercial, as I showed you before.

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What I think works very well about this project and we want you to see very clearly is that there, of course, is Asp Avenue right there: the heart and soul of Campus Corner. This is located just to the north of that. It does not disrupt Campus Corner, the merchant area, itself, but it feeds tremendously. You would have 240 new customers sitting right there every day, every night, ready to walk down every morning, ready to walk down into this area, shop, live, work, play, all of them right here. This is what we have seen take on such a tremendous dynamic -- positive in areas like Oklahoma City and Austin. Where you put those kinds of numbers right next to an area where they can shop, and work, and eat, it is a tremendously positive, vibrant feeling. And they're put right there. You can see the continuation of the plaza as it comes right down Asp Avenue. You can see, now, the

8:03PM 1 depth of that commercial, not too different than  
2 what you see down here at Victoria's and some of  
3 these shops. We're really not that much skinnier  
4 than you see in those areas.

8:03PM 5 So we think it works very well from a site  
6 placement standpoint. And, again, you see the  
7 parking. One of the things I want you to notice  
8 here -- Of course, we all know Campus Corner has  
9 parking problems, obviously. Well, the reason  
8:03PM 10 they have parking problems is because of what you  
11 heard just earlier here tonight because much of  
12 Campus Corner is zoned C3. And, as you heard  
13 Ms. Connors say, when you're zoned C3, you don't  
14 have to provide your own parking. You can just  
8:03PM 15 say wherever it's out there in the public eye,  
16 I'm going to use it. Well, we're zoning here  
17 C-3 with Special Use, but the difference is, we  
18 have written Conditions of Approval that say, no,  
19 we must provide our parking. We must provide  
8:03PM 20 adequate parking for us. And so we have it  
21 within the project. We're not relying on anybody  
22 else' parking in Campus Corner -- not at all. We  
23 have more than enough for the project within  
24 itself. But what we will be providing is a  
8:04PM 25 tremendous customer base and population that will

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be right next to Campus Corner.

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And what I'm talking about is C3 with Special Use. Something that's been, I think, lost in a lot of discussions is that a lot of projects that come before you now are PUDs, Planned Unit Developments. A PUD is where we write our own building ordinance, literally. We write the ordinance that is the entire legal body that will govern that project. That's what a PUD is. Now, a PUD works for everything over two acres. This project is 1.5 acres, so we couldn't do a PUD. But what we can do, what has been on the books for decades in Norman and what has actually been used in downtown Norman, not to this degree, but it certainly has been used repeatedly and is there for everyone to use as they wish, is C3 with Special Use for a Mixed building. Now, what's not done very often, but, again, it's right there in the code of the City of Norman is to attach to that a Conditions of Approval document. That document becomes the PUD. If you think of it that way, that document is the PUD for projects like this under 2 acres. It's a detailed written document. You have it. Staff has reviewed it, and legal has reviewed it, and

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it sets forth the parameters of the zoning. That's what we submitted. And there you see it and can put it forward. And the intent is that the document be filed of record against the property and upon the approval the rezoning of City Council, and the Conditions of Approval become requirements and conditions to be continually complied with by the applicant and any successors and assigns. That's what you have before you tonight. You have a detailed zoning ordinance with a Special Conditions attached to it.

I want you to look closely at this graphic. This is 2025. And I want you to imagine that, if we're going to do High Density in Norman, a higher density, an urban density, well, where are we going to do it? Many people have talked about it -- talked about it for a year. Where are we going to do it? Well, if you looked at our 2025 plan and just looked at that graphic, where would you do it if you just looked at that graphic? You probably wouldn't put it in any of these yellow areas right over here, would you? Those are planned for Low Density Residential. You're not going to put it down in the blue because

8:06PM

1

that's OU. So we're probably confined somewhere into this area for High Density. And the investments that are there for High Density that come to this community are wanting to be near OU.

2

3

4

8:06PM

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Well, then would you put it down in Campus Corner? Would you eliminate a few of these blocks painted red? I don't know. Maybe, maybe not. What I suggest to you is that a perfect location is as proposed tonight. You see the

6

7

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8:06PM

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brown. The brown -- painted brown is High

11

Density Residential under our current 2025

12

ordinance. So our site, right there, is

13

completely surrounded by High Density

14

Residential. It is as far away as you can get

8:07PM

15

from the light-colored yellow, Single-Family

16

Residential, anywhere on this graphic, unless you

17

goes down and plow down into the core of Campus

18

Corner. That is the perfect location, the

19

farthest away you can get from any Single-Family

8:07PM

20

preserving the core of Campus Corner and being

21

close to OU. It's perfect. Perfect location.

22

What does 2025 say? I point to 2025 a lot

23

because it is the adopted policy and goal of our

24

community when it comes to people at this podium

8:07PM

25

proposing zoning. And what does it say? I've

8:07PM

1

read these to you before. I'm going to read them

2

again, and I'm probably going to read them to you

3

again and again in the future. But goal number

4

one of 2025 is to affirmatively and responsibly

8:07PM

5

manage the location and growth of Norman based on

6

available public services and environmental

7

suitability for the land. Policy number one, is

8

to accommodate a projected year of 2025

9

population of 137,000 people. We have a long way

8:08PM

10

to go. We're at about, I think, 112,000 people.

11

In thirteen more years or twelve more years,

12

we're planning to be another 20-some-thousand

13

people. Where are we going to put them? Well,

14

we've got to put them somewhere. Our goal is to

8:08PM

15

plan for that. Our goal is to house them

16

somewhere.

17

What does number two say? It says promote a

18

compact urban area. That's what we're doing

19

tonight. You have the opportunity to do that.

8:08PM

20

You saw that the last application is out on the

21

perimeter. Many others are out on the perimeter.

22

Tonight, you have the ability to put one right in

23

the compact urban area.

24

What does number three say? It says continue

8:08PM

25

to support the revitalization and redevelopment

8:08PM 1

of Norman's central business district. Again,  
we're right there. One of the best ways to  
revitalize it and redevelop it is to bring a  
population to it, to increase the density and  
bring the customers to them. We can do that  
tonight.

8:08PM 5

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8:09PM 10

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8:10PM 25

And the last one I'll point you to is number  
4. Promote compatible Mixed Use developments  
within existing urban areas. And, ladies and  
gentlemen, that goal was written, proposed, and  
adopted when the only thing on the books was C-3  
with Special Use for a Mixed Use Building and  
PUD. And nobody, at the time, said that we  
should do goal number 4 under some new ordinance.  
They said we should do goal number 4, period.  
And the only thing in the ordinance to do it with  
would have been C3 with Special Use for a Mixed  
Use, PUD, and a couple of other categories.

Let's look at the zoning, the context. Again,  
you see, just north of the Campus Corner  
district, the Commercial district, is this  
location. It's perfectly situated to serve a  
customer base and add to it of Campus Corner.  
And, around it, you see -- You saw 2025, High  
Density Residential completely surrounds it, and,

8:10PM 1 as you, also, heard earlier tonight, R3  
2 Multi-Family Apartment zoning surrounds it. Now,  
3 I understand, as Commissioner Gordon had said,  
4 that that doesn't mean what those are built as,  
8:10PM 5 but that is the current zoning around it, and  
6 2025 calls for everything around it to be High  
7 Density Residential. And, indeed, when you look  
8 at the County Assessor's rolls, you see that  
9 there really is very sparse owner-occupied  
8:10PM 10 housing in this area. This is very much a  
11 tenant-based area of Norman.  
12 I thought it was interesting to show you,  
13 then, as it concerns height and talking about  
14 height and mass, Campus Corner, right now, is  
8:10PM 15 mostly zoned C2 and C3. C2 and C3 have unlimited  
16 height. Right now, you could get a building  
17 permit for a ten- or twenty-story building if you  
18 wanted to right there, and the area you could do  
19 it in is right there. It's shaded in red. All  
8:10PM 20 of that is unlimited height. We're not  
21 proposing unlimited height to you today. We  
22 have a 68-foot building, and that's it. But, at  
23 any time, anyone could bring an unlimited-height  
24 building into those locations.  
8:11PM 25 What is the height we're talking about

8:11PM 1            tonight? It's been discussed a lot. We're  
2            proposing five and a half stories, 68 feet.  
3            Really about 58 feet to the typical edge  
4            condition that you can see from the street.  
8:11PM 5            Well, how does that stack up compared to what is  
6            already allowed throughout Norman in our zonings?  
7            RE, which is the Residential zoning on 2 acres is  
8            35 feet. You go two or three stories -- three  
9            stories -- R3 and R6, and then you start getting  
8:11PM 10           into the larger stories. CO, 45 feet. The Mixed  
11           Use, we have a Mixed Use district ordinance. It  
12           was adopted after that goal of 2025 -- well after  
13           that goal was established, but we have it. Only  
14           one person has ever used it, and that actually  
8:11PM 15           got passed, I would just disclose to you, without  
16           conforming to that Mixed Use district ordinance.  
17           It actually did not even meet the ordinance  
18           because it couldn't. But the City Council passed  
19           it for that applicant and went on down the road.  
8:12PM 20           That's the only one that ever was brought under  
21           that ordinance. That should tell you something  
22           right there. C2 and C3 are unlimited. Again,  
23           we're proposing, if Mixed Use for six stories was  
24           an acceptable height -- nobody has used it --  
8:12PM 25           then certainly five and a half stories and 68

8:12PM 1

feet would be more than acceptable.

2

Heighth is relative, of course, and let's just look at some of the buildings in the area.

3

4

8:12PM 5

McFarlin tower is 112 feet. The Student Union tower, 102 feet. White Hand Hall tower, 83 feet.

6

Parson Engineering 78 feet. Fred Jones, 64 feet.

7

Hallmark Hall, 57. Again, our peak of our ridge

8

is 68. Our edge is more on the order of 58 to

9

60, very much within context.

8:12PM 10

Now, on that point -- as I start to lose my

11

voice -- I want to show you a very specific

12

comparison of heighth. On the upper left is the

13

new engineering building right there on Boyd

14

Street, and, on the lower right, is the building

8:13PM 15

proposed for you tonight. Both of them -- the

16

lower right is five and a half stories, but the

17

upper four stories are Residential. The one on

18

the left, the engineering building, is five full

19

stories, and, of course, that is classrooms,

8:13PM 20

cleaning rooms, offices. I would suggest

21

probably that is a higher building,

22

floor-to-floor heighth, than the residential

23

spaces that we have, so comparable. I'm sorry.

24

I don't know the actual heighth of that building,

8:13PM 25

but I think they're very, very comparable in

3:13PM 1

height.

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So we have -- What would it look like? Both of these buildings basically front the same neighborhood. The engineering building fronts to the north -- or fronts the neighborhood looking north. You see it right here. This is the engineering building, very similar height and massing that we have. Here is the building we're at right over here. You can see the two. Both of them basically look out into this neighborhood. This one looks there. This one looks there. So we thought: Let's just go see what it looks like. A lot of people have had concerns that people are going to be sitting up in this High Density Residential looking down into their backyards, disturbing their privacy, seeing what they're doing. Likewise, they would be looking back up at it.

Well, let's see what it actually looks like. When you're in the stairway of that engineering building looking out to the north, that is what you see. That's the scale we're talking about. Remember our eave height is about 58 to 60 feet. Your eye level when you're up on that upper story is going to be down in the low 50s. You're going

8:14PM 1 to be standing on the top floor -- floor plate.  
2 You are not excessively high at that point. And  
3 here's what I want you to notice is that you will  
4 see the building across the street. You will see  
8:14PM 5 well. But what happens, at heights of just  
6 50s -- in the 50s. You don't see much beyond  
7 that, and the reason is because we're blessed in  
8 this area of Norman to have very mature trees and  
9 a lot of them. And thank goodness we do. It  
8:14PM 10 provides tremendous beauty, but it, also,  
11 provides tremendous privacy. I'll just take  
12 across the spectrum. Look at this. You can't  
13 see beyond the buildings right across the street  
14 because we are not that high. Here's another  
8:15PM 15 view. You see the Casa Blanca building right  
16 there. All of these right across the street --  
17 there's the Greek House -- you don't see much  
18 else. Is anybody's privacy back in this area  
19 disturbed? We're going to be very similar  
8:15PM 20 height to what I'm looking at right here. Is  
21 anybody disturbed? No. You can't even see them.  
22 And there, it's looking out to the east, again.  
23 You will see the ones on Boyd, but, beyond that,  
24 you don't see anything. You see the tree growth  
8:15PM 25 you see the tree canopy. And so if you

8:15PM 1

illustrate that, you can see what I've just shown  
you. If you try and take a line across -- and  
that's about the farthest you will see when  
you're standing on the upper-most level of that  
building.

8:15PM 5

6

We'll put that up here, and we'll see the same  
thing. No doubt we'll see the houses across the  
street, but, as these trees come into play, the  
church over here, you're not going to see

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anything beyond that point. You simply don't

have the height. We're not on the top of Dale

Hall. We're not on the top of Walker Tower.

13

We're in the 50s.

14

8:16PM 15

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19

And there is another example of High Density.

This is the University project. This is the one

at Jenkins and Lindsey. And I think this one is

instructive, too. This one certainly is much

taller than we propose because it has a high peak

roof. This one does have six stories on some of

8:16PM 20

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22

23

the corners, and it's built right on the corner

of Lindsey and Jenkins. And it's built right

next to single-family houses. It's directly

across the street from them.

24

8:16PM 25

I thought it was helpful, again, to say: What

do we see when we're on the neighborhood right

8:16PM 1 across the street from them? You can see they  
2 are right up next to the neighborhood to the  
3 east. You can see another viewpoint of it right  
4 here. There's the building right there. There's  
8:16PM 5 the neighborhood to the right. Well, again,  
6 there's a lot of concern that the massing will  
7 dominate the nearby neighborhood. We don't  
8 dispute that the massing will affect these houses  
9 right across the street. No question. They'll  
8:16PM 10 come out and pick up their paper, and they're  
11 going to look at that building. But what are the  
12 people on this street going to look up at? When  
13 you drive down over here into this street, this  
14 is the view from it, looking back from street  
8:17PM 15 level towards that building. Do you see the mass  
16 and dominance of that building dominating that  
17 street? Not at all. And that peak is higher  
18 than what we propose. You barely see it. There  
19 it is. If you look right below my pointer, that  
8:17PM 20 is the ridge height of that building. It's just  
21 barely seen back in the back there, but it is not  
22 a dominating structure that is over-powering the  
23 mass and the feel of that neighborhood. Same  
24 situation here.

8:17PM 25 We have responded to context. We've brought

8:17PM 1 the building down. We've responded to what we  
2 have heard. There is a variety of heights in the  
3 whole area. There will continue to be a variety  
4 of heights. And if we continue to look in the  
8:17PM 5 direction that many authorities say we should  
6 look from the Sierra Club to the Urban Land  
7 Institute, we are going to go up, and we're going  
8 to go up in these areas. It's inevitable.

9 So then you start talking about, if we control  
8:17PM 10 the heighth, the massing, the scale, then, of  
11 course, we understand completely you have to  
12 control your parking and your traffic. Those are  
13 other issues. We've done that as well. When you  
14 look at the count, what we have provided within  
8:18PM 15 the project, 240 bedrooms, we have one space for  
16 every bed, 240 parking spaces. We then have an  
17 additional 26 just open spaces for anything, not  
18 attributed to anyone. And then, the commercial  
19 spaces at the bottom for the 10,000 square feet  
8:18PM 20 of commercial, we have 40 commercial spaces.

21 That is in keeping with Norman's existing code  
22 for Commercial. Again, so we have 306 total  
23 spaces all within the boundaries of that  
24 building. We're not off-site anywhere. We're  
8:18PM 25 not relying on anyone's C-3 parking. We're not

8:18PM 1

relying on Legacy Trails' parking or anyone else's parking. We're self-contained entirely within our project.

8:18PM 5

Traffic, the traffic engineer is here, and Tom McCaleb, as well, is here to talk you through that if you wish. We looked at the traffic closely. We had meetings with staff. There will be a traffic increase. It will be negligible. When you look at the engineering of the project,

8:19PM 10

it appears to be an additional 3.2 to 4.9% percent of traffic at the intersection of Asp and Boyd at peak hours. In fact, we ran -- to put that into a more relevant figure for you: We were in a meeting with Mr. Lombardo and

8:19PM 15

Mr. O'Leery, and I think somebody said it best when they said the difference will be waiting -- Instead of 70 seconds at the stoplight, this will make you wait about 73 seconds, 3 more seconds. That's the engineered difference between the two.

8:19PM 20

We have followed the best practices. We have listened to the public information sessions. We have changed the building. We have made it for the better. We have improved the massing, the green, the scale. We have improved the parking and everything about it in response to the

8:19PM 25

8:19PM

1

process. We are using C-3 with Special Use as it

2

is on the books and as it was there when 2025

3

said we ought to provide Mixed Use projects. We

4

believe we've done everything we can. It's a

8:20PM

5

good project. And, indeed, staff agrees with us

6

at this point. We're very proud of what staff

7

has written about this project. We are very

8

thankful for staff's help on this project. I

9

want to make that very clear on the record. We

8:20PM

10

thank them very much because they've been with us

11

for over a year now on this project, helping us

12

to understand the comments of the public and what

13

people are seeking.

14

It's a lengthy report. I want to read one

8:20PM

15

excerpt from it. "Over the period that this

16

application has been pending, staff has received

17

numerous comments from surrounding residents

18

regarding the appropriateness and compatibility

19

of the requested Special Use. Important to

8:20PM

20

determine the appropriateness and compatibility

21

for a Special Use request is the evaluation of

22

the conditions that are proposed to be attached

23

to the requested Special Use. Staff believes the

24

requested rezoning has come a long way since its

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original submittal, and it is suited to the

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area."

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We have come a long way. We're ready to complete. We're ready to go to a vote under C-3. We believe we have done everything that should be done. We think it's a good project. We're very proud of this project. We have responded for the past year to it, but it's time for a vote. And, with that, our full team is here. I'm happy to answer your questions. I thank you very much for your consideration and your time. And I'm going to get a drink of water.

BY MR. KNOTTS: So any questions of the applicant?

BY MR. BOECK: Or staff.

BY MR. KNOTTS: Sure.

BY MR. BOECK: Okay. I have a couple of questions. You know, we've been debating this High Density development here for a year, and we've come up with HD1, 2, and 3. And I've been a proponent of tying the level of density to vehicular circulation and street size -- that kind of thing.

At the last meeting, we talked about collector streets and arterial streets, and the discussion came up about what do you classify Asp as versus

8:22PM 1 what you classify Boyd as. And I saw the density  
2 here of 131 units per acre, and I can't  
3 remember -- I know each one of those density  
4 developments had certain levels though. Can  
8:22PM 5 you --

6 BY MS. CONNORS: Do you want to know what the --  
7 BY MR. KNOTTS: Yes.  
8 BY MS. CONNORS: HDR1 was 40 dwelling units per  
9 acre.

8:22PM 10 BY MR. BOECK: Okay.  
11 BY MS. CONNORS: HDR2 was 75 dwelling units per  
12 acre. And HDR3 was unlimited.

13 BY MR. BOECK: Yeah. I like the architecture  
14 of the project. I like the fact that, you know,  
8:23PM 15 it didn't have itself looping around a little  
16 one-story office and commercial space. But I  
17 still have a lot of issues. You know, we're 131  
18 units per acre. That's above HD2. And one of  
19 the things we talked about with HD2, in terms of  
8:23PM 20 its access to streets was within 700 feet of --  
21 if it's on a collector -- within 700 feet of an  
22 arterial. And that collector I thought was  
23 supposed to have a left-turn lane, and we talked  
24 a little bit about -- You know, it came up in  
3:23PM 25 that conversation that Asp has no ability to put

8:23PM 1

in a left-turn lane, and I heard the information  
about the traffic study. But I think, you know,  
in all the discussion of people -- You know,  
having higher density so more people are living

8:24PM 5

here to use Campus Corner -- and I appreciate the  
fact that you're having parking both for  
Commercial as well as Residential and even some  
guest spots, but my concern always gets back to  
just the appropriateness of the size of this  
project for the Campus Corner area.

8:24PM 10

I agree with High Density. I want to see  
more High Density. I want to see more -- But you  
guys have said in your statements that you  
approve this project. I would like to hear a

8:24PM 15

little bit more about if there's any concerns for  
what you thought about their ability to, I guess,  
meet the requirements for traffic counts on the  
street because I just don't see how it works.

19

**BY MS. CONNORS:** There are a lot of questions in

8:24PM 20

there. Let me break this down. First of all, we  
are recommending approval of the Land Use Plan  
amendment because it's in keeping with the Campus  
Corner area. That designation for Commercial is  
very much the same as what exists in Campus  
Corner today.

8:25PM 25

3:25PM 1 BY MR. BOECK: Okay.

2 BY MS. CONNORS: We did not make a recommendation  
3 on the zone change.

4 BY MR. BOECK: Okay.

8:25PM 5 BY MS. CONNORS: We're leaving that to the  
6 Planning Commission and City Council to determine  
7 if the Special Use with the conditions as  
8 proposed by the applicant are appropriate for  
9 this area. If you want to get into the traffic  
8:25PM 10 study, I would ask that David Riesland come to  
11 the podium and discuss that.

12 BY MR. BOECK: Okay. Great.

13 BY MR. RIESLAND: David Riesland, Traffic Engineer  
14 for the City of Norman.

8:25PM 15 BY MR. BOECK: Okay. My question was -- We  
16 asked for traffic studies in all of these, and  
17 there was a difference of about three seconds of  
18 waiting time at the corner of Asp and Boyd. My  
19 concern is: Being on campus, going to Campus  
8:26PM 20 Corner at lunchtime and at dinnertime, it's not  
21 just traffic count. It's people crossing the  
22 street count. And you wait a lot longer than 71  
23 seconds or 73 seconds when it's really crowded.

24 BY MR. RIESLAND: That's correct.

8:26PM 25 BY MR. BOECK: So I would like to know your

3:26PM 1

feelings about how the additional traffic, which I know is only at certain times of the day, will affect that part of Campus Corner, and then having -- I can appreciate why you've asked them

8:26PM 5

to bring it out at Duffy Street. Is there going to be a light there? Because I see, if people are leaving for work in the morning going to Oklahoma City, if that's where they're going, if these are professionals, or going to class, that's going to be a lot of traffic -- additional traffic right at that corner of Duffy and Asp.

12

BY MR. RIESLAND: Well, we would want them to locate it at Duffy --

14

BY MR. BOECK: Well, I know you did, but --

8:26PM 15

BY MR. RIESLAND: So that if you did a situation where you wanted a signal, that would be a logical place to put.

18

BY MR. BOECK: Okay.

19

BY MR. RIESLAND: It's not been determined that

8:27PM 20

one needs to be there yet. To be honest with you, I haven't yet been able to reach agreement with the consultant on the traffic study that was submitted. And one of the reasons, as you mentioned, the pedestrian counts are what I have an issue with. We kind of got the study a little

8:27PM 25

3:27PM 1 bit later than we like to get it. I tried to do  
2 the review of it. But I've got some questions  
3 that I relayed this afternoon. I don't think  
4 they've had a chance to address them yet. But it  
8:27PM 5 does pertain to pedestrian.

6 BY MR. BOECK: So there was a discussion about  
7 the potential of putting a light at Duffy?

8 BY MR. RIESLAND: No. No, not in the study.

9 BY MR. BOECK: Not in the study. But the  
8:27PM 10 understanding was there.

11 BY MR. RIESLAND: Yes.

12 BY MR. BOECK: If you had the drives there at  
13 Duffy, then you could control it in a way that --  
14 by a signal or something, right?

8:27PM 15 BY MR. RISELAND: Yes.

16 BY MR. BOECK: Okay. Thanks.

17 BY MR. RIESLAND: Anything else?

18 BY MR. McCARTY: Well, David, you've had the  
19 opportunity to review this project. You've  
8:28PM 20 looked at traffic counts and things in that area.  
21 Tell us what you think is going to happen with  
22 this project on campus traffic.

23 BY MR. RIESLAND: Well, I know that the question  
24 was going to be asked about how this compares  
3:28PM 25 with the existing Land Use. The existing Land

3:28PM 1

Use and the proposed Land Use peak very differently. You know, the residential part, people tend to leave in the morning and come home in the evening. Commercial tends to be the

8:28PM 5

opposite of that. So the patterns are very different. I think, overall, you're going to see a slight increase in the vehicular volume. You will see more pedestrians, obviously, because that's what this is geared towards. But I think, from a vehicular standpoint, it's probably -- the 3 seconds that was referenced is probably fairly accurate.

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**BY MS. GORDON:** I had a question for, I guess,

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Susan. So, just curious based on the

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conversation we had the other night that was referred to earlier with the proposed three levels for High Density, 1, 2 and 3, if -- let's just look into the future and if that were to be adopted, would this building be allowed to be where it's at based on arterial versus collector streets and all that?

22

**BY MS. CONNORS:** No, it would not.

23

**BY MS. GORDON:** Okay.

24

**BY MR. KNOTTS:** So, David, there's been some

8:29PM 25

conversation about -- or kind of a throw-out of

3:29PM

1 statistics that -- and I don't know -- I haven't  
2 seen that, so I just know what has been said --  
3 that the traffic count would be somewhere -- If  
4 it was a Multi-Use Medium Density, it would be  
5 ten vehicles per hour, or per minute, or whatever  
6 -- whatever your designation is.

7 BY MR. RIESLAND: Right.

8 BY MR. KNOTTS: But with a High density, that it

8:30PM

9 reduces the number of trips by 30% or something  
10 like that, but, to me, that still says that  
11 you're adding 60% into the traffic flow. And,  
12 while you may wait at a traffic light at Boyd and  
13 Asp for another 3 seconds or whatever it is, it's  
14 going to take you an hour and a half to get  
15 there, I mean, with that amount of traffic coming  
16 in there. I mean, that's my gut feeling, and,  
17 without a real good feel about the -- any  
18 improvements in the streets in that area, Asp and  
19 Duffy -- I mean, those are not major  
20 thoroughfares. There's going to be a lot of  
21 expense to the City to withstand the additional  
22 traffic that's going to be generated if this  
23 project is built.

8:30PM

8:31PM

24 BY MR. RIESLAND: That's one we'll have to watch,

8:31PM

25 yes.

8:31PM 1 BY MR. KNOTTS: Are you aware of any opportunity  
2 for the City to recoup that kind of future  
3 expense anywhere in this system?  
4 BY MR. RISELAND: Not right now.  
8:31PM 5 BY MR. KNOTTS: Okay. Thank you.  
6 BY MS. GORDON: I have a follow-up question to  
7 that. So your concern was about volume, right?  
8 The increase -- and didn't you say, though, that  
9 the volume increase wouldn't probably be that  
8:31PM 10 much? Because my thinking is -- Let's face it.  
11 Anybody that knows any better avoids the  
12 intersection of Asp and Boyd like the plague,  
13 right? I mean, so my concern is that, if you  
14 have a greater volume of traffic, those people  
8:32PM 15 are going to kick out onto Duffy and then down  
16 Jenkins, perhaps, and that's going to put more  
17 traffic through a kind of residential area. Does  
18 that make sense? To avoid the hatefulness of Asp  
19 and Boyd. But if volume isn't going to increase  
8:32PM 20 that much -- And am I correct that you said it  
21 probably wouldn't?  
22 BY MR. RIESLAND: That's correct.  
23 BY MS. GORDON: Okay.  
24 BY MR. RIEGER: Mr. Chairman, can I have the  
8:32PM 25 traffic engineer --

8:32PM 1 BY MR. KNOTTS: What?

2 BY MR. RIEGER: Can I have the traffic engineer  
3 address a couple of points. He sent Mr. Riesland  
4 an e-mail. Apparently there was an exchange  
8:32PM 5 today.

6 BY MR. KNOTTS: We would love to hear from the  
7 traffic engineer.

8 BY MR. RIEGER: I would love for you to hear  
9 from him. Mr. BJ Hawkins to talk to you then.

8:32PM 10 BY MR. HAWKINS: Hi, BJ Hawkins with Traffic  
11 Engineering Consultants. We looked at the study.  
12 Right now, like you said, it doesn't seem like  
13 there's -- It seems like there's more than 7  
14 seconds delay or whatever right now. Well, there  
8:32PM 15 is. In the PM peak hour, on the southbound  
16 movement heading south at Boyd, that's the  
17 critical movement. There's about 102 seconds of  
18 delay right there. Each car waits about that.

19 BY MR. KNOTTS: What time?

8:33PM 20 BY MR. HAWKINS: The PM peak hour, anywhere from  
21 4:00 to 6:00. The AM is around 36 seconds.  
22 Those are the two critical times of the day that  
23 we normally look at because the traffic is the  
24 highest. 2015 is when we projected this out,  
8:33PM 25 when the building might get developed. It went

8:33PM 1

up to about 110 seconds during the PM peak hour.

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Well, as you well know, there's not a whole lot

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that can be done at the intersection. Widening,

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there's just right-of-way problems all over the

8:33PM 5

place. So, by taking the existing timing, which

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it's on a coordinated system along Boyd Street,

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the signals, keeping the same cycling, but

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adjusting the green times to give the north and

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south traffic a little more time, I was able to

8:33PM 10

take that 110 seconds of delay and take it to

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about 50 seconds of delay. The overall

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intersection went from about 26 seconds to about

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20. So there, you know, kind of keeping the same

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cycling, I was able to improve it to a workable

8:34PM 15

volume. Once we added our traffic onto it, in

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the AM, it went up 2% -- or 2 seconds. The PM

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went up 5 seconds. That's the critical

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movement -- you know, that's southbound movement

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once again.

8:34PM 20

If you're wondering about the volumes through

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the intersection, during the AM peak hours,

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there's going to be 41 cars. That's coming,

23

going, all directions through Boyd and Asp. PM,

24

we're going to have an additional --

8:34PM 25

BY MR. KNOTTS:

41 cars per minute?

8:34PM 1 BY MR. HAWKINS: No -- no. Per hour.  
2 BY MR. KNOTTS: Oh, you've got to be kidding.  
3 BY MR. HAWKINS: No. Well, you've got to also  
4 think about where all the traffic is going.  
8:34PM 5 There's traffic going north. There's traffic  
6 going on Duffy. There's, you know, traffic split  
7 in all different directions. But, in the PM,  
8 it's going to add --  
9 BY MR. KNOTTS: Do you need volunteers to go  
8:34PM 10 count? I mean, I'm --  
11 BY MR. HAWKINS: I'm talking about an additional  
12 just from this development.  
13 BY MR. KNOTTS: Oh, okay. So the existing plus  
14 the 41.  
8:35PM 15 BY MR. HAWKINS: Yeah. We are adding 41 to  
16 what's out there right now.  
17 BY MR. KNOTTS: Okay. I didn't understand that.  
18 BY MR. HAWKINS: And then, in the PM peak hour,  
19 it would be adding 95 cars to the total  
8:35PM 20 intersection. That comes out to 3.2% in the AM  
21 and 4.9% of the total volume of the intersection  
22 in the PM. So, as you see, it's not a huge, you  
23 know, addition to it.  
24 We got a comment from David about the  
8:35PM 25 pedestrian traffic. Since this is going to be, a

8:35PM

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you know, much more heavily walked path to and from the school, we, at first, didn't take into account the additional pedestrian traffic.

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8:35PM

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That's kind of something unique that we don't normally have to worry about, and it's really a hard kind of deal to predict, you know, how much is going to be walking and how much is going to be driving. We took counts at two existing

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8:36PM

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apartment complexes a block to the west that are similar size, similar amount of rooms --

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8:36PM

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everything. We took those and averaged them together to get our trip rate for this apartment complex. And that's what we used to kind of mimic what's coming and going at the existing apartment complexes in the area.

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8:36PM

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So I took those amounts versus what a regular mid-rate apartment with the same number of rooms would generate and subtracted the difference.

The difference between the two, I assumed would be the pedestrian traffic. Do you see what I

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mean?

22

BY MR. KNOTTS: Okay.

23

BY MR. HAWKINS: So that's going to leave 35

24

pedestrians in the AM and 11 pedestrians in the

8:36PM

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PM. The numbers, I mean, seem off, but that's

8:36PM 1 just going by the standard rates, which are given  
2 to us in the IT Trip Generation Handbook and what  
3 we collected out there. So adding those, you  
4 know, a small amount of traffic or pedestrians to  
8:36PM 5 the intersection would only increase the overall  
6 intersection delay by, actually, zero seconds in  
7 the AM and .3 seconds in the PM, just because  
8 that small amount of traffic is going to go along  
9 with all the other existing pedestrians across.  
8:37PM 10 You know, it's not going to need its own time to  
11 cross. It'll just be going just like the masses  
12 at the same time. So . . .  
13 BY MR. KNOTTS: So what happens in 2060?  
14 BY MR. HAWKINS: That's a long way off. Who  
8:37PM 15 knows?  
16 BY MR. KNOTTS: Well . . .  
17 BY MR. HAWKINS: I mean, you know, the thing  
18 is --  
19 BY MR. KNOTTS: So are you -- In your mind, this  
8:37PM 20 is student housing.  
21 BY MR. HAWKINS: I mean, it's not necessarily  
22 marketed directly toward students, but, just  
23 based on the location, it's going to pull a lot  
24 of students in. Sure. But, I mean, you know,  
8:37PM 25 you can't just market only to students.

8:37PM 1 BY MR. KNOTTS: I understand. But when you  
2 emphasize that you can capture that as a higher  
3 percentage of your residents.  
4 Okay. Any other questions of TEC?  
8:38PM 5 Thank you.  
6 Okay. So, Sean, did you want to do anything  
7 before we start the --  
8 BY MR. RIEGER: No. Mr. Chairman, I think we're  
9 prepared to go ahead with public comment. The  
8:38PM 10 developer is here if you want to hear from him,  
11 but we can wait to do that afterwards, as well.  
12 BY MR. KNOTTS: Okay.  
13 BY MR. RIEGER: Thank you.  
14 BY MR. KNOTTS: Thank you.  
8:38PM 15 So Ellen. Since you were on 12, you get to be  
16 first on 15.  
17 BY MS. FRANK: I'm Ellen Frank at 211 East  
18 Daws. I'm not sure I'm the most knowledgeable  
19 about this particular project. I have some  
8:39PM 20 thoughts that do concern me. A couple were just  
21 brought out this evening that sort of re-enforced  
22 my anxiety about this project. One is: Why are  
23 we considering this tonight, or why would we  
24 consider this before the High Density ordinance  
8:39PM 25 is in place? Given what Susan Connors said about

8:39PM

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the fact that this would not meet the criteria of the High Density ordinance that's right now in -- the proposal? That, I think, is the most important question. When we could wait six weeks or two months, and that ordinance will be refined and ready to be approved, and then we could look at this question.

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8:41PM

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The compatibility question that Sean brought up, I think that is a very important question, and my concern is that we are going from -- I'm not against High Density, but High Density is how you define it. Just as we heard tonight -- I don't want to embarrass the person from the Planning Department, but they called duplexes and single-family High Density north of Tonhawa. And we're looking at 200 units, I mean, calling that High Density. So I think this is a compatibility question about what -- and that's one of the points that Mr. Rieger brought out. Is this compatible with the University Campus Corner? And I would say that maybe something less than the number of units, even though it might be considered High Density, and Mixed Use, and walkable, and all those things, might be compatible, but I don't think this number of

8:41PM

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units is compatible. Yes, it's compatible with

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big buildings on the OU campus or a church, but

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it is not compatible with the surrounding

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residential or the appeal even of the commercial

8:41PM

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part of Campus Corner.

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And that I think -- And one of my questions

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for the Planning Commission and the Planning

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Department is: Do we -- We have the 2025 Plan.

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Do we have a citywide plan at this point for how

8:41PM

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this community is going to grow, which would

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include the types and what's compatible with what

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and what our infrastructure will support. And

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that goes to the question of -- I guess I've been

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up here too long -- the arterials and so forth.

8:42PM

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So I would urge you either to postpone it or

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vote down until the High Density ordinance is in

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place, and this could come in under that

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ordinance. Thank you.

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BY MR. KNOTTS:

Thank you.

8:42PM

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So we are timing. If you could keep it within

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the two minutes and forty-five seconds, I would

22

appreciate that.

23

So Cheryl Clayton.

24

BY MS. CLAYTON:

I am Cheryl Clayton, 503 Tulsa

8:42PM

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Street. What the Planning Commission is being

8:42PM 1

asked to do tonight is to rezone this project to  
2 C3. And if you look at C3 zoning, what it  
3 says -- and it's very short. It's only three  
4 sentences long. It says: "This Commercial

8:43PM 5

District is intended for the conduct of personal  
6 and business services and general retail business  
7 of the community." And what you heard in the  
8 presentation from the applicant was nothing about  
9 personal and business services. C3 is Intensive

8:43PM 10

Commercial district. All you heard about was  
11 that this was going to be a High Density  
12 Residential project, and it does not fit within  
13 C3 zoning.

8:43PM 15

14 The traffic study says that there is going to  
15 be 200 residential units and 2 commercial units.

8:43PM 20

16 That begs the question: What is the difference  
17 in the square footage? If you look at the  
18 documentation that the developer has provided,  
19 rentable commercial space is three and a half  
20 percent of this total development. And if you  
21 throw in the parking, it's a little over 5% of  
22 the total development. So if we're really going  
23 to deal with what the issue is before the  
24 Planning Commission, it is whether this qualifies  
as C-3 zoning, and it doesn't. The zoning

8:44PM 25

8:44PM 1 ordinance says that it was created primarily for  
2 those commercial areas that are already so  
3 intensely developed that they can't comply with  
4 other commercial ordinances.

8:44PM 5 This could comply with C-1. It could comply  
6 with C2. But it does -- There's not even an  
7 attempt to because the intent of this is not to  
8 be a Commercial district, but to be a Residential  
9 district. And if you were going to be  
8:44PM 10 Commercial, you could at least try to get to  
11 maybe 50% if you were trying to come into Intense  
12 Commercial District.

13 You know, we've heard all our lives that  
14 phrase, "If it walks like a duck, talks like a  
8:44PM 15 duck, and looks like a duck, it's a duck." And,  
16 in this case, it's not a duck, but it sure isn't  
17 C-3. Thank you.

18 BY MR. KNOTTS: Steve Ellis.

19 BY MR. ELLIS: Three quick points, and I think  
8:45PM 20 actually Counselor Rieger --

21 BY MR. KNOTTS: Could I have your name and --

22 BY MR. ELLIS: Steve Ellis. You've got it  
23 written there.

24 BY MR. KNOTTS: And address.

8:45PM 25 BY MR. ELLSI: It's 633 Reed Avenue, as it's

8:45PM 1

written.

2

BY MR. KNOTTS: Is that Norman?

3

BY MR. ELLIS: Norman.

4

BY MR. KNOTTS: Okay. Thank you.

8:45PM 5

BY MR. ELLIS: Can I get the seconds back,

6

then?

7

BY MR. KNOTTS: No.

8

BY MR. ELLIS: All right.

9

BY MR. KNOTTS: Moving right along.

8:45PM 10

BY MR. ELLIS: I think I can do this fairly

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quickly because Mr. Rieger actually made two of

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the three points that I want to make. Notice

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that he is actually asking for a kind of boutique

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zoning tonight. What he's suggesting is that

8:45PM 15

what should go on when it comes to High Density,

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is you make decisions on a case-by-case basis.

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But the entire point of the High Density process

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that Norman has been going through is that that's

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not what the citizens of Norman want. We've been

8:46PM 20

trying to develop a set of rules that would

21

govern High Density that would apply across the

22

board. It has been a difficult process, but I

23

think it's important to note that approving this

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process tonight essentially blows a hole in the

8:46PM 25

entire High Density process that the City has

8:46PM

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been working with before.

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You will remember that that's actually the reason why the Planning Commission rejected this proposal before because it was incompatible with the High Density process. So they wanted to put it off until that was done. Well, it's not done yet. It probably will be done sometime this summer. And this project is incompatible with that. So that's point number two.

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This would be an HDR3 zone, and it wouldn't be allowed to go where it would go right now even under the very laxest definition of HD3, which is, I think, all the evidence that you need that this is not actually compatible with the Campus Corner environment. The thing that people wanted to protect was that we already have a Campus Corner. It looks as though that's not a consideration by the applicant because he's interested in doing something new. But there is a balance here that needs to be made, and the citizens have been talking about that, so you should let the citizens have a say in that.

The third point is actually about the traffic report. The traffic report came in on Monday to the City staff. The traffic report, as you just

8:47PM 1

heard, has there being 35 additional pedestrians  
in the morning and 11 at night. I suggest to you  
that either there's something wrong with the  
traffic report or that this project isn't what

8:47PM 5

it's cracked up to be because it's either not  
walkable or the traffic report is messed up. In  
particular, they claim that we're already at an  
F. They're going to add 5% of the population on  
the Asp and Boyd corridor and that they'll be  
able to change some things, evidently, that the  
City Traffic Engineer didn't think about.

8:48PM 10

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And then, finally, I would urge you to think  
about the Duffy traffic. Duffy comes out right  
in front of Lincoln School. It's important to be  
very careful with the traffic there.

8:48PM 15

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BY MR. KNOTTS: Okay. Thank you very much.

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Jeanette Coker.

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BY MS. COKER: Jeanette Coker, 620 East Main,

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Norman, Oklahoma. Well, everything I was going

8:48PM 20

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to say has already been said, but I'll say it

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anyway. But I hope you don't recommend approval

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of this project. I consider this a betrayal of

24

the process. Many of us has spent countless

8:49PM 25

hours working on an ordinance to address High

Density and High-Rise projects like this. We

8:49PM 1 citizens don't deserve the slap in the face we  
2 will all feel if you allow this attempt to  
3 circumvent all of our work. We all know this is  
4 High Density High-Rise. Like they say, a rose by  
8:49PM 5 any other name is still a rose, and, to me, this  
6 is not a rose. This will be a thorn, and it's  
7 totally incompatible with the area.

8 And I guess Mr. Ellis answered my question.  
9 It's hard for me to believe that this is  
8:49PM 10 already -- this intersection or this area is an  
11 F, and we're considering adding anything to an  
12 area with an F -- If the traffic impact analysis  
13 showed it as an F, then we don't need more  
14 traffic. Thank you.

8:50PM 15 BY MR. KNOTTS: Thank you.

16 Eric Kozlowski.

17 BY MR. KOZLOWSKI: Eric Kozlowski, 824 South  
18 Lahoma. As an architect, I agree with  
19 Commissioner Boeck, and my first reaction is it's  
8:50PM 20 just too far from an arterial. At this point, I  
21 don't believe Boyd is considered a true arterial,  
22 Ms. Connors. It's a semi-arterial, I believe.  
23 And that is my greatest concern is the impact on  
24 Asp. As Commissioner Gordon mentioned, Asp and  
8:50PM 25 Boyd is a nightmare. It's three or four times --

8:50PM 1

you know, three or four lights to get through it  
at dinnertime now, and students aren't around.  
When students come back, you avoid it like the  
plague. You cannot get through the intersection.

8:51PM 5

So my greatest concern is the load on Asp.

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Likewise, my second point would be, you know,

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as architects, you know, we're required, you

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know, to -- our concern is the health, safety,

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and welfare of the occupants of the building. I

8:51PM 10

kind of feel it's the Planning Commission, and

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the traffic engineers -- It's your job to start

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looking out for the pedestrians. We're going to

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have such a load on the street. I just don't see

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that the feasibility of it. A building of this

8:51PM 15

scale and size really needs to be on an arterial,

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directly on Boyd, or directly on Lindsey Street.

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It is just too far away.

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My final point would be: Please wait till the

19

High Density resolution to complete. I have

8:51PM 20

attended several of the meetings with Ms. Connors

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and Mayor Rosenthal. They're very progressive.

22

They work. I don't think this is the appropriate

23

time to vote on this. Thank you.

24

BY MR. KNOTTS: Thank you.

8:52PM 25

So Rainey Powell.

8:52PM 1 BY MS. POWELL: Good evening. My name is  
2 Rainey Powell. I live at 1926 Pin Oak Circle in  
3 Norman. I'm here to represent Campus Corner  
4 Merchants' Association as well as property  
8:52PM 5 owners. Previously, I think us merchants have  
6 been misrepresented. We've done a petition,  
7 about 80% of the 90-some merchants, and 97% of  
8 those are in favor of this project.  
9 I would like to, also, point out that  
8:52PM 10 merchants, they come and they go. One of the  
11 merchants that's in opposition to this project is  
12 Cafe Plaid, and their business is currently  
13 listed for sale. So I would not expect the  
14 present owners to be there past the first of  
8:53PM 15 August. I would also like to point out that the  
16 owners or the property owners don't have the same  
17 type of mobility that merchants do. Property  
18 owners are in there for the long-term. Over 90%  
19 of the property owners of Campus Corner are in  
8:53PM 20 favor of this project, and most of them are  
21 strongly in favor of this project. They feel  
22 that it is a wonderful opportunity to increase  
23 the traffic -- the pedestrian traffic on Campus  
24 Corner without significantly increasing the auto  
8:53PM 25 traffic. I am not an engineer. I'm not a

8:53PM 1 traffic engineer. But I have had the opportunity  
2 to be in one of these projects. My daughter  
3 lived in one. It was nine stories. Parking was  
4 underground. We never saw anybody in the garage,  
8:54PM 5 rarely, rarely. And so you look at what  
6 currently exists. You have some offices with  
7 daily traffic in and out, a dental office, NEDC,  
8 and those places. So I would -- my assumption  
9 would be that the traffic would actually be less.  
8:54PM 10 This is designed for you to work, eat, and play,  
11 and go to school without ever getting into your  
12 vehicle.  
13 I'll happy to answer any questions, and I  
14 appreciate your time.  
8:54PM 15 BY MR. KNOTTS: Thank you.  
16 Julie Droke.  
17 BY MS. DROKE: Hi, Julie Droke, 540 Tulsa  
18 Street. My husband owns -- co-owns Cafe Plaid.  
19 I thought I wasn't going to talk, but then I  
8:55PM 20 decided to say something tonight because I really  
21 don't think that, just because our restaurant is  
22 for sale, that I still as a citizen in that area  
23 and a resident in the core area of Norman, can  
24 not be opposed to this project in this area at  
8:55PM 25 this time. And I urge you not to approve it

8:55PM 1            tonight, that we to wait until a High Density  
2            ordinance is in place.

3    BY MR. KNOTTS:            Thank you very much.  
4            Mark Campbell.

8:55PM 5    BY MR. CAMPBELL:        Are we supposed to give our  
6            address or anything?

7    BY MR. KNOTTS:            Please do.

8    BY MR. CAMPBELL:        P.O. Box 1531.

9            Mr. Knotts, I signed a piece of paper that  
8:55PM 10            said I had up to five minutes. Can I get that?

11   BY MR. KNOTTS:            No more than five.

12   BY MR. CAMPBELL:        Oh, okay.

13   BY MR. KNOTTS:            But three is what we've set.

14   BY MR. CAMPBELL:        Okay. Sure. I feel like I've  
8:55PM 15            become three-fifths of a person from -- I know  
16            the Planning Commission changes things at the  
17            last minute.

18            At the original High Density dialogues, we  
19            were told by staff that there were no High  
8:56PM 20            Density projects on the table and that HDR zoning  
21            designations were just a tool we were looking at  
22            adding to our tool belt. So how are you now  
23            having a request to remove something from High  
24            Density Residential before we even have the  
3:56PM 25            zoning ordinance? And I know this is naive on my

8:56PM

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part. I've been trying to keep up, but it's

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confusing. If you can do this without new High

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Density designations, why get the public riled up

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about the need for a new tool when you can just

8:56PM

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hold an old hammer over our heads. I don't

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understand it. We have been told repeatedly that

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we are looking at High Density because developers

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have asked for it and applied for it. Well,

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we've had citizens and tenants ask for and apply

8:56PM

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for codes to be enforced. Why haven't there been

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dialogues to address code enforcement on existing

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properties? It could be a financial boon to

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electric, plumbing, Sheetrock, and carpet layers

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if this were done. We're hearing that people

8:56PM

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want to live in this. Well, people want to live

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in safety in affordable housing in existing

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units. Why are these qualities so valued here

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when they're not in what we already have?

19

North Texas is about to crumble under the High

8:57PM

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Density they've developed that they just found

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out they don't have water for. Well, we know now

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that we don't have water to meet our needs now.

23

This is irresponsible, with respect to

24

Mr. Rieger.

8:57PM

25

This is not environmentally sensitive. It

8:57PM 1 does look better than it did before, and I like  
2 the underground parking. You know, and if there  
3 were broad citizen support for this and we had  
4 water and storm shelters, I would be for it. But  
8:57PM 5 it's higher than the three stories citizens say  
6 would be appropriate for Campus Corner.

7 Is Duffy a collector street? By what  
8 definition? This is being billed as feeding  
9 Duffy which runs into a rail that's frequently  
8:57PM 10 blocked. Does the developer anticipate opening  
11 an underground parking garage for the general  
12 public on foot and bicyclists, not motorists,  
13 during severe weather? Is the green space open  
14 to the public? Are their lobbies and restrooms  
8:57PM 15 open to the public? We've heard from Council and  
16 our business community how business is booming in  
17 surrounding cities. The City of Moore is looking  
18 to build to a higher standard. We only build to  
19 the 2009 International Building Code. There is a  
8:58PM 20 higher standard, 2013, and an even higher  
21 standard coming. If this precedent is set  
22 tonight, I fear developers will, far from not  
23 having not HDR projects on the table, have a rash  
24 of them before we adopt a more sane building  
3:58PM 25 code.

8:58PM 1

You know, when Oklahoma was settled, people lived in dugouts because that's where you were safe. I just don't think this is appropriate.

8:58PM 5

I don't know if I can work this real quick -- to go back to wherever. I think I just messed it up. But you had one slide showing --

7 BY MR. KNOTTS: I don't think you're allowed --

8 BY MR. CAMPBELL: I wanted to do something, but

8:58PM 10

9 I'll just tell you about it. On the corner of Garfield and Lindsey, you have properties that are blighted, that don't meet existing code, that have three or more persons not related living together, and you all aren't even enforcing that stuff. And you've got people in a holding pattern holding for High Density development, and you're encouraging blight.

8:59PM 15

11 I don't think this is right for this area. So sorry I had to talk too fast. Thanks.

12 BY MR. KNOTTS: Thank you.

8:59PM 20

13 So Barbara Fite.

14 BY MS. FITE: I'm Barbara Fite, 535 Shawnee, and I have a million things to say, but I'm going to spare you, and I'm going to talk about the Campus Corner merchants and kind of to repeat a little bit of what Rainey said. I happened to be

8:59PM 25

8:59PM 1 sitting at Victoria's -- and I wish she were  
2 still here to hear me -- at lunch when Earl came  
3 into Victoria's. Earl works for Rainey, if you  
4 all know Earl -- and talked to the guy at  
8:59PM 5 Victoria's. And he said, "Here's how you  
6 categorize this project. It is a parking garage  
7 with some apartments on top." So most campus  
8 merchants, if that's what they're told, they're  
9 going to get a parking garage -- a parking  
8:59PM 10 garage, "We're going to get a parking garage."  
11 But most of the merchants -- About two months  
12 ago, we asked Don Woods to meet with us, and  
13 there were at least three, which is a good  
14 turnout for us. Nothing is unanimous, but, in  
9:00PM 15 this case, it was unanimous, number one, that C-3  
16 not be approved because of the no parking  
17 requirement. It was, also, almost unanimous --  
18 one dissenter -- I can tell you who it is -- but  
19 one person didn't care about the parking. Every  
9:00PM 20 other merchant at that table said we need more  
21 parking than this project has. We need at least  
22 1.8 spaces per bedroom plus guest parking. And  
23 parking is the biggest issue.  
24 Now, there are tons of others and they've been  
9:00PM 25 addressed and I appreciate all your time. It is

9:00PM

1

a beautiful project, and I mean that. It's

2

beautiful. I wish it was on better streets, and

3

I wish that we didn't have the parking problems

4

because this would be great if both of those

9:00PM

5

wishes were true. It's a beautiful project.

6

Thank you.

7

BY MR. KNOTTS: Thank you, Barbara.

8

Jayne Crumpley.

9

BY MS. CRUMPLEY: Jayne Crumpley, 423 Elm. My

9:01PM

10

remarks relate to the staff report where it

11

refers to the criteria that has to be examined

12

before a Land Use change is approved. In reading

13

the staff report, the 2025 Plan identifies two

14

criteria that must be examined before a Land Use

9:01PM

15

change is approved. First, there's been a change

16

in circumstances from development in the general

17

vicinity that would suggest that the proposed

18

change will not be contrary to the public

19

interest. What is staff's definition of general

9:02PM

20

vicinity and what distances are being referenced

21

staff states that, over the last year, there have

22

been proposed higher residential densities.

23

Proposed doesn't mean an actual change occurred.

24

Is staff saying that a proposal equals an actual

9:02PM

25

completed development? The 401 loft project east

9:02PM

1 of the railroad tracks is, also, mentioned as  
 2 being in the general vicinity. This project in  
 3 no way reflects what is being proposed here  
 4 tonight. The mass and scale of that project fits  
 5 the surrounding area and does not overwhelm  
 6 surrounding structures.

9:02PM

7 Further, in staff recommendations sections,  
 8 the statement is made that this request is a  
 9 continuation of what is already established in  
 10 the Campus Corner area. Where are the buildings  
 11 that are 6 stories high, built from property line  
 12 to property line, that exist there? This  
 13 rationale seems to be analogous to my wanting to  
 14 build a sport venue equal to the OU stadium on  
 15 Elm where I live.

9:03PM

16 Many of us participated in the High Density  
 17 meetings sponsored by the City to gather what  
 18 citizens wanted or didn't want in the density  
 19 projects. A project of this mass and scale in  
 20 this location is in total opposition to what the  
 21 majority of attending citizens said they wanted.

9:03PM

22 Thank you.

23 BY MR. KNOTTS: Okay. Ann Gallagher.

24 BY MS. GALLAGHER: Ann Gallagher, 1522 East Boyd.

9:03PM

25 I will not repeat things that others have said,

9:03PM 1

but it does sound like we are creating a back door to bypass the High Density ordinance. I'm fearful that, if this goes through, every other developer will say, "I don't need to do HD

9:04PM 5

anything. I can just do a C3. It worked for this development. Why shouldn't work for mine?"

9:04PM 10

The buildings that were used in the presentation as examples that looked down, the University buildings don't have residents on them that are looking across the street and down.

11

They're not living there. They're not 24 and 7.

12

And the example that looked out was directly to a business area. It was not into a residence, itself.

9:04PM 15

Mature trees die. We have a mature tree in our yard. It is four and a half feet in diameter. It is dead as a door nail. We've been trying to take it down for months. We're still working on it. They die. They have to be cut down. What about when the leaves do that thing

21

they do, you know, in the fall months and they

22

lose all their leaves? Then you're looking

23

straight through sticks. You don't have the

24

cover that you have when the leaves are on the

9:05PM 25

trees.

9:05PM 1 One-to-one parking per bed. I hope two people  
2 don't share a bed, and I hope they don't have  
3 sleep-overs because where are they going to park?  
4 They're not going to be able to.

9:05PM 5 This seems to be a new plan, not an amendment.  
6 We have a new developer, a new plan. I think the  
7 process needs to start over, and let's not start  
8 the traffic. I use Duffy now to avoid Boyd on a  
9 regular basis. If I go on Boyd, I'm at least  
10 fifteen minutes later getting home than if I go  
11 on Duffy. Now, I don't have that option. I  
12 guess I'll find another little tricky way to get  
13 home.

14 BY MR. KNOTTS: So Ann Groff.

9:05PM 15 BY MS. GROFF: Ann Groff, 806 Mockingbird Lane.  
16 The thing -- I wasn't going to talk, but then  
17 several things were said that I wondered about.  
18 I remember the 2025 plan, and when it talks about  
19 Central Business District, I think it meant  
9:06PM 20 downtown. In fact, I know it did. That's what  
21 we always called downtown. Campus Corner has  
22 always been named Campus Corner. So you're  
23 putting something that I think might work  
24 downtown and, in fact, would, down on Campus  
9:06PM 25 Corner.

9:06PM 1

Secondly, when our Council person saw -- put the map up there and showed in blue and said that was all OU property, I don't think so. I think that was parking lots because I had gone to Saint

9:07PM 5

John's Episcopal Church, and behind it is a parking lot. So that isn't all OU. OU doesn't own all of that around there. And that has brought me to the thought that I live across the tracks. If you go over Duffy, I'm over there.

9:07PM 10

And if you block -- if you keep people so busy here on Asp, they're going to turn and go over the railroad tracks, maybe go over that way.

13

I've fought for years to try to keep things simple around that area as far as traffic flow.

9:07PM 15

In fact, I've fought to keep Duffy open.

16

And I, also, wonder -- I have these comments.

17

I don't think the Planning Department approves of

18

this. I don't think the traffic people approved

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of this. I know that the populace hasn't

9:08PM 20

approved of it. I don't know who the new people

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are. I know who the old people were, but we

22

don't -- We've never heard who the new partners

23

are. And I don't believe anybody said -- any of

24

the staff or anybody that's testified that this

9:08PM 25

would work. I would love to hear that from

:08PM 1 someone other than the applicant's attorney.

2 BY MR. KNOTTS: Keith Allen.

3 BY MR. ALLEN: You'll have to hold off on that

4 clock for a second.

9:08PM 5 BY MR. KNOTTS: Okay.

6 BY MR. ALLEN: Keith Allen, 1605 South Pickard.

7 I own the place on Campus Corner called Brothers,

8 and I started it thirty-one years ago; and,

9 thirty-one years ago, I had some very esteemed

9:09PM 10 business leaders in this town, Harold's and

11 Mr. Webb. And they said, "We have a parking

12 problem on the Corner." Thirty-one years later,

13 we still have a parking property. In fact, it's

14 terrible now because, in the last eight years,

9:09PM 15 we've added 2500 restaurant seats, and guess how

16 many parking spaces. None. Nada. Okay?

17 Also, to respond a little bit to what Rainey

18 said: Prove it. You tell me that those

19 landlords are it against. Bring it, and I want a

9:09PM 20 signed petition that says they are, and I, also,

21 want the merchants he says are all in favor of

22 it. There's a lot of merchants that aren't in

23 favor of it. And I don't believe going around

24 and having a waitress sign off is the form of a

:09PM 25 petition that this body should abide by.

9:10PM 1

Parking. I've told you about all the parking that we don't have. The parking that is being suggested for this project is somewhere in the neighborhood of a couple hundred spaces. You put 300 people in there. You're a 100 people short. Plus, you have some businesses that are supposed to go in there. I equate parking like an old Oklahoman having a horse. You know, they want to tie their horse up at the barn at their house.

9:10PM 10

If they don't have a place to tie up their horse, the horse gets tied up elsewhere, and then you've got to deal with the byproducts of the horse. We got a lot of horses that don't have a stable, and they don't know where they're going to be, and we've got to deal with it.

9:10PM 15

Size. The size of the place is enormous, and we've asked, different times, to see if we could scale it down a little bit. Go stand on the east side of the athletic dorm at three o'clock in the afternoon and take a look at the sun. See if you can see it. All the buildings to the east of that -- of this project would never see the sun again.

9:10PM 20

24

Remember, years ago, there was a traffic engineer. It might be the same one that spoke --

9:11PM 25

9:11PM 1

before this body many times. And he said, when Wal-Mart wanted to move where Sam's is now across the Interstate and they wanted to build where they are now, he got up and stated before the

9:11PM 5

Planning Commission and said, "You know what, traffic at Main and Interstate Drive will not be significantly increased." Can you believe that?

8

Okay? So I would submit to you that some of the studies that are being brought forward might be a little bit deep in some of the stuff that, you know, about the horses. Okay?

9:11PM 10

11

12

I firmly believe that this project in the right location might be a good idea. In this location, it's a terrible idea. Please look at the facts. Thank you.

9:11PM 15

16

BY MR. KNOTTS: Mary Frances.

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BY MS. FRANCES: Mary Frances, 850-C, Cardinal

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Creek Condos. Thank you, Mr. Chairman and the

19

Commission, for this opportunity.

9:12PM 20

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I believe that most of the people who have spoken at this project -- about this project are in favor of High Density, generally, if it's appropriately placed and well-designed, and substantially built, and other compatible -- making it compatible to the residents in the

9:12PM 25

9:12PM 1

area.

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BY MR. KNOTTS: Thank you.

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BY MS. CONNORS: Staff is going to address these questions.

9:14PM 25

BY MR. KNOTTS: So staff is going to address

9:14PM 1

these questions.

2

**BY MR. BRYANT:** Jeff Bryant, City Attorney. I

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don't know that I'll address all of them, but I

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did want to address one in particular. We seem

9:15PM 5

to keep hearing a theme about whether or not this

6

body can consider the conditions that are being

7

discussed currently in the High Density

8

ordinance. I just want to caution the

9

Commission: We do not have a High Density

9:15PM 10

ordinance. There's been discussion about it, but

11

we do not have one. Your job is to consider this

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application based on the rules and regulations

13

that are in place at the time the application was

14

filed. So you've got to consider it under C3

9:15PM 15

with Special Use as a Mixed Building. So any of

16

the discussion about the new High Density

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ordinance which is not yet in effect, I just want

18

to caution you: Do not put a lot of stock in

19

that because that would not be an appropriate

9:15PM 20

criteria for which you can weigh your decision.

21

**BY MR. KNOTTS:** Jeff, could you address this --

22

Do we have a new developer and should that set

23

this back to zero?

24

**BY MR. BRYANT:** We had a -- I think a Council

9:16PM 25

member that asked that question fairly recently.

9:16PM 1 Our zoning ordinance is really property-specific;  
2 it's not applicant-specific. When you read the  
3 ordinance, it focuses on uses of property, not on  
4 users of property. So whether or not it's the  
9:16PM 5 same applicant or not is not determinative; it's  
6 whether or not the property or the use that's  
7 being promoted.

8 There was a question that was raised about  
9 what is the effect of adding the 7% of additional  
9:16PM 10 property to what was the original application.  
11 And what we've advised the Council about that,  
12 and I'll advise you of the same thing, that is a  
13 factor that you can weigh. You know, as you well  
14 know sitting on this body, when proposals come  
9:17PM 15 forward, there are different objections that are  
16 raised by residents, and, a lot of times, the  
17 applicant will try to address those objections by  
18 modifying their proposal.

19 One of the objections, early on, from a  
9:17PM 20 property owner in the center of that proposed  
21 development was being surrounded by the  
22 development and being lost with no more sunlight  
23 and not being able to function, quite frankly.  
24 And so that objection, apparently, was being  
9:17PM 25 attempted to be addressed by the developer by

9:17PM 1 acquiring that property and realigning the  
2 roadway so it functioned better. But those  
3 things are things that you guys can take into  
4 consideration when you're trying to decide  
9:17PM 5 whether or not the proposal that is before you  
6 now is something that is compatible, is  
7 acceptable, does compliment the uses in the area.  
8 But, no, the applicant is not required to start  
9 over.

9:18PM 10 BY MR. KNOTTS: Okay. Thank you.

11 BY MS. CONNORS: Do you want me to start going  
12 over some of these?

13 BY MR. KNOTTS: That would be great.

14 BY MS. CONNORS: Okay. One question that came up  
9:18PM 15 is: Do we have a City-wide plan for how the  
16 community will grow? Well, our current City-wide  
17 plan for growth in the community is the Norman  
18 2025 Land Use and Transportation Plan which was  
19 adopted by City Council in 2004, and the goals  
9:18PM 20 and policies of that plan are what currently  
21 guide development in the City, and there are  
22 opportunities in that plan for amendments. We  
23 have had many cases, this evening, that have had  
24 amendments both to the plan and zone changes. So  
9:18PM 25 it is the plan for the future growth of the City,

9:18PM 1

but it can be amended through a public hearing process which we are having this evening.

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9:19PM 5

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I can't specifically address the traffic impact analysis. David Riesland answered some questions. And if the Commission has additional questions regarding that -- There were questions whether it's accurate or not. So I believe the Commission just needs to ask questions if they have concerns about the traffic impact analysis.

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**BY MR. KNOTTS:** Cheryl Clayton asked about the C3. This is -- from what she quoted, seemed to be a little outside of that C3 zoning statement, and -- but Special Use request, is that on top of that, and that's what makes this an appropriate request?

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**BY MS. CONNORS:** I believe that each zoning category has a general statement -- a general description of what the zoning district is intended for; however, the permitted uses and then special uses that are allowed to be considered by the Planning Commission and City Council in additional uses can be considered, and, certainly, a Mixed Use building with residential on upper floors is one of those special uses that the zoning allows to be

9:20PM 25

9:20PM 1

considered.

2 BY MR. KNOTTS: Okay.

3 BY MR. McCARTY: Susan, in that comment you just  
4 made, there's no percentages of usage.

9:20PM 5

6 BY MS. CONNORS: It has to be one or more  
7 dwelling units located on upper floors provided  
8 that the first floor is a permitted use in the  
9 district. Certainly, Commercial is a permitted  
use in the district.

9:21PM 10

11 BY MR. McCARTY: So it splits that for  
specialities.

12 BY MS. CONNORS: Yes.

13 I don't see any specific questions, but, if  
14 you have some, we'll come back to them.

9:21PM 15

16 There was a question about the criteria that  
17 staff identified -- well, the criteria in the  
18 Land Use and Transportation Plan and how we  
19 interpreted that criteria in our staff report for  
the Land Use Plan change. The general

9:21PM 20

21 vicinity -- You know, I mean, there's no set  
22 district for the general vicinity of a Plan  
23 amendment, but we do look at changes that have  
24 happened and that may have influence on the area.  
We feel that some of the density that's been  
increased surrounding the Campus Corner area has

9:21PM 1 had an effect of changing the composition of the  
2 area from a very low, single-family residential  
3 area to providing for more -- more increased  
4 density, not necessarily high. But our Land Use  
9:22PM 5 Plan designates anything above two families,  
6 almost, as High Density. So, you know, that  
7 terminology, in terms of what's already approved  
8 in the Land Use Plan is why we use High Density  
9 so often, is because that's sort of what the Plan  
9:22PM 10 has designated.

11 You know, the other determination is that  
12 proposed change would not result in adverse land  
13 use or adverse traffic impacts. I think we  
14 recognize that there will be traffic impacts.  
9:22PM 15 The Land Use, specifically, of Commercial, which  
16 is what the Land Use designation change is for is  
17 something that does exist in the area.  
18 Primarily, Campus Corner, itself, is Commercial,  
19 and it's zoned C2 and C3 primarily. So the Land  
9:23PM 20 Use Plan saying that more Commercial in the area,  
21 that's what the Land Use Plan amendment would be  
22 and not that it -- It doesn't determine the  
23 intensity of that Commercial through that change,  
24 but it does indicate that Commercial is  
9:23PM 25 appropriate in the general vicinity of Campus

9:23PM 1 Corner.

2 Mr. Chairman, those are the -- I believe those

3 are the questions that I have down specifically.

4 BY MR. KNOTTS: Okay. So we talk among

9:23PM 5 ourselves then?

6 Are there any other questions?

7 BY MR. BOECK: Looking at -- Just to clarify:

8 15A and 15B, 15B is asking for rezoning or a

9 change in zoning.

9:24PM 10 BY MS. CONNORS: That's correct, with a Special

11 Use.

12 BY MR. BOECK: With a Special use. And 15A is

13 just --

14 BY MS. CONNORS: The Land Use Plan change.

9:24PM 15 BY MR. BOECK: Okay.

16 BY MS. GORDON: I, also, have a quick question.

17 So -- A general. So we were just advised to stay

18 away from discussing the High Density, correct?

19 and the High Density ordinance potential and all

9:24PM 20 of that, even though a significant portion of

21 Mr. Rieger's presentation dealt with High

22 Density. So I'm not sure kind of where to go

23 with that.

24 BY MR. BRYANT: That is a good question. My

9:25PM 25 caution was not to take the criteria that are

9:25PM 1 being discussed in the High Density ordinance and  
2 use that as your criteria in which to make the  
3 decision.

4 BY MS. GORDON: Gotcha.

9:25PM 5 BY MR. BRYANT: Certainly, I think what  
6 Mr. Rieger's comment was, in listening to that  
7 discussion over the past year and a half, that  
8 they have made modifications to their project to  
9 try to address those.

9:25PM 10 BY MS. GORDON: Okay.

11 BY MR. BRYANT: So I think that's how those tie.  
12 But you can't use criteria that has not been  
13 adopted that is not part of the ordinance yet to  
14 make a decision.

9:25PM 15 BY MR. KNOTTS: So, Susan, if A is approved, and  
16 B is declined, what does that mean for this  
17 project?

18 BY MS. CONNORS: Well, if you recommend approval  
19 of the Land Use Plan amendment, then the area  
9:26PM 20 becomes Commercial. It has nothing to do -- If  
21 you approve or recommend approval or deny all the  
22 other, you know, it'll go forward to City Council  
23 with those recommendations. If the zoning is not  
24 approved, the project can't proceed.

9:26PM 25 BY MR. KNOTTS: Okay. But if the logic of the

9:26PM 1 zoning change is approved, but the Special Use is  
2 not, then it's --

3 BY MS. CONNORS: Well, the application before you  
4 is for a C3 with a Special Use.

9:26PM 5 BY MR. KNOTTS: Yes.

6 BY MS. CONNORS: So that should not be separated  
7 in your --

8 BY MR. KNOTTS: In my mind?

9 BY MS. CONNORS: Right.

9:26PM 10 BY MR. KNOTTS: So-called mind, yes.  
11 Okay. So discussion?  
12 Act like there's no one here.

13 BY MR. McCARTY: Wow. I'll do my best.  
14 This is interesting. We have had several of  
9:27PM 15 these projects before us. This protect was  
16 actually before us last year, long before High  
17 Density discussion ever came before us. We have  
18 people here that were here back at those  
19 meetings. We have people here that don't want  
9:27PM 20 new development, and we have people here that  
21 don't want dense development or High Density  
22 development. We have people that don't want  
23 anything. We have people that want everything,  
24 and then others that say that's not the truth. I  
9:27PM 25 don't know where we are in this town.

9:27PM 1 It's kind of upsetting to me to see that we  
2 have a very good project before us in a location  
3 that they think works well for them, financially,  
4 but nobody wants it there. We had one over on  
9:27PM 5 Boyd. I just want to mention. Boyd was a great  
6 location. No one wanted that one either. So I  
7 just don't know what this tells our City and our  
8 people of our town. It's like we want nothing.  
9 It's like we're in -- We might as well go live in  
9:28PM 10 caves. I don't understand it. We're so decisive  
11 as a town. It's time for all of us to come  
12 together and make this place better, and this is  
13 a project that will do that. But nobody thinks  
14 that it will, and it's going to create more  
9:28PM 15 problems.

16 We hear from the POA of Campus Corner that  
17 people want it. 97% are in favor. We hear from  
18 a few merchants there that say that's not true.  
19 What is the truth?

9:28PM 20 We hear from a traffic engineer that says it's  
21 only going to add 3 seconds to the time. We hear  
22 from another engineer that says, well, we don't  
23 know people counts. We don't know what's going  
24 to happen in 2016. Well, I wish I did. I mean,  
9:28PM 25 this is -- We don't even know that Campus Corner

9:28PM 1

will be what it is in 2016. I've watched more  
restaurants and businesses come and go there.  
It's like a revolving door. Like Keith said, for  
thirty years, there's been a parking problem.

9:29PM 5

Are we going to do anything about this as a City?  
Do we need a parking authority? Put a parking  
garage in there to fix our problems.

9:29PM 10

They've offered 306 parking spots for 240  
beds. They're getting 66 extra parking spots,  
but that's still not enough for anybody.

9:29PM 15

It's frustrating as a Planning Commissioner to  
sit here and look at this project. It's probably  
a 30-million-dollar project that's potentially  
coming to our town, but nobody wants it. We've  
heard two or three positive remarks tonight, but  
we've heard a lot of people from across the City,  
listening to addresses where people live, that  
think this is a bad idea.

9:29PM 20

We hear about High Density. High Density by  
definition, we have lots of zonings. We have a  
new restaurant that's coming in that, basically,  
is a building that has been vacated, and there's  
people that don't want that. So what do we do?  
What do we do for as a town? We've had a  
discussion for over a year now what high density

9:30PM 25

9:30PM 1 means, and I don't think we'll have a resolution  
2 of that in the next six months. It may be  
3 another year. Is that the answer? Sit around  
4 and argue about stuff all the time? Is that what  
9:30PM 5 we do in this town?

6 I don't understand why we have to be so  
7 decisive as a City when we have good projects  
8 like that that come before us. They hire  
9 engineers that tell us things. Do we not believe  
9:30PM 10 them either? They're wrong. Their information  
11 is inaccurate. We look at our City Traffic  
12 Engineer. He agrees with some of it. Had some  
13 questions. Probably doesn't agree with  
14 everything. You're never going to get two  
9:31PM 15 engineers to agree on anything. It's part of  
16 life. It's what they do. Everyone analyzes  
17 things differently.

18 We look at the University and its growth and  
19 what it has done. The University is not going to  
9:31PM 20 think about what our City needs. They're worried  
21 about themselves.

22 This is something that actually could benefit  
23 our City. It could benefit our merchants. I  
24 know they think there's a parking problem, and  
9:31PM 25 it's doing to enhance to that problem. I know

9:31PM 1 there's a parking problem. I have a rule with my  
2 family. We drive two through Campus Corner. If  
3 we don't find a spot, we leave. We circle,  
4 circle, circle, and we leave. We go eat  
9:31PM 5 somewhere else. That's why these places can't  
6 make it over there. That's why these businesses  
7 open and close on a regular basis. Like he said,  
8 twenty-six restaurants or however many, and zero  
9 parking spots or twenty -- whatever it was --  
9:31PM 10 whatever your numbers were -- seats. It was  
11 ridiculous.

12 BY MR. ALLEN: 2500.

13 BY MR. McCARTY: Thank you.

14 So what's the answer?

9:32PM 15 We have a MUD that was passed before us, but  
16 we understand and know how expensive that project  
17 is going to be do. That's why it's probably not  
18 going to happen. I've talked to the architect  
19 that's on that project, and, financially, it  
9:32PM 20 doesn't make sense.

21 We have somebody that's willing to put 30  
22 million dollars into our Campus Corner and  
23 enhance that area where there's old rickety  
24 buildings and older buildings, bad parking, older  
9:32PM 25 rentals or whatever it is. Think about what it

9:32PM 1 could do to Norman. Think about what it could do  
2 to that area and enhance it. Good things come,  
3 and it brings better things. The landlords  
4 around Campus Corner might improve their  
9:32PM 5 buildings when they have competition.

6 I know that we're split on -- Everybody in  
7 here is split on this, and most of the people in  
8 here don't want it. I'm probably one of the few  
9 that looks long-term for the City, and not an  
9:33PM 10 immediate impact what's going to happen.

11 So I'm going to get off my soap box. It's  
12 just frustrating to see the decisiveness that we  
13 have and why we can't agree to make this a better  
14 place for people to live.

9:33PM 15 BY MR. BOECK: Well, I don't think we're going  
16 to go down the line, but I think Curtis has  
17 brought up some good points about how this town  
18 develops, how it could develop, what makes it  
19 good, what makes it great, what keeps it from  
9:34PM 20 becoming great. I know I'm part of a business  
21 group that meets every Friday morning. It's  
22 Norman business people, and we're talk about how  
23 Moore is out-maneuvering us for getting  
24 businesses to come into town. But I look at  
9:34PM 25 Moore, and I don't want to live there. It's just

9:34PM 1 strip malls and strip shopping centers and  
2 traffic issues. They don't have a downtown.  
3 They have nothing there that makes that the kind  
4 of town that I would want to live in because I  
9:34PM 5 love Norman. And I've lived here for forty  
6 years. And Campus Corner has had parking  
7 problems for forty years, the whole forty years  
8 that I've been here. And everybody has always  
9 talked about fixing that situation. And we heard  
9:34PM 10 some comments about, well, the Campus Corner  
11 building owners don't care about fixing the  
12 parking issue because they can just rotate people  
13 in and out of those spots that didn't make it  
14 because they didn't have enough parking spots.  
9:34PM 15 That has nothing to do -- Well, actually, it has  
16 everything to do with this project, I think,  
17 because, as an architect and as a builder and as  
18 a homeowner and as a parent, I chose Norman  
19 because of the University, because of the town  
9:35PM 20 that's around the University, and I think I feel  
21 myself to be a visionary in looking at the fact  
22 that, you know, High Density development, Mixed  
23 Use development can make this community more  
24 efficient, more sustainable, but it has to come  
9:35PM 25 with a bunch of different and equally important

9:35PM 1 things as transportation and thinking about the  
2 future in terms of how we use water, how we use  
3 power, how we -- how our neighborhoods develop.  
4 The idea of this coming in as a Mixed Use that  
9:36PM 5 provides some office space, although it's just  
6 providing an office space for someone that's  
7 already there, is important at the street level.  
8 To me, Mixed Use is what makes big cities great.  
9 You know, when Norman -- before, I guess, they  
9:36PM 10 had zoning, we had Amspacher's. We had Campus  
11 Corner, or we had Midway Market and places where  
12 you could go shop in your neighborhood --  
13 Greenshields -- or Greenfield Grocery Store,  
14 places where you could walk to get your groceries  
9:36PM 15 or get the drugstore.  
16 You know, the town has developed around the  
17 highway, which has created traffic. And, to me,  
18 one of the distracting things about this project  
19 -- I think the design is great. I don't like the  
9:36PM 20 scale at all, but I understand the fact that you  
21 have to make a return on your investment. And  
22 the land costs, and the development costs, and  
23 construction costs and all that stuff give you a  
24 bottom line of what your percentage of return on  
9:37PM 25 investment is going to be and how big it has to

9:37PM 1 be. And I definitely like it now more than when  
2 it was wrapped around the beauty shop and  
3 Ellen -- who was the property owner -- Coaltrane  
4 Properties.

9:37PM 5 And we were asked not to include anything  
6 about High Density development that's being  
7 discussed right now, but, to me, C3 Special Use  
8 still -- What makes the project something that I  
9 can vote on is what kind of traffic issues it  
10 has, what kind of -- On one side, I see the  
11 traffic issues as being a real big negative  
12 because Campus Corner is already over-capacity.  
13 You guys are supposed to fix the parking problems  
14 because you're providing parking for the  
15 Residential and for the Commercial there, but who  
16 is going to live there? Is it going to be  
17 professional -- young professionals? Is it going  
18 to be students? I know that students, no matter  
19 where they live, they drive to class. They  
20 drive. If they live in a fraternity house or a  
21 sorority house, they drive because they like to  
22 drive. And so, if it's a lot of students there,  
23 they're still going to be looking for parking on  
24 campus someplace.

9:38PM 25 So the bottom line here is: I'm not sure how

9:38PM 1

I'm going to vote on this project because I love the project. I think it's needed, and I think the density -- But I can think about eight or ten other places that would be more appropriate in my mind when you take into consideration all the things about parking, about traffic, about Land Use, and I'm not sure that what I have said has made any difference. In my mind, I'm just trying to talk through this. This is a tough thing in my mind just because what we're trying to do is create a community that works and does this make this community work. I still need to think a little bit more.

9:38PM 5

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9:39PM 15

9:39PM 20

9:39PM 25

**BY MS. GORDON:**

I'm going to keep it quick. I share Curtis' frustration with this whole process because it seems to me that, boy oh boy, we need to figure out we want in this town. We suffer -- and I'm saying "we" collectively -- from this "not in my backyard" mentality where lots of people like High Density or the idea of High Density, but "not in my neighborhood and not down the street from me." And so we want High Density in areas where it's going to promote walkability, but then we want High Density in these, you know, potentially larger streets which is going to be

9:39PM 1 better for traffic. So, you know, which is it?  
2 And I don't know the answer to that, quite  
3 frankly, but we need to figure it out because --  
4 without -- Just kind of hodgepodging our way, you  
9:40PM 5 know, through this stuff isn't going to work  
6 either.  
7 I like this project. And we can argue until  
8 we're blue in the face about parking in Campus  
9 Corner. Short of building a ten-story parking  
9:40PM 10 garage, that is not ever going to get any better.  
11 I can't see it. And if we did build a parking  
12 garage, I suspect everyone would say "not in my  
13 backyard." So it is a no-win situation for  
14 parking on Campus Corner. It is what it is. I  
9:40PM 15 can't see it getting any better. It hasn't  
16 changed in thirty years, so I can't see it  
17 changing in another thirty. So we should just  
18 take that out of the discussion.  
19 As far as traffic flow, my concern is kicking  
9:40PM 20 the traffic to the side streets, but, you know,  
21 if -- I think, in general, that High Density  
22 tends to decrease traffic volume and not  
23 decrease, but it doesn't increase as much as  
24 everyone worries and increase walkability. I  
9:41PM 25 like this project. I think there are still

9:41PM 1 problems with this and the whole High Density  
2 discussion, and so, probably, quite frankly, what  
3 I'm going to do is be a wimp and kick the can  
4 down the road to City Council because, like  
9:41PM 5 Curtis said, we don't have -- we're getting mixed  
6 signals from everybody, from the citizens, and  
7 from Campus Corner people, and traffic  
8 developers, and it's, quite frankly, really  
9 difficult to make a decision. I don't think it's  
9:41PM 10 perfect, but I think it's something that could  
11 work where it's at.

12 BY MS. BAHAN: I'm new to this process. I'm  
13 probably the only one up here that hasn't gone  
14 through this before. So this has been sort of my  
9:41PM 15 baptism of fire. When I, first, started studying  
16 it, I spent a lot of time looking around Campus  
17 Corner and walking around and trying to wrap my  
18 head around the idea of this building located in  
19 this place and how it fits in with the whole of  
9:41PM 20 rest of the environment because where they want  
21 to put it, certainly, is an area that needs to be  
22 improved. It's a blighted area. There are lots  
23 of reasons why something like this would be a  
24 very good thing to do. But the size of it  
9:42PM 25 bothers me, quite honestly. I think it's just

9:42PM 1 too big. I wish it could be smaller. I, also,  
2 understand that you have to build to a certain  
3 size in order to make a profit and, you know,  
4 realize a return on your investment. But, by the  
9:42PM 5 same token, the size of it bothers me  
6 tremendously. High Density, itself, doesn't  
7 bother me. Mixed Use doesn't bother me. I think  
8 that's sorts of the wave of the future, and I  
9 would like to see it. Something more  
9:42PM 10 compatibility to the area would make me a lot  
11 more comfortable. I'm very concerned about the  
12 traffic issues. Having driven Duffy and Asp and  
13 all of those areas, and, being down on campus as  
14 much as I am, I'm very concerned about the whole  
9:42PM 15 idea that Duffy is going to be the outlet because  
16 it's not wide, and it's got the tracks, and it  
17 goes into Lincoln, and a lot of other things that  
18 have already been mentioned tonight.  
19 So I don't know what to say. High Density, in  
9:43PM 20 itself, I think, needs to happen. It's going to  
21 happen. How we get there, of course, is another  
22 question.  
23 BY MR. KNOTTS: So, since I'm known for  
24 quoting movies, Deep Throat said in *All the*  
9:43PM 25 *President's Men*, "Follow the money." So,

9:43PM 1 obviously, this project is going to make you all  
2 a lot of money, but I think it's going to cost  
3 the City of Norman quite a bit in order to  
4 accommodate it over the period of time getting  
9:43PM 5 it -- because the traffic -- the population is  
6 going to demand better traffic flow, and the City  
7 has no way to recoup any money from this project  
8 to cure those problems that come up. I would  
9 echo the High Density positives, but I can't see  
9:44PM 10 supporting this project.

11 So do we have a motion?

12 BY MS. GORDON: Are we doing these together or  
13 separate?

14 BY MR. KNOTTS: Either way, the motion is  
9:44PM 15 worded.

16 BY MR. McCARTY: I'll make a motion for approval  
17 on 15A and B.

18 BY MS. GORDON: Second.

19 BY MR. KNOTTS: Do you want to call the roll?

9:45PM 20 RONE: Sure.

21 Mr. McCarty.

22 BY MS. GORDON: Well, can I get a clarification  
23 real quick. We're voting for both of these,  
24 right?

9:45PM 25 Okay.

8:45PM 1 RONE: Mr. McCarty.  
2 BY MR. McCARTY: Yes.  
3 RONE: Ms. Gordon?  
4 BY MS. GORDON: Yes.  
9:45PM 5 RONE: Mr. Boeck?  
6 BY MR. BOECK: No.  
7 RONE: Ms. Bahan?  
8 BY MS. BAHAN: No.  
9 RONE: Mr. Knotts.  
9:45PM 10 BY MR. KNOTTS: No.  
11 RONE: The motion failed two to three,  
12 Mr. Chairman.  
13 [Meeting for items 15A and 15B  
14 concluded]  
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# City of Norman, OK

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

## Master

**File Number: O-1112-38**

<b>File ID:</b> O-1112-38	<b>Type:</b> Ordinance	<b>Status:</b> Non-Consent Items
<b>Version:</b> 1	<b>Reference:</b> Item No. 34	<b>In Control:</b> City Council
<b>Department:</b> Planning and Community Development Department	<b>Cost:</b>	<b>File Created:</b> 04/17/2012
<b>File Name:</b> O-1112-38 Rezone	<b>Final Action:</b>	

**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 THIRTY-ONE (31), TOWNSHIP NINE (9) NORTH, RANGE TWO (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 SAME FROM THE C-1, LOCAL COMMERCIAL DISTRICT, THE C-2, GENERAL 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, 700, 706 AND 710 ASP AVENUE, ~~AND THE ADJACENT LOT TO THE SOUTH~~)

**Notes:** ACTION NEEDED: Motion to amend the title for Ordinance No. O-1112-38 to add C-2, General Commerical District, to the list of zoning categories being rezoned and add 700 and 706 Asp to the list of property under consideration for rezoning.

ACTION TAKEN: \_\_\_\_\_

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1112-38 upon Second Reading section by section.

ACTION TAKEN: \_\_\_\_\_

ACTION NEEDED: Motion to amend Sections 1 and 4 of Ordinance No. O-1112-38 to add C-2, General Commerical District, to the list of property being rezoned and amend the legal description of the subject property under consideration.

ACTION TAKEN: \_\_\_\_\_

ACTION NEEDED: Motion to further amend Ordinance No. O-1112-38 to add Section 5 which states, "the site shall be developed in accordance with the "Conditions of Approval: Zoning Application, C-3, Intensive Commercial District, with Special Use for a Mixed Building in which one or more dwelling units may be located on the upper floor(s) provided that the First Floor use is a permitted use in the district" offered by the applicant, labeled as "ATTACHMENT A", and reviewed by the Planning Commission on June 13, 2013."

ACTION TAKEN: \_\_\_\_\_

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1112-38, as amended, upon Final Reading as a whole.

ACTION TAKEN: \_\_\_\_\_

Agenda Date: 06/25/2013

Agenda Number: 34

**Attachments:** Text File NE Development 6-25-13, O-1112-38 NE Development - 6-13-13 Annotated, O-1112-38 - Rev. 6-13-13 Clean Copy, O-1112-38 Attachment A, O-1112-38 NE Development - Rev 5-13.doc, Developer of Record - Asp Avenue, NEDC letter on NE Development as agent, Location Map 5-31-13, 7-10-12 Location Map, CC - Asp HD project - Packet Binder - 5-1-13, Rezoning Staff Report 6-13-13, Transportation Impacts (06-18-13), TIA - Asp Avenue 6-13, Rezone Staff Report, Protest Map 6-19-13, Protest Letter 6-19-13, NE Development Protest Map and Letter 6-13-13, Asp Protests 9-13-12, Asp Supports 9-13-12, Pre-Development Summary - 7-26-12, Pre-Development Summary 4-26-12, Pre-Development Summary 3-22-12, Myth and Fact FINAL, 8-9-12 PC Minutes - Asp/Buchanan, 9-13-12 PC Minutes - B3 Development, 6-13-13 PC Minutes Transcript - NE Development, 7-12-12 PC Minutes - Asp/Buchanan

**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		01/08/2013	01/08/2013	
1	Planning Commission	07/12/2012					
1	Planning Commission	08/09/2012	Postponed				
1	Planning Commission	08/09/2012					
1	Planning Commission	09/13/2012	Recommended for Rejection	City Council			
	<b>Notes:</b>	<i>Motion for adoption failed on vote of 3-4.</i>					
1	Planning Commission	09/13/2012					
1	City Council	10/23/2012	Introduced and adopted on First Reading by title only Aye: 9 Mayor Rosenthal, Council Member Spaulding, Council Member Lockett, Council Member Gallagher, Council Member Williams, Council Member Jungman, Council Member Kovach, Council Member Griffith, and Council Member Castleberry				Pass
1	City Council	11/13/2012	Postponed Aye: 9 Mayor Rosenthal, Council Member Spaulding, Council Member Lockett, Council Member Gallagher, Council Member Williams, Council Member Jungman, Council Member Kovach, Council Member Griffith, and Council Member Castleberry		01/08/2013	01/08/2013	Pass

1	City Council	01/08/2013	Postponed		02/12/2013	Pass
			Aye: 7	Mayor Rosenthal, Council Member Spaulding, Council Member Lockett, Council Member Williams, Council Member Kovach, Council Member Griffith, and Council Member Castleberry		
			Nay: 2	Council Member Gallagher, and Council Member Jungman		
1	City Council	02/12/2013	Postponed		04/09/2013	04/09/2013 Pass
	Notes:	Postponed until April 9, 2013				
			Aye: 9	Mayor Rosenthal, Council Member Spaulding, Council Member Lockett, Council Member Gallagher, Council Member Williams, Council Member Jungman, Council Member Kovach, Council Member Griffith, and Council Member Castleberry		
1	City Council	04/09/2013	Postponed		05/14/2013	Pass
	Notes:	Postponed Until May 14, 2014				
			Aye: 9	Mayor Rosenthal, Council Member Spaulding, Council Member Lockett, Council Member Gallagher, Council Member Williams, Council Member Jungman, Council Member Kovach, Council Member Griffith, and Council Member Castleberry		
1	City Council	05/14/2013	Postponed			Pass
			Aye: 8	Mayor Rosenthal, Council Member Lockett, Council Member Gallagher, Council Member Williams, Council Member Jungman, Council Member Kovach, Council Member Griffith, and Council Member Castleberry		
1	City Council	06/11/2013	Postponed			
1	Planning Commission	06/13/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	06/25/2013	Fail
	Notes:	Motion failed by a vote of 2-3				
1	City Council	06/25/2013				

**Text of Legislative File O-1112-38**

Body

**BACKGROUND:** This application has been in the process for a Land Use Plan Amendment and rezoning since early 2012. Since the earlier submittal the applicant acquired additional land. The applicant previously requested rezoning of approximately 1.43 acres; the applicant now requests rezoning for 1.53 acres. The applicant has included the squared off area in the middle of the previously proposed development. Previously, the development created a "U" shape around the newly acquired area; now the expansion has included this area as part of the development. The additional land to be included in the project adds approximately seven percent (7%) to the land area, does not change the required notification area, and addresses a protest by the property owners whose property would have been surrounded under the prior configuration of the project. This rezoning request is for a change of zoning from C-2, General Commercial District, 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 1.53 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 no more than 200 dwelling units. This equates to 130.7 units per acre. The commercial/retail and office will be about 10,500 square feet. The project will be one six story building, five and one-half stories above grade and one-half level below grade. The parking garage will house approximately 306 parking spaces. This equates to 1.53 parking spaces per dwelling unit. Of that 306, 240 spaces will be residential, 26 will be for guests, and 40 will be for commercial tenants and customers. There are two levels to the parking garage, a portion of which will be below grade. The first at grade floor of the development will house the commercial/retail and office area. The third through the sixth floors will house apartments.

**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.

**CONDITIONS OF APPROVAL:** The applicant has prepared "Conditions of Approval" on which the project will be obligated to comply if approved. These conditions submitted by the applicant will be attached to the Ordinance. The conditions consist of permitted uses, allowed density, allowed height, allowed coverage, as well as architectural standards, open space, landscaping and pedestrian standards.

**COMMERCIAL USE:** This proposal will include approximately 10,500 square feet of commercial/retail 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 uses 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 by the zoning ordinance. However, this applicant has proposed a two level parking garage that will accommodate the commercial/retail and office areas, their patrons as well as residents and guests. The parking count proposed is one parking space per bedroom (not dwelling unit). 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 through 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. There will be a minimum of 20% open space on the site.

**IMPACTS:** The proposal is not a gated development; however, the two levels of the parking garage do have controlled access for the residents. 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, TRAFFIC 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.

The applicant has submitted a Traffic Impact Analysis (TIA). The Public Works staff, on May 9, 2013, sent a letter to TEC, the applicant's traffic engineering firm, with a series of questions and concerns regarding the TIA. Subsequent to that letter, City staff met with the applicant and their engineers on May 20, 2013. At that meeting, traffic concerns were discussed, and TEC agreed to submit a revised TIA. Public Works staff received a revised TIA from the applicant's traffic engineering firm on June 10, 2013. Staff has reviewed the TIA and developed a staff report regarding possible traffic and pedestrian impacts for the area. The staff report and revised TIA are attached to this packet.

**STAFF RECOMMENDATION:** The applicant has requested the zoning designation of C-3, Intensive

Commercial District 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 Norman.

As previously stated, the applicant has provided special conditions that will be unique to this C-3 with Special Use rezoning. The applicant submitted this request under the C-3, Intensive Commercial District; the applicant has met all the requirements for C-3 zoning and provided adequate parking in a zone where parking is not required. This application for Special Use is unique to this area and will be the first of this nature as a mixed use building with a high level of multi-story residential use.

Over the period that this application has been pending, Staff has received numerous comments from surrounding residents regarding the appropriateness and compatibility of the requested Special Use. Important to determining appropriateness and compatibility for a Special Use request is evaluation of conditions that are proposed to be attached to the requested Special Use. Staff believes the requested rezoning has come a long way since its original submittal, and it is suited to the area. However, the ultimate determination of whether the proposed conditions address the appropriateness and compatibility of this particular project is better left to the collective judgment of first the Planning Commission and then City Council.

At their June 13, 2013, meeting, the Planning Commission, by a vote of 2-3, failed to recommend adoption of Ordinance No. O-1112-38.

Minutes from prior Planning Commission meetings are included in the preceding item on this agenda.

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 THIRTY-ONE (31), TOWNSHIP NINE (9) NORTH, RANGE TWO (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 SAME FROM THE C-1, LOCAL COMMERCIAL DISTRICT, THE C-2, GENERAL 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, 700, 706 AND 710 ASP AVENUE, AND THE ADJACENT LOT TO THE SOUTH)

- § 1. WHEREAS, N.E. Development, the owners of the hereinafter described property, have made application to have the same 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 C-2, General 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 failed to recommend that the same should be granted and an ordinance adopted to effect and accomplish such rezoning; and
- § 3. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that said application should be granted and an ordinance adopted to effect and accomplish such rezoning.

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

- § 4. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to place the following described property in the C-3, Intensive Commercial District with Special Use for a Mixed Building, and to remove the same from the C-1, Local Commercial District, the C-2, General Commercial District, the CO, Suburban Office Commercial District, and the R-3, Multi-Family Dwelling District, to wit:

A tract of land being a part of the Northeast Quarter (NE/4) of Section Thirty-One (31), Township Nine (9) North, Range Two (2) West, of the Indian Meridian, Norman, Cleveland County, Oklahoma, being more particularly described as follows:

The south ½ of Lot 2, all of Lots 3 through 7, and the north 15' of Lot 8, Block 1, LARSH'S UNIVERSITY ADDITION.

Said tract contains 1.527 acres, more or less.

~~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 to 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. Further, the following condition is hereby attached to the development of the tract:

- a. The site shall be developed in accordance with the "Conditions of Approval: Zoning Application, C-3, Intensive Commercial District, with Special Use for a Mixed building in which one or more dwelling units may be located on the upper floor(s) provided that the First Floor use is a permitted use in the district" offered by the applicant, labeled as "ATTACHMENT A", and reviewed by the Planning Commission on June 13, 2013.

§ 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 \_\_\_\_\_, 2013.

NOT ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
(Mayor)

\_\_\_\_\_  
(Mayor)

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 THIRTY-ONE (31), TOWNSHIP NINE (9) NORTH, RANGE TWO (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 SAME FROM THE C-1, LOCAL COMMERCIAL DISTRICT, THE C-2, GENERAL 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, 700, 706 AND 710 ASP AVENUE)

- § 1. WHEREAS, N.E. Development, the owners of the hereinafter described property, have made application to have the same 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 C-2, General 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 failed to recommend that the same should be granted and an ordinance adopted to effect and accomplish such rezoning; and
- § 3. WHEREAS, the City Council of the City of Norman, Oklahoma, has thereafter considered said application and has determined that said application should be granted and an ordinance adopted to effect and accomplish such rezoning.

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

- § 4. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to place the following described property in the C-3, Intensive Commercial District with Special Use for a Mixed Building, and to remove the same from the C-1, Local Commercial District, the C-2, General Commercial District, the CO, Suburban Office Commercial District, and the R-3, Multi-Family Dwelling District, to wit:

A tract of land being a part of the Northeast Quarter (NE/4) of Section Thirty-One (31), Township Nine (9) North, Range Two (2) West, of the Indian Meridian, Norman, Cleveland County, Oklahoma, being more particularly described as follows:

The south ½ of Lot 2, all of Lots 3 through 7, and the north 15' of Lot 8, Block 1, LARSH'S UNIVERSITY ADDITION.

Said tract contains 1.527 acres, more or less.

- § 5. Further, the following condition is hereby attached to the development of the tract:
- a. The site shall be developed in accordance with the “Conditions of Approval: Zoning Application, C-3, Intensive Commercial District, with Special Use for a Mixed building in which one or more dwelling units may be located on the upper floor(s) provided that the First Floor use is a permitted use in the district” offered by the applicant, labeled as “ATTACHMENT A”, and reviewed by the Planning Commission on June 13, 2013.
- § 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

NOT ADOPTED this \_\_\_\_\_ day of

\_\_\_\_\_, 2013.

\_\_\_\_\_, 2013.

\_\_\_\_\_  
(Mayor)

\_\_\_\_\_  
(Mayor)

ATTEST:

\_\_\_\_\_  
(City Clerk)

## ATTACHMENT A



---

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

**Project:** Campus Corner Project – Asp Avenue  
612 / 700 / 710 Asp Ave.  
421 – 427 Buchanan Ave.  
Norman, OK.

**Purpose:** Conditions of Approval: Zoning Application, C-3, Intensive Commercial District, with Special Use for a Mixed building in which one or more dwelling units may be located on the upper floor(s) provided that the First Floor use is a permitted use in the district.

---

Pursuant to 22:434.1(c and d), the Applicant hereby submits the following Conditions of Approval, with the intent that this Conditions of Approval document be filed of record against the Property upon approval of the rezoning by City Council, and that the Conditions of Approval shall be requirements and conditions to be continually complied with by the Applicant and any successors and assigns.

### Permitted Uses

- Commercial, retail, office uses, which shall be included on at least the ground floor facing the primary street frontage.
- Residential dwelling units.
- Condominiums.
- Mixed Uses.
- Parking (in structured parking garages and perimeter street parking).

### Density, Area, Height, Bulk, and Coverage Standards

- The Project will have no more than 135 Dwelling Units per Acre.
- The primary building roof elements of the Project will be no taller than 70' above street level grade.
  - The proposed design is 68' maximum height.
  - The primary street façade elevations are 58' (+/-), with architectural building accents and gable areas at 68' tall.
- Minimum front setback from public right of way or property line shall be zero feet.
- Minimum setback from side and rear property lines shall be zero feet.
- Balconies may be provided in selected dwelling units above first floor, and may extend over the public right of way.

- Awnings may extend over the public right of way on the ground floor at a minimum height of seven (7) feet.

### **Architectural Standards**

- Standards:
  - Building façade will be broken up with articulation, material changes, and reliefs to create architectural interest.
  - The ground floor conditioned spaces fronting Asp Avenue will be a minimum of 70% glazing in an effort to enhance the pedestrian experience as to sense of scale.
  - All mechanical and electrical equipment shall be screened with architectural screens and elements.
  - The project shall feature four-sided architecture, form, massing, and design as depicted on attached **EXHIBIT A** images.
- Exterior materials for the Project shall be as follows:
  - A minimum of 90% masonry on all elevations (to include brick, stone, stucco, or manufactured materials such as synthetic stone or cement board) (percentage of masonry excludes windows, doors, and related trim). All materials shall be high-quality and require minimum maintenance.

### **Open Space**

- A minimum of 20% of the overall site coverage shall have open spaces.
  - Areas allowed to be counted as open space include: plaza areas, landscaping, planter beds, pools, walks, gathering places, pedestrian areas, exterior balconies, private balconies and patios, etc. (whether on grade level or elevated courtyards within the project).
  - Required open space areas may be covered, such as covered patios or plazas, but they may not be fully enclosed.
- An equivalent minimum of 48 square feet of gross outdoor area will be provided per each dwelling unit.
  - Outdoor area includes open spaces as allowed above.

### **Landscape**

- Developer agrees to enhance the overall property aesthetics and pedestrian experience by implementing a “plaza” feel at the sidewalk fronting Asp avenue, including plantings, trees, benches, etc. to provide interest and an overall site quality.
- A minimum of 1 tree per 50 linear feet of street front right of way will be provided. Trees shall be a minimum of 2-1/2” caliper at time of planting.
- Development shall include turf grass, sidewalk, and landscaping along Buchanan Avenue frontage.
- A minimum of 10% of the total site area shall be devoted to landscaping and/or planting areas. these areas shall include any combination of turf beds, planting beds, water features, synthetic grass beds, etc. Elevated plazas shall be counted in the landscape area calculations.

### **Pedestrian Standards**

- Pedestrian connections will be provided throughout the project to connect internal areas to the public sidewalk system.
- All pedestrian areas will be ADA compliant.

- Pedestrian areas shall encourage and facilitate ease of navigation and create an enjoyable and aesthetically pleasing pedestrian experience.

#### **Site Development Standards**

- Sidewalk paving enhancements and landscaping will be provided on Asp Avenue and Buchanan Avenue.
- Primary pedestrian circulation and access shall be at grade. Pedestrian entry routes that are interrupted by driveways shall be distinguished from the driveway surface by decorative paving.
- A 2 story parking garage will be incorporated as part of this project, with access from Asp Avenue only and with entry aligned with Duffy (per TIA Report).
- All required parking will be provided fully within the property site, as shown in the submittals for the project, with a minimum of one (1) space provided per bedroom for each residential dwelling unit, plus the amount of spaces as required for the remainder of the non-residential uses as per the Off-Street Parking Requirements as put forth in Section 431.5 of the Zoning Ordinance.
- The parking structure will be architecturally screened.
- Garage entrances / lighting / signage / etc. will be properly designed to enhance the building aesthetics and way-finding.
- All site utilities shall be underground.
- Storm water shall be contained within the site, and discharged subsurface – per final engineering and City of Norman design engineering guidelines.
- Project shall have adequate site furnishings and amenities.

#### **Lighting and Signage**

- All lighting and signage shall comply with the Zoning Ordinance and Sign Code.

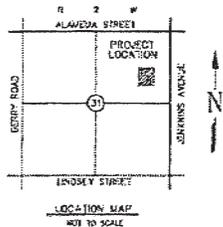
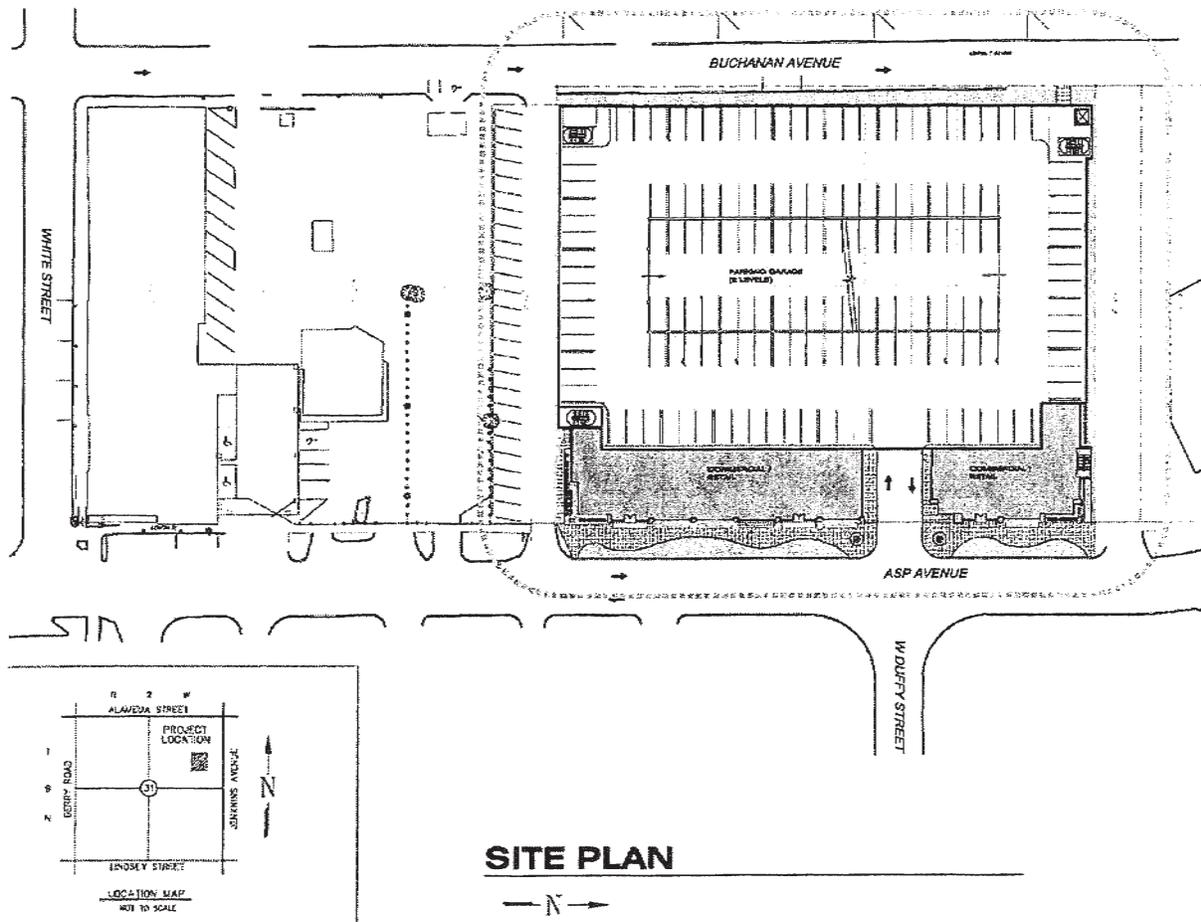
#### **Traffic**

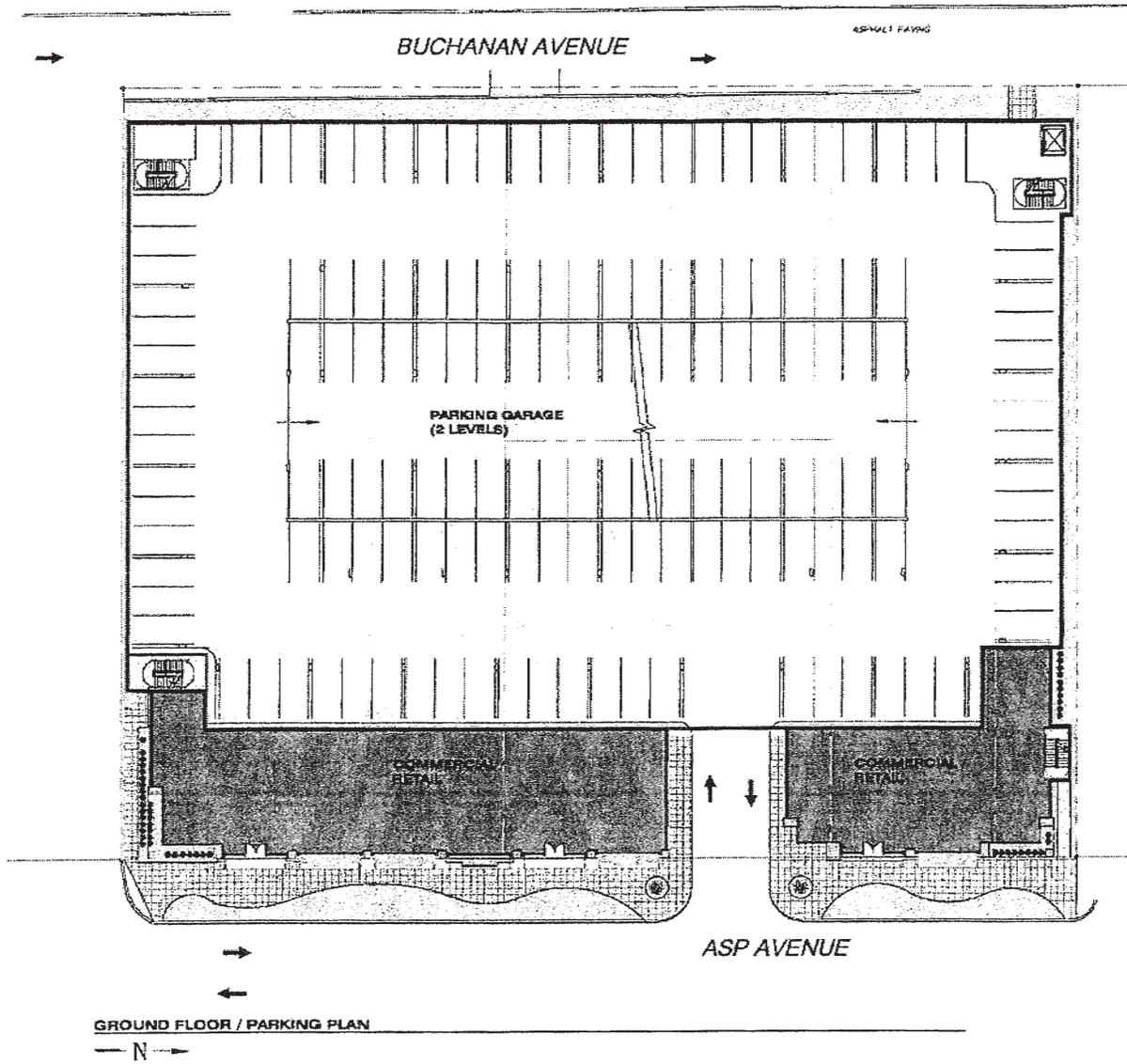
- A formal Traffic Impact Analysis has been performed and will be followed per its requirements.

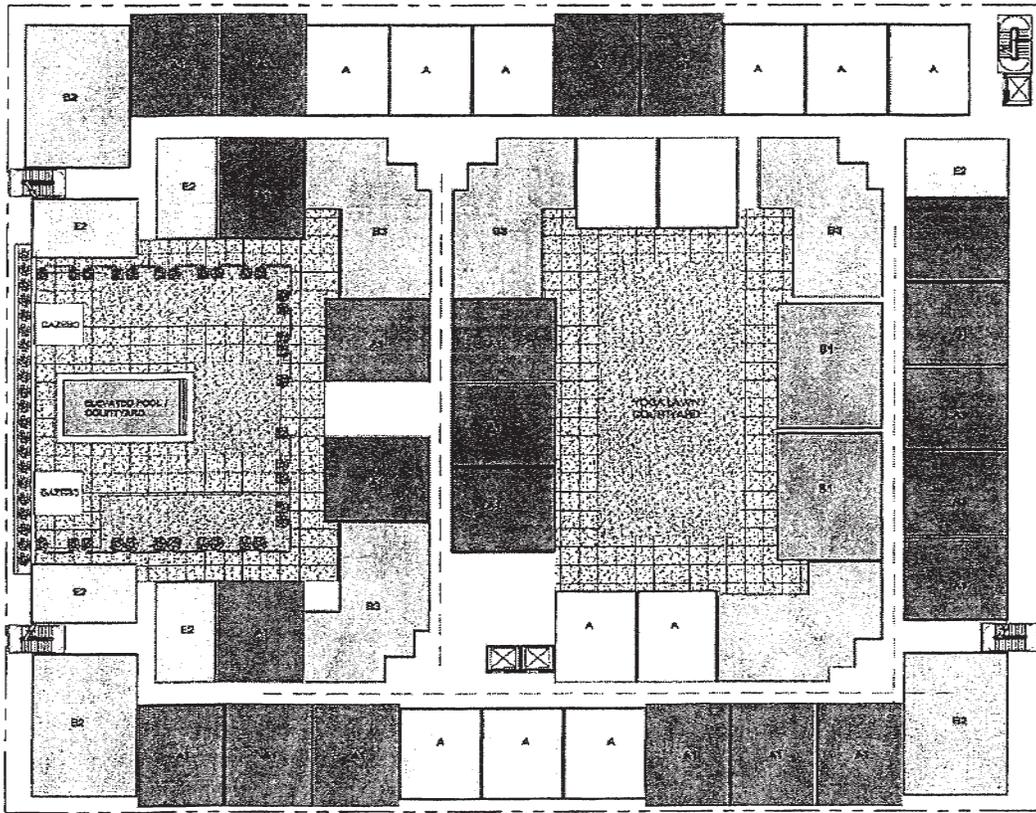
#### **Design**

- The Project will be designed, permitted, and constructed in material conformity to the proposed designs as approved by the City Council through the rezoning approvals, as further indicated in attached **EXHIBIT A** hereto, and submittals to the City.

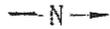
**EXHIBIT A  
PROPOSED DESIGN**

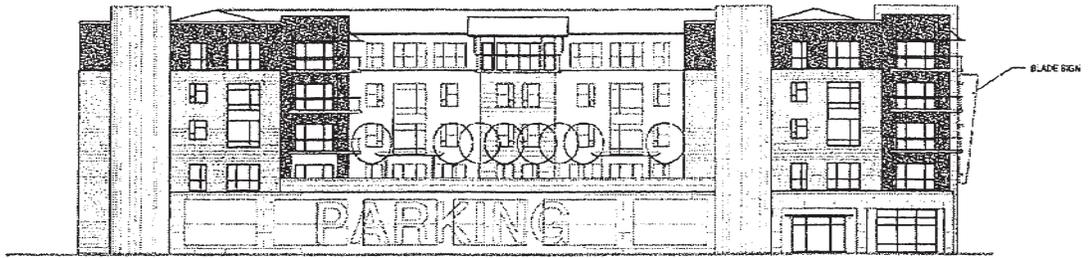






COURTYARD LEVEL FLOOR PLATE / UNIT LAYOUT

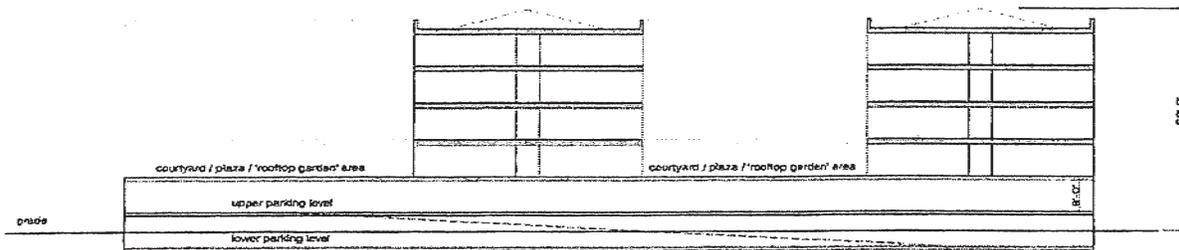




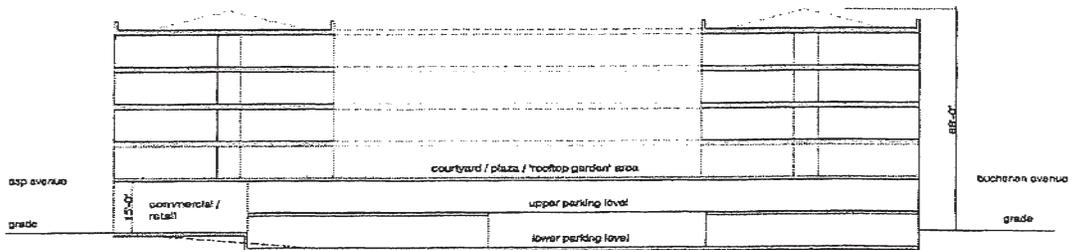
**SOUTH ELEVATION**



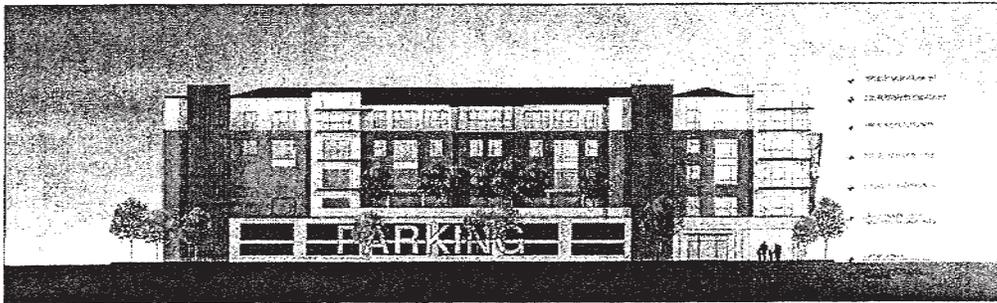
**ASP AVENUE ELEVATION**

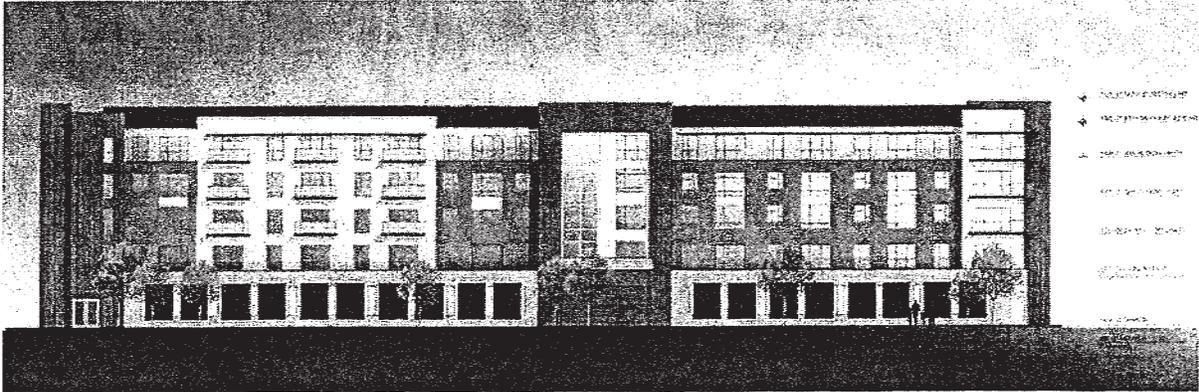
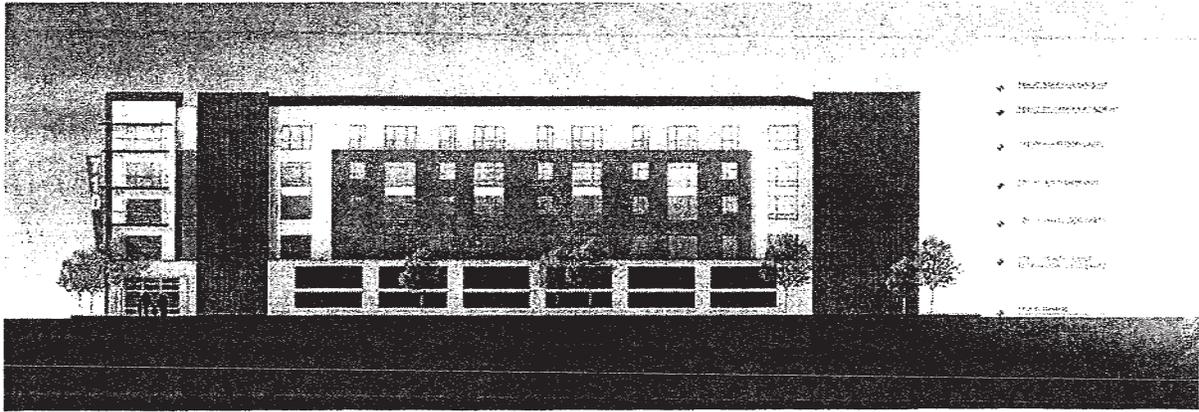


**NORTH / SOUTH CROSS SECTION OF SITE**



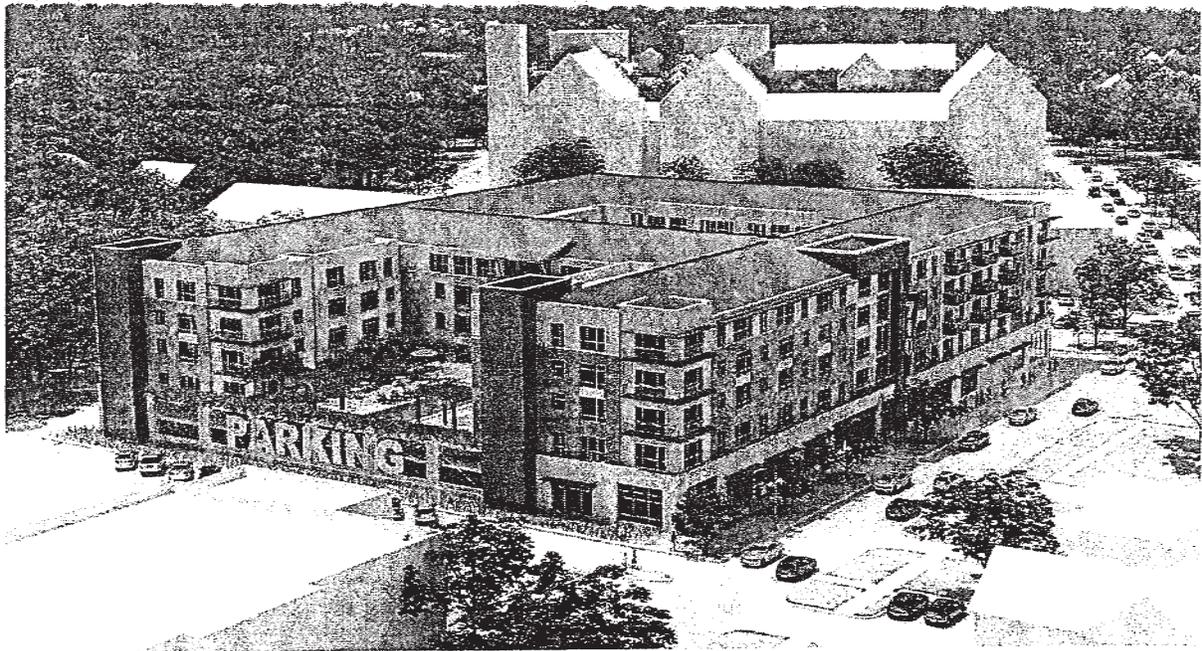
**EAST / WEST CROSS SECTION OF SITE**







View from Asp Avenue looking north



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, NE Development, 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 and considered the same; the Planning Commission failed to recommend adoption of this rezoning with special use ordinance by a vote of 3-4; 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 to 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 \_\_\_\_\_, 2013.

NOT ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

---

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

Date: May 7, 2013

Project: Campus Corner Project – Asp Avenue  
612 / 700 / 710 Asp Ave.  
421 – 427 Buchanan Ave.  
Norman, OK.

Purpose: Notification of Developer of Record

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**DEAR CITY STAFF:**

Please accept this notification regarding the above referenced project. Formerly referred to as Risser/B3 Development Group, the Developer of Record for the proposed project will be:



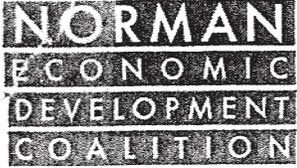
N.E. Development  
420 Southfork Drive  
Lewisville, TX. 75057  
972.221.0095  
[www.neconstruction.net](http://www.neconstruction.net)  
Contact #1: Charlie Moussa (972)221.0095  
Contact #2: Ben Sellers (405)802.6993  
[bsellers@nedevdevelopment.net](mailto:bsellers@nedevdevelopment.net)

We will serve in a co-development role, and should continue to be included in communications.

Please let me know if you have any questions.

Respectfully,

Mark Risser



May 15, 2013

City of Norman  
201 W. Gray St.  
Norman, OK 73069

710 Asp Avenue  
Suite 100  
Norman, Oklahoma  
73069

Tel: 405.573.1900

Fax: 405.573.1999

e-mail: [nedc@nedcok.com](mailto:nedc@nedcok.com)

Web: [www.nedcok.com](http://www.nedcok.com)

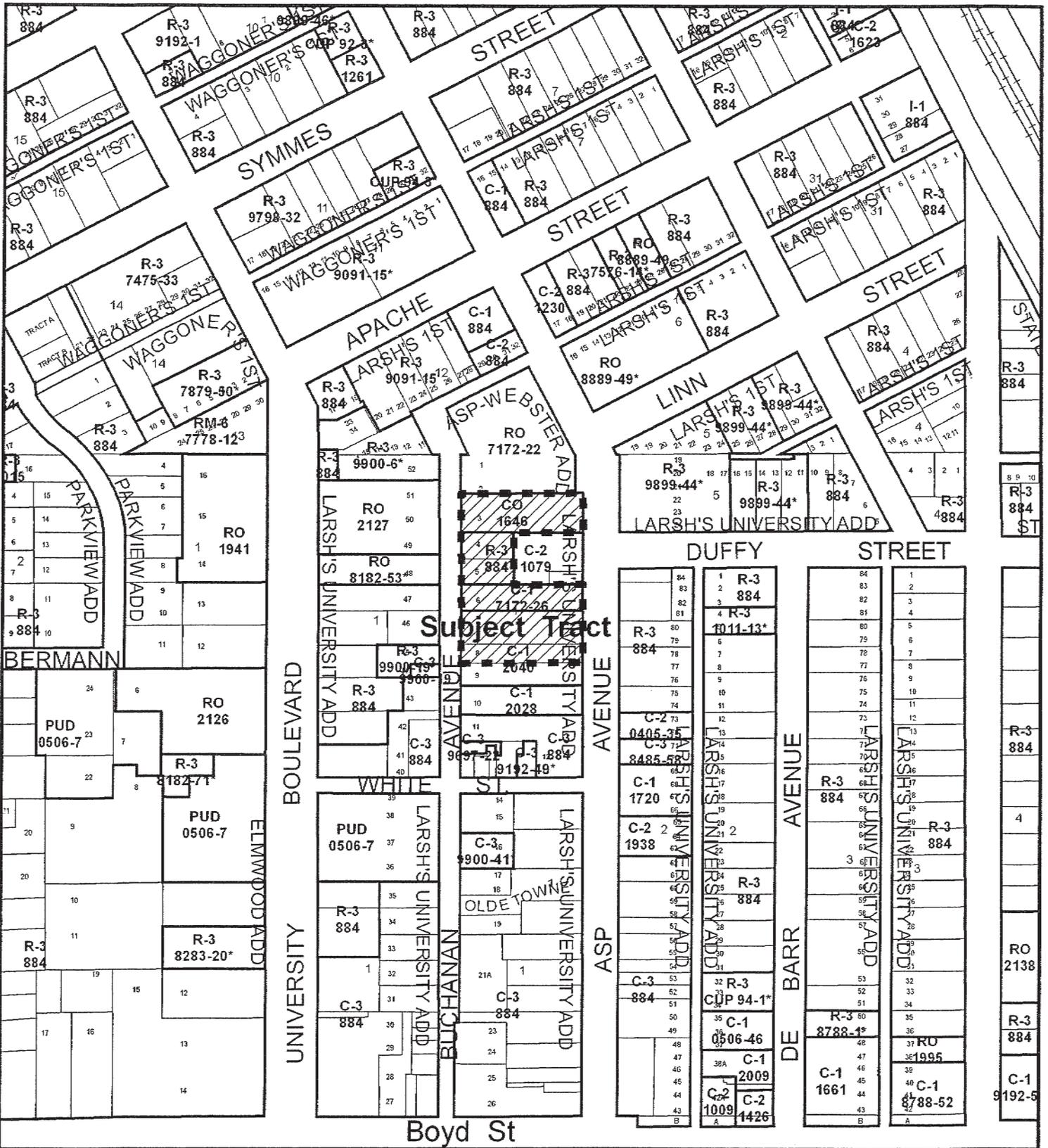
To Whom It May Concern,

We hereby confirm in this correspondence that the NEDC authorizes NE Development to act as the agent of NEDC in the zoning and associated applications and matters at the City of Norman. Please let me know if you have any questions or need anything further to confirm as such.

Regards,

Don Wood  
Executive Director

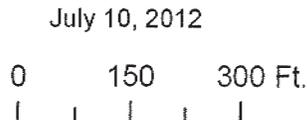




# Location Map



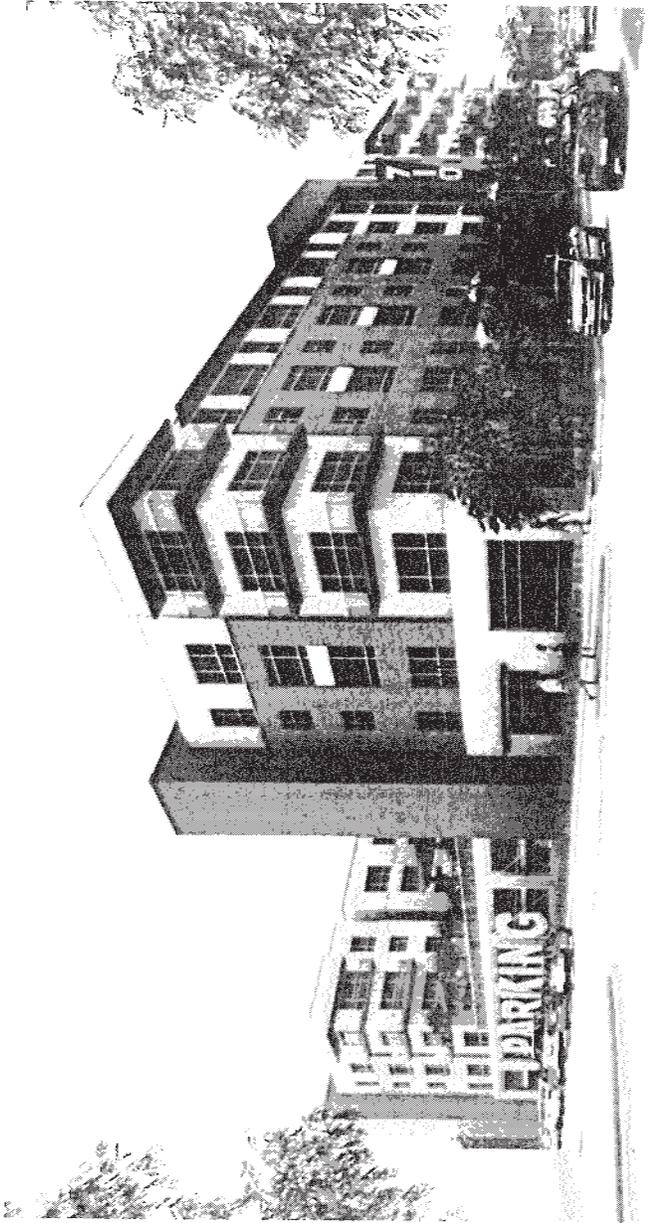
Map Produced by the City of Norman  
 Geographic Information System.  
 (405) 366-5316  
 The City of Norman assumes no  
 responsibility for errors or omissions  
 in the information presented.



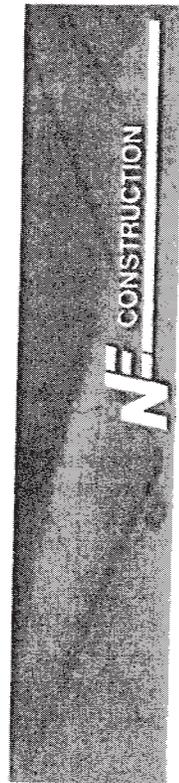
 Subject Tract  
 Zoning

Project developed by:

**NE Development Group**  
Lewisville, TX



View from Asp Avenue looking north



## CAMPUS CORNER PROJECT

Norman, OK

04.2013

SCHEMATIC DESIGN

**PROJECT TABULATION**  
 Site Address: 1.531313 66704  
 FAR: 2.97  
 Unit Density: 131 per acre  
 Project Efficiency: 84%

**UNIT DATA:**

Unit Description	E1	E2	A	A1	B1	B2	B3	Total/Avg
Total Number	2	20	52	88	12	20	20	200
Net SF	444	496	605	706	1056	1202	1286	732
Gross SF	444	496	605	706	1056	1202	1286	732
Percentage of Total	1%	10%	20%	6%	4%	6%	10%	100%
Percentage of Mile	11%		6%			20%		100%
Unit Net Totals	888	9920	31460	60544	6488	14824	29720	130184
Unit Gross Totals								

Unit	1.40	1.40	1.40	1.40	1.40	1.40	1.40
\$	821.00	897.20	847.00	985.40	1,478.00	1,482.80	1,730.40
\$	1,742.10	15,294.40	44,044.00	16,781.60	11,077.20	20,135.60	34,628.00

**BLDG DATA:**

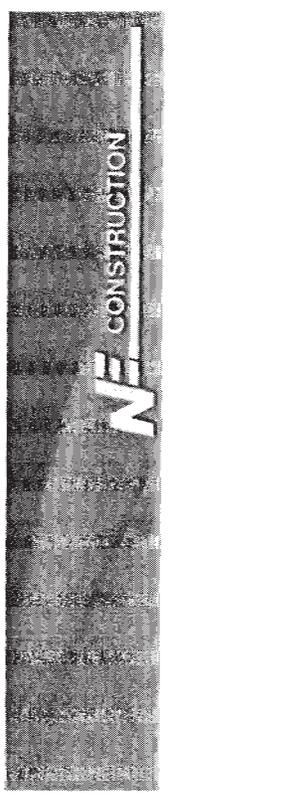
Unit Description	E1	E2	A	A1	B1	B2	B3	Total Units	Total Units per Floor
1st Floor (parking)	0	9	13	22	2	3	5	50	
2nd Floor (parking)	1	5	13	22	7	3	5	51	
3rd Floor	1	5	13	22	2	3	5	51	
4th Floor	0	5	13	20	2	3	5	49	
Amenities									
<b>TOTAL</b>	<b>2</b>	<b>20</b>	<b>52</b>	<b>88</b>	<b>8</b>	<b>12</b>	<b>20</b>	<b>200</b>	<b>200</b>

Unit Description	E1	E2	A	A1	B1	B2	B3	Total Units	Net S.F.	Unit Net S.F. per floor	Rentable Commercial	Gross Commercial	Amenity Gross S.F. per floor	Corridor S.F. per floor	Total Net S.F.	Total Gross S.F. per floor	Total Gross S.F.	Total Gross Apartment Bldg S.F.	Total Gross Commercial (not include garage)
1st Floor (parking)	0	9	13	22	2	3	5	50	37,741	2500	2500	5500	2000	1,500	750	1,500			
2nd Floor (parking)	1	5	13	22	7	3	5	51	38,185	3000	3000	5000	4000	6,848	6,848				
3rd Floor	1	5	13	22	2	3	5	51	38,185	3000	3000	5000	4000	6,848	6,848				
4th Floor	0	5	13	20	2	3	5	49	34,333	1600	1600	7600	7600	20,722	20,722				
<b>TOTAL</b>	<b>2</b>	<b>20</b>	<b>52</b>	<b>88</b>	<b>8</b>	<b>12</b>	<b>20</b>	<b>200</b>	<b>150,444</b>	<b>150,444</b>	<b>150,444</b>	<b>30,800</b>	<b>7600</b>	<b>20,722</b>	<b>158,044</b>	<b>158,044</b>	<b>187,760</b>	<b>187,760</b>	

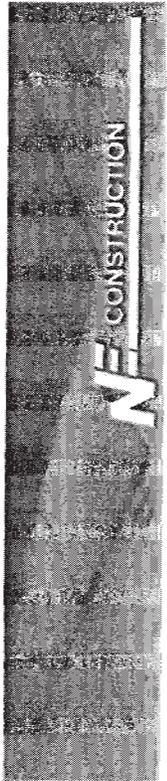
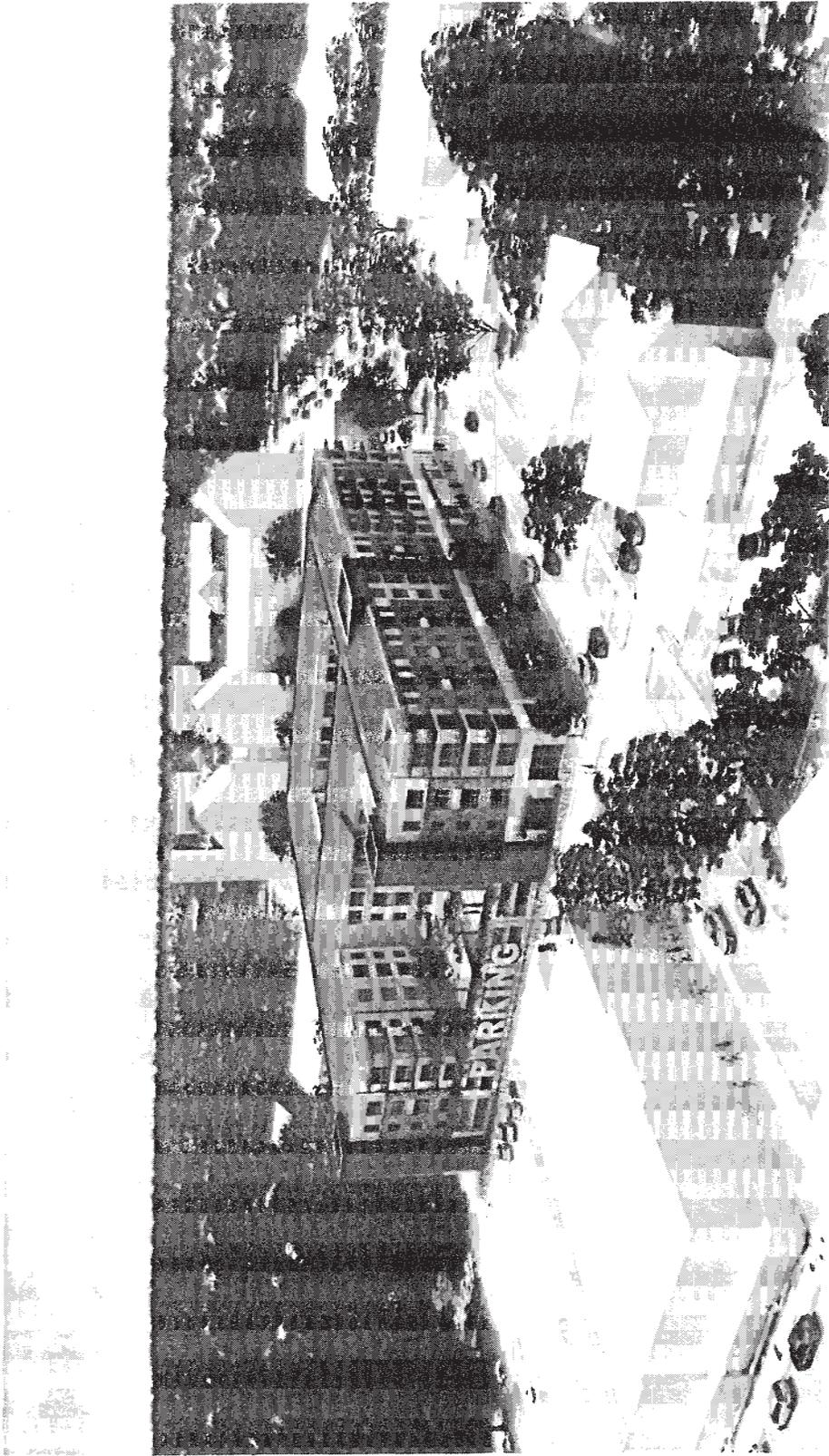
**PROJECT DATA**  
 04.2013  
 SCHEMATIC DESIGN

# CAMPUS CORNER PROJECT

Norman, OK



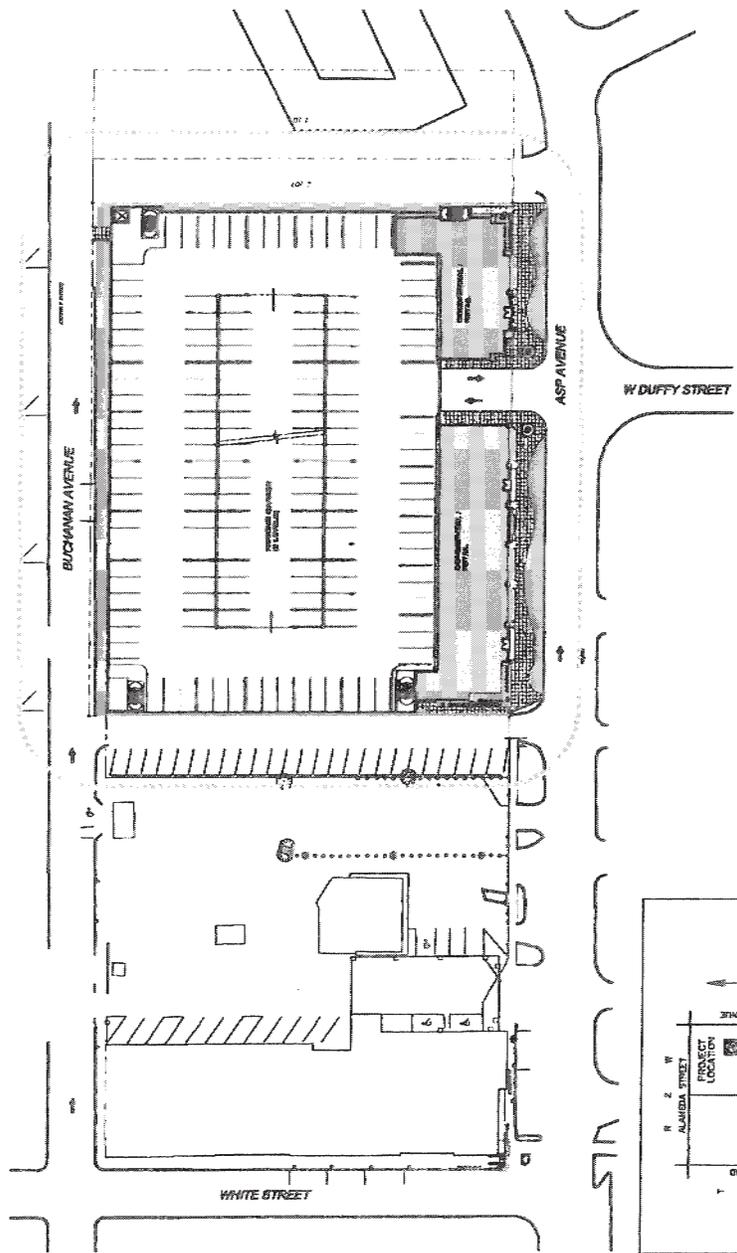
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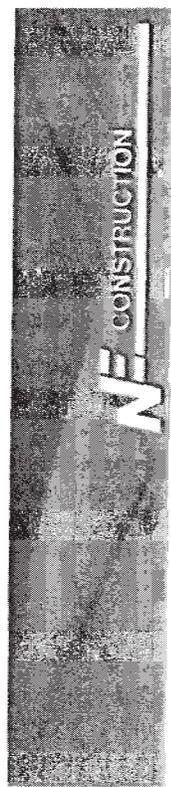
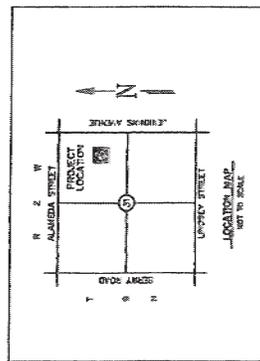
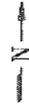
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Norman, OK

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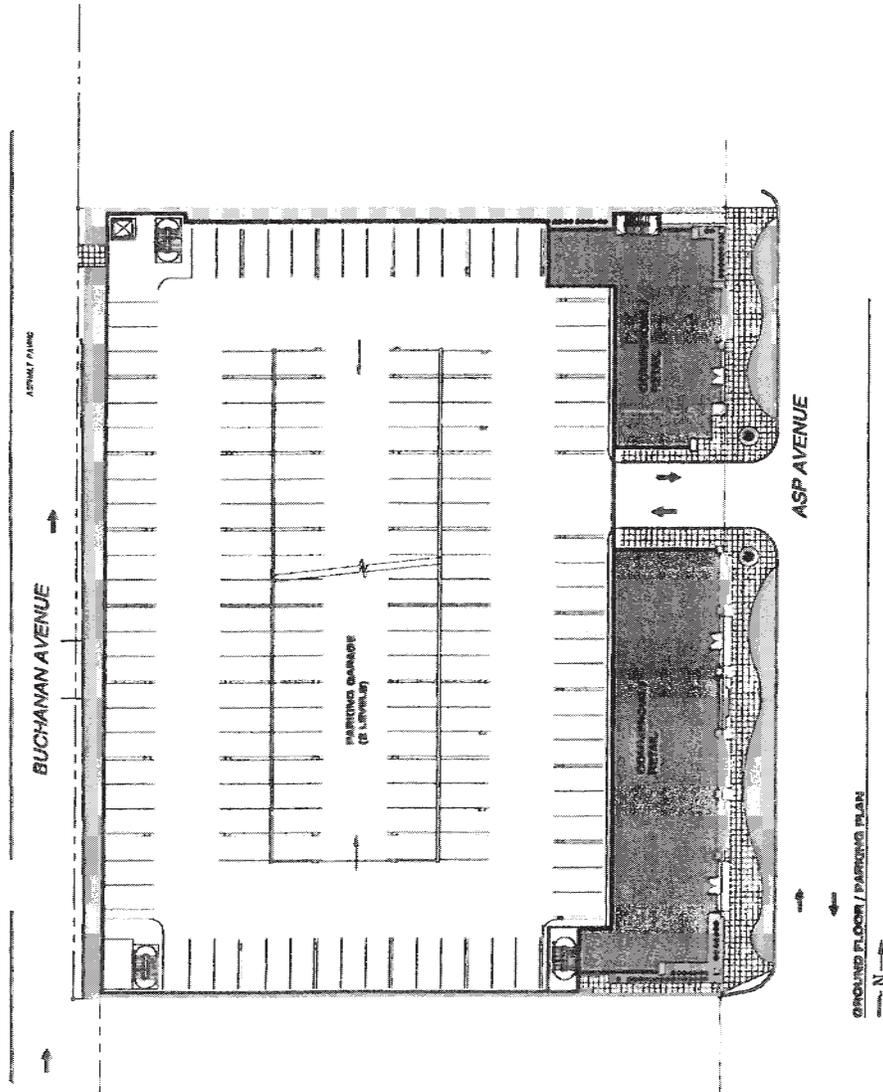


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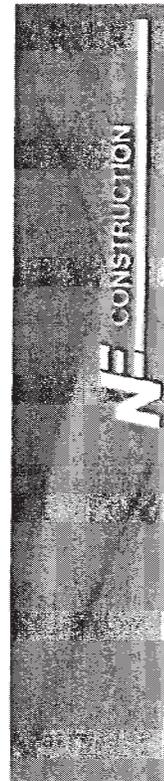
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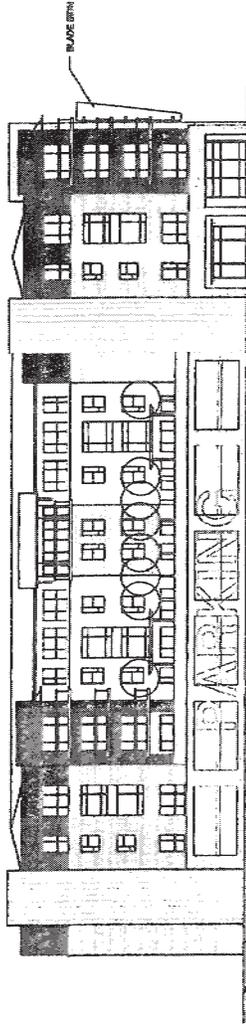
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Norman, OK



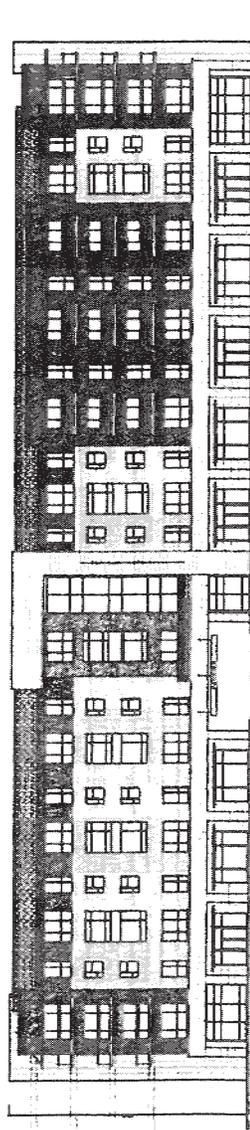
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CAMPUS CORNER PROJECT  
 Norman, OK

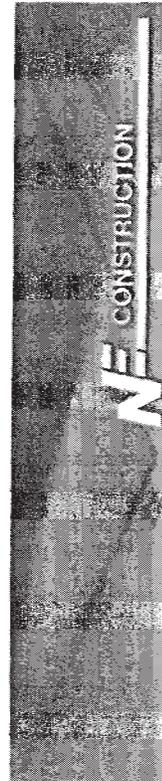




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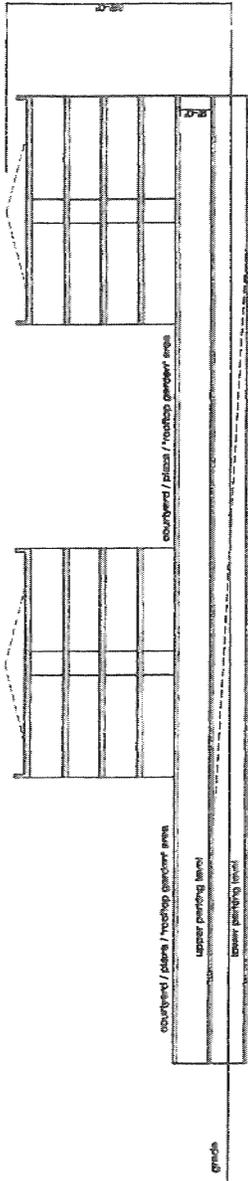
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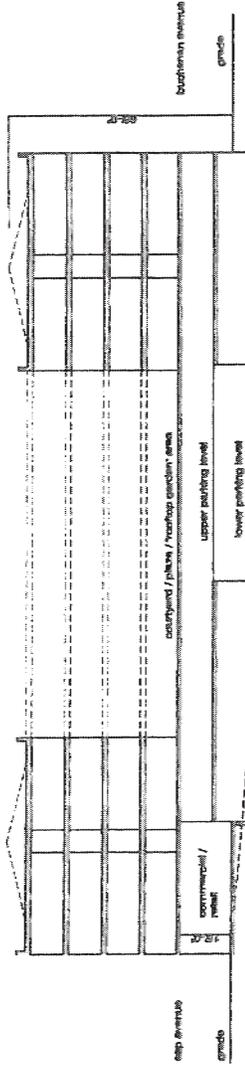
# CAMPUS CORNER PROJECT

Norman, OK

ELEVATIONS  
04.2013  
SCHEMATIC DESIGN



NORTH / SOUTH CROSS SECTION OF SITE



EAST / WEST CROSS SECTION OF SITE



CAMPUS CORNER PROJECT  
Norman, OK

CROSS SECTION  
04.2013  
SCHEMATIC DESIGN

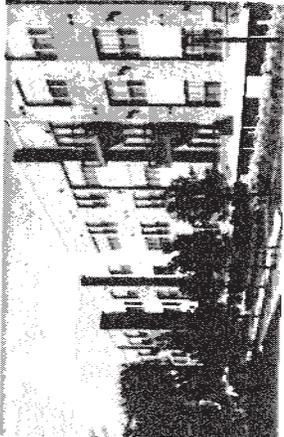
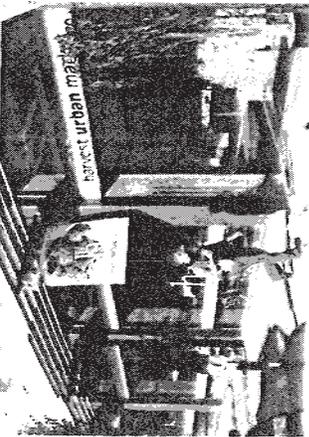
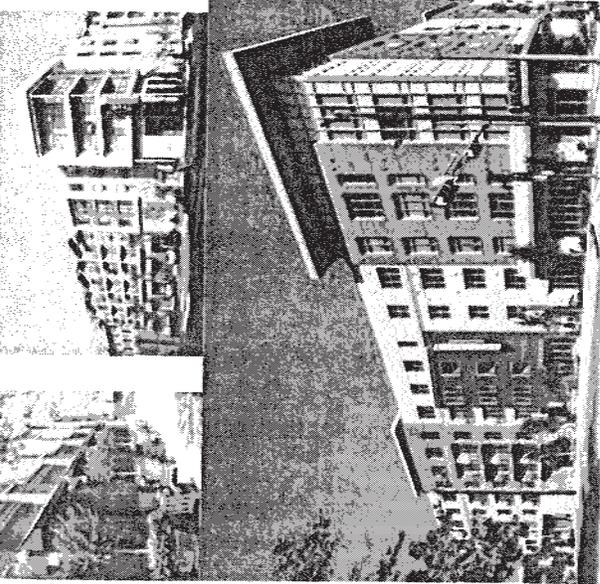
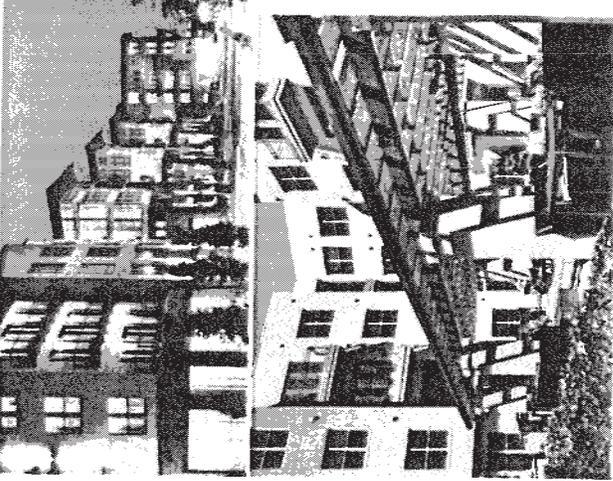
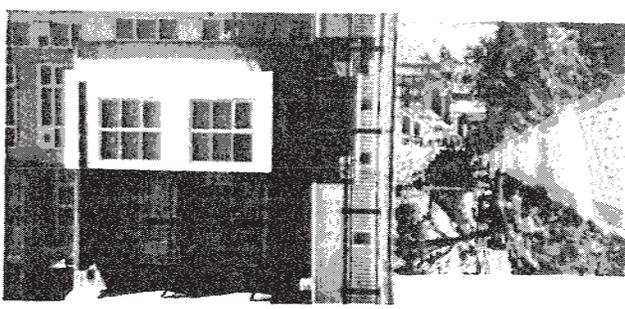
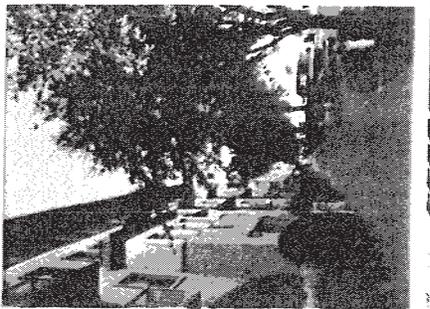
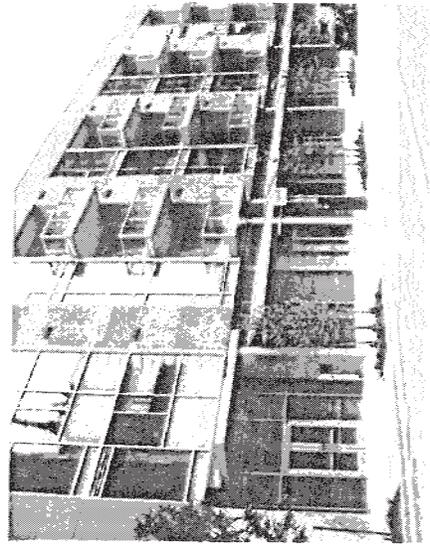
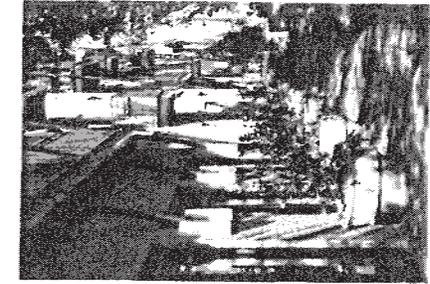
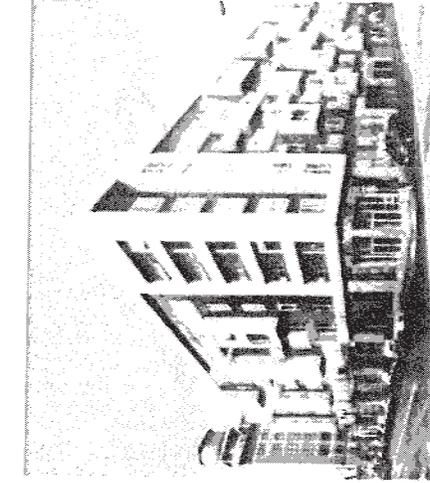
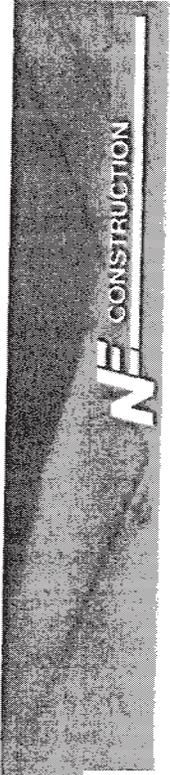
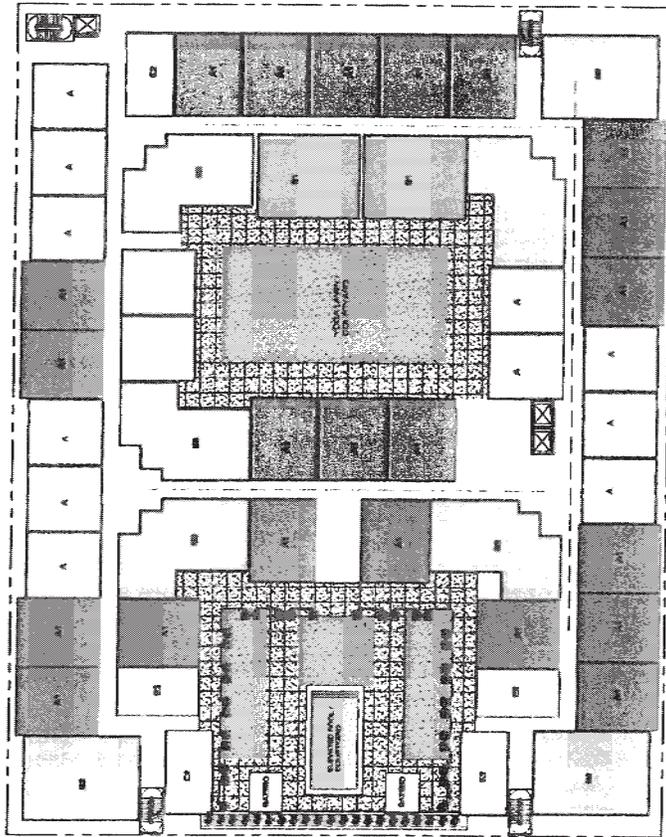


IMAGE BOARD  
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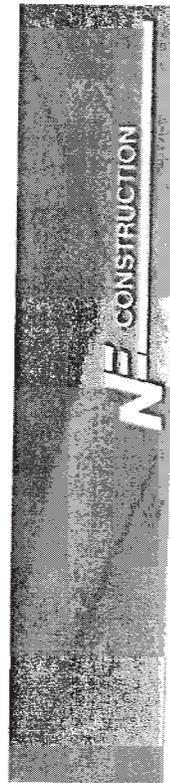
# CAMPUS CORNER PROJECT

Norman, OK





BOUNDARY LEVEL FLOOR PLATE / UNIT LAYOUT



# CAMPUS CORNER PROJECT

Norman, OK

UPPER FLOORS

04.2013

SCHEMATIC DESIGN

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ORDINANCE NO. O-1112-38

ITEM NO. 15b

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**STAFF REPORT**

**GENERAL INFORMATION**

APPLICANT	N.E. Development
REQUESTED ACTION	Rezoning to C-3, Intensive Commercial District, with Special Use for a Mixed Building
EXISTING ZONING	C-2, General Commercial District C-1, Local Commercial District CO, Suburban Office Commercial R-3, Multi-Family Dwelling District
SURROUNDING ZONING	North: RO, Residence-Office East: R-3, Multi-Family Dwelling District with Special Use for Church and R-3, Multi-Family Dwelling District South: C-1, Local Commercial District West: RO, Residence-Office and R-3, Multi-Family Dwelling District
LOCATION	612 Asp Avenue, 421-427 Buchanan Avenue, 700 Asp Avenue, 706 Asp Avenue 710 Asp Avenue
SIZE	1.53 Acres
PURPOSE	Mixed Building: Commercial/Retail, Office, Parking and Residential Uses
EXISTING LAND USE	Office and Residential
SURROUNDING LAND USE	North: Residential East: Residential & Church South: Parking Lot West: Residential
LAND USE PLAN DESIGNATION	Commercial

**SYNOPSIS:** The Commission has previously seen this application on September 13, 2012. Since the earlier submittal the applicant acquired additional land. The applicant was

requesting to rezone approximately 1.43 acres; the applicant now requests rezoning for 1.53 acres. The applicant has included the squared off area in the middle of the previously proposed development. Previously, the development created a "U" shape around this area; now the expansion has included this area as part of the development. The additional land to be included in the project adds approximately seven percent (7%) to the land area, does not change the required notification area, and addresses a protest by the property owners whose property would have been surrounded under the prior configuration of the project. This rezoning request is for a change of zoning from C-2, General Commercial District, 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 1.53 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 no more than 200 dwelling units. This equates to 130.7 units per acre. The commercial/retail and office will be about 10,500 square feet. The project will be one six story building, five and one-half stories above grade and one-half level below grade. The parking garage will house approximately 306 parking spaces. This equates to 1.53 parking spaces per dwelling unit. Of that 306, 240 spaces will be residential, 26 will be for guests, and 40 will be for commercial tenants and customers. There are two levels to the parking garage, a portion of which will be below grade. The first at grade floor of the development will house the commercial/retail and office area. The third through the sixth floors will house apartments.

#### **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.

CONDITIONS OF APPROVAL: The applicant has prepared a set of conditions on which the project will be obligated to comply if approved. (See attached) These conditions submitted by the applicant will be attached to the Ordinance. The conditions consist of permitted uses, allowed density, allowed height, allowed coverage, as well as architectural standards, open space, landscaping and pedestrian standards.

COMMERCIAL USE: This proposal will include approximately 10,500 square feet of commercial/retail 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 uses 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 by the zoning ordinance. However, this applicant has proposed a two level parking garage that will accommodate the commercial/retail and office areas, their patrons as well as residents and guests. The parking count proposed is one parking space per

bedroom (not dwelling unit). 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 through 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. There will be a minimum of 20% open space on the site.

**IMPACTS:** The proposal is not a gated development; however, the two levels of the parking garage do have controlled access for the residents. 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, TRAFFIC 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.

The applicant has submitted a Traffic Impact Analysis (TIA). The Public Works staff, on May 9, 2013, sent a letter to TEC, the applicant's traffic engineering firm, with a series of questions and concerns regarding the TIA. Subsequent to that letter, City staff met with the applicant and their engineers on May 20, 2013. At that meeting, traffic concerns were discussed, and TEC agreed to submit a revised TIA. That TIA has not been submitted to date, but it is anticipated the revision will be submitted early next week.

**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.

The applicant has provided conditions that will be unique to this C-3 with Special Use rezoning. The applicant submitted this request under the C-3, Intensive Commercial District, and the applicant has met all the requirements for C-3 zoning and provided adequate parking in a zone where parking is not required. The application for Special Use is unique to this area and will be the first of this nature as a mixed use building with a high level of multi-story residential use.

Over the period that this application has been pending, Staff has received numerous comments from surrounding residents regarding the appropriateness and compatibility of the requested Special Use. Important to determining appropriateness and compatibility for a Special Use request is evaluation of conditions that are proposed to be attached to the requested Special Use. Staff believes the requested rezoning has come a long way since its original submittal, and it is suited to the area. However, the ultimate determination of whether the proposed conditions address the appropriateness and compatibility of this particular project is better left to the collective judgment of first the Planning Commission and then City Council.



# CITY OF NORMAN

## Development Review Form

### Transportation Impacts

**DATE:** June 18, 2013

**STAFF REVIEW BY:** David R. Riesland, P.E.  
City Traffic Engineer

**PROJECT NAME:** 710 Asp Avenue

**PROJECT TYPE:** Residential/Commercial

Owner:

B3 Development Group

Developer's Engineer:

Developer's Traffic Engineer: TEC

**SURROUNDING ENVIRONMENT (Streets, Developments)**

Commercial and residential zoning surrounds this site. Boyd Street and Duffy Street are the main east/west roadways. Asp Avenue is the main north/south roadway.

**ALLOWABLE ACCESS:**

One access point in accordance with Section 4018 of the City's Engineering Design Criteria is possible along Asp Avenue SE and will be taken opposite the east leg of Duffy Street at its intersection with Asp Avenue.

**EXISTING STREET CHARACTERISTICS (Lanes, Speed Limits, Sight Distance, Medians)**

Boyd Street: 4 lanes (existing and future). Speed Limit - 30 mph. No sight distance problems. No median.

Asp Avenue: 2 lanes (existing and future). Speed Limit - 25 mph. No sight distance problems. No median.

Duffy Street: 2 lanes (existing and future). Speed Limit - 25 mph. No sight distance problems. No median.

**ACCESS MANAGEMENT CODE COMPLIANCE:** YES  NO

The access point onto Asp Avenue has adequate separation and intersection corner clearance.

**TRIP GENERATION**

Time Period	Total	In	Out
Weekday	1,092	546	546
AM Peak Hour	63	37	26
PM Peak Hour	145	62	83

**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.*

The 240 bedrooms and 10,500 square feet of office/commercial space in this mixed use building are expected to generate approximately 1,092 vehicular trips per day. Because of the development's size and traffic generation potential, the applicant was required to conduct a comprehensive traffic impact study. The study was completed by Traffic Engineering Consultants, Inc., and was submitted in June, 2013.

The most critical intersection near the proposed development is the intersection of Boyd Street and Asp Avenue. As one of the main gateways to the Campus Corner area from the south, this intersection is traditionally busy both from a vehicular as well as a pedestrian volume standpoint. Historically, the City of Norman has required that the overall level-of-service at an intersection in proximity to a proposed development operate at no worse than a level-of-service "D" in the post-development condition. This level-of-service is calculated based upon the average delay of all vehicles that traverse the intersection during the hour of analysis. The impact of this proposed development is such that the overall intersection will remain at a level-of-service "D" following development. However, it is also possible to look at level-of-service with respect to specific approach-

es and/or specific movement. At this intersection, the southbound Asp Avenue approach to Boyd Street is the "critical" approach and will operate at a level-of-service "F" in the post development condition. Current guidelines within the City of Norman for the development of traffic studies do not speak to specific approaches or movements.

The traffic impact study identified some traffic signal timing adjustments that could be made at the Boyd Street intersection with Asp Avenue to reduce the delay associated with the southbound Asp Avenue movements onto Boyd Street. There is no cost associated with these changes, and no other improvements are recommended. The applicants traffic engineer is the same engineer who under contract with the City recommended the current splits at the Boyd Street intersection with Asp Avenue. As such, a change in these splits will likely impact the ability to move traffic east and west along Boyd Street. The consequences of such a change will be thoroughly investigated prior to making any changes that are designed solely to reduce delay on the southbound Asp Avenue approach to Boyd Street.

Site access will be accommodated by way of a single driveway along Asp Avenue directly opposite the east leg of Duffy Street at its intersection with Asp Avenue. This will create a four-legged intersection. Currently, this intersection operates with STOP control on the westbound Duffy Street approach. The north and south legs of Asp Avenue are not controlled. Under the build-out scenario, the existing control would remain except that the new west leg of the intersection from the site will also operate under STOP control. The traffic study shows this operation is more than adequate to accommodate future traffic volumes. Existing right-of-way available along Asp Avenue is 70-feet in width which is sufficient should a future project be identified to widen Asp Avenue to provide a southbound left-turn lane onto Duffy Street, a northbound left-turn lane into the site, and/or to install a traffic signal at the intersection.



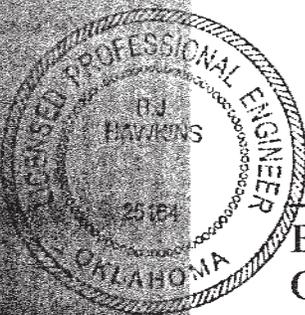
# TRAFFIC IMPACT STUDY

710 Asp Avenue  
Norman, Oklahoma

Prepared for:  
B3 Development Group

June 2013

Prepared by:  
Traffic Engineering Consultants, Inc.



  
\_\_\_\_\_  
B.J. Hawkins, P.E., PTOE  
Oklahoma P.E. #25164  
CA # 1160

6-10-13  
Date



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## 1.0 INTRODUCTION

Traffic Engineering Consultants, Inc. (TEC) was retained by B3 Development Group to perform a traffic impact study for a proposed development to be located in Norman, Oklahoma. The study was requested to determine the effects the proposed development would have on the adjacent street system, to review the available access to the development, and to provide recommendations for improvements that may be necessary to accommodate the traffic expected to be generated by the development.

## 2.0 BACKGROUND

The site of the proposed development is located west of Asp Avenue and across from Duffy Street as shown in **Figure 1**. The development is proposed to include an apartment complex containing 200 units with a total of 240 bedrooms. The development will also include two leasable spaces. The exact land uses for the spaces are unknown at this time, but for the purpose of this report they will be assumed to contain specialty retail and office space.

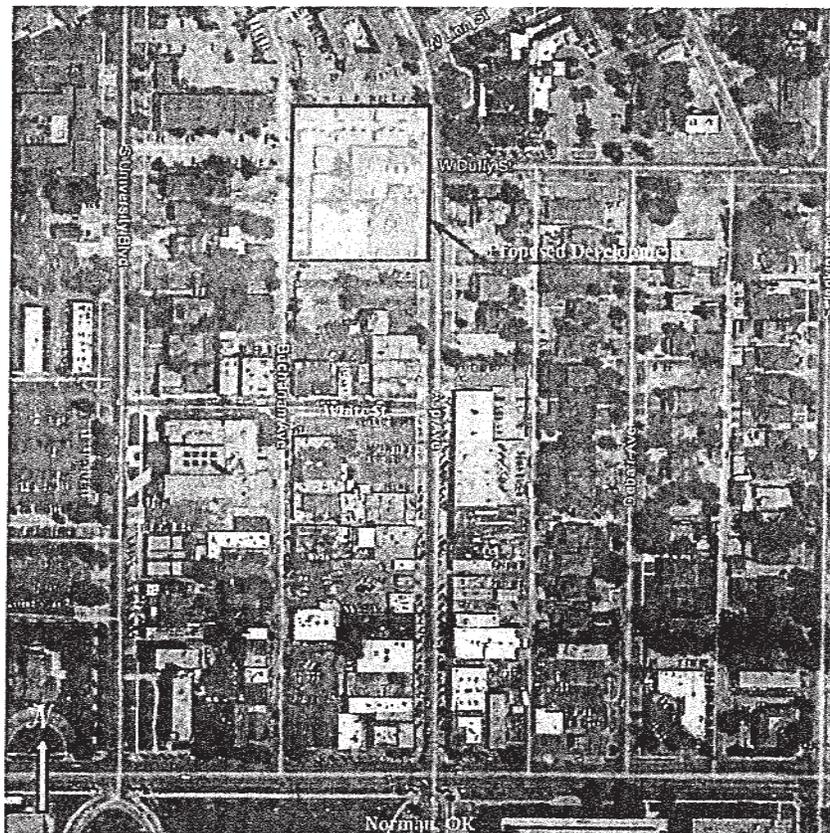


Figure 1 – General Location Map



Access to the new development, as shown in **Figure 2**, is proposed via one full-access drive on Asp Avenue. The drive will be located directly across from Duffy Street and will create an east/west stop controlled intersection. Asp Avenue is a two lane north/south collector street and it has a posted speed limit of 30 mph. Boyd Street is a four lane east/west major arterial and it has a posted speed limit of 30 mph. The intersection of Asp Avenue and Boyd Street is currently signalized and included in a coordinated signal timing system along Boyd Street. The intersection experiences heavy pedestrian traffic due to its close proximity to the University of Oklahoma campus.

### **3.0 TRAFFIC DATA COLLECTION**

Existing traffic volume data was collected adjacent to the proposed development in October of 2012. Peak hour turning movement volumes were collected at the intersections of Asp Avenue and Boyd Street, Asp Avenue and White Street, and Asp Avenue and Duffy Street. The data was collected during the a.m. (7:00 to 9:00) and p.m. (4:00 to 6:00) peak hour periods. The 2012 existing traffic data is summarized in **Figure 3** and detailed printouts of all the traffic count data are included in the appendix.

The 2012 existing traffic data was utilized to determine the background traffic for 2015. The 2015 design period was selected as the year the development is projected to be completed. The background traffic was determined for the 2015 design year by applying an average annual growth rate of 1% to the 2012 existing traffic. The 1% annual growth rate was provided by the City of Norman and represents the typical annual growth in the area. The 2015 projected background traffic is summarized in **Figure 4**. This data is the base or background traffic to which the new development traffic was added for conducting the reviews and analyses.

### **4.0 PROJECTED TRAFFIC**

#### *4.1 Site Generated Traffic*

To determine the effects a new development will have on an existing street system, the new or additional traffic must be projected. The latest edition of the *Trip Generation Report*, published by the Institute of Transportation Engineers, was used to determine the amount of traffic the development is expected to generate. The report is a nationally accepted reference which provides trip rates for determining the traffic expected to be generated by different land use types.

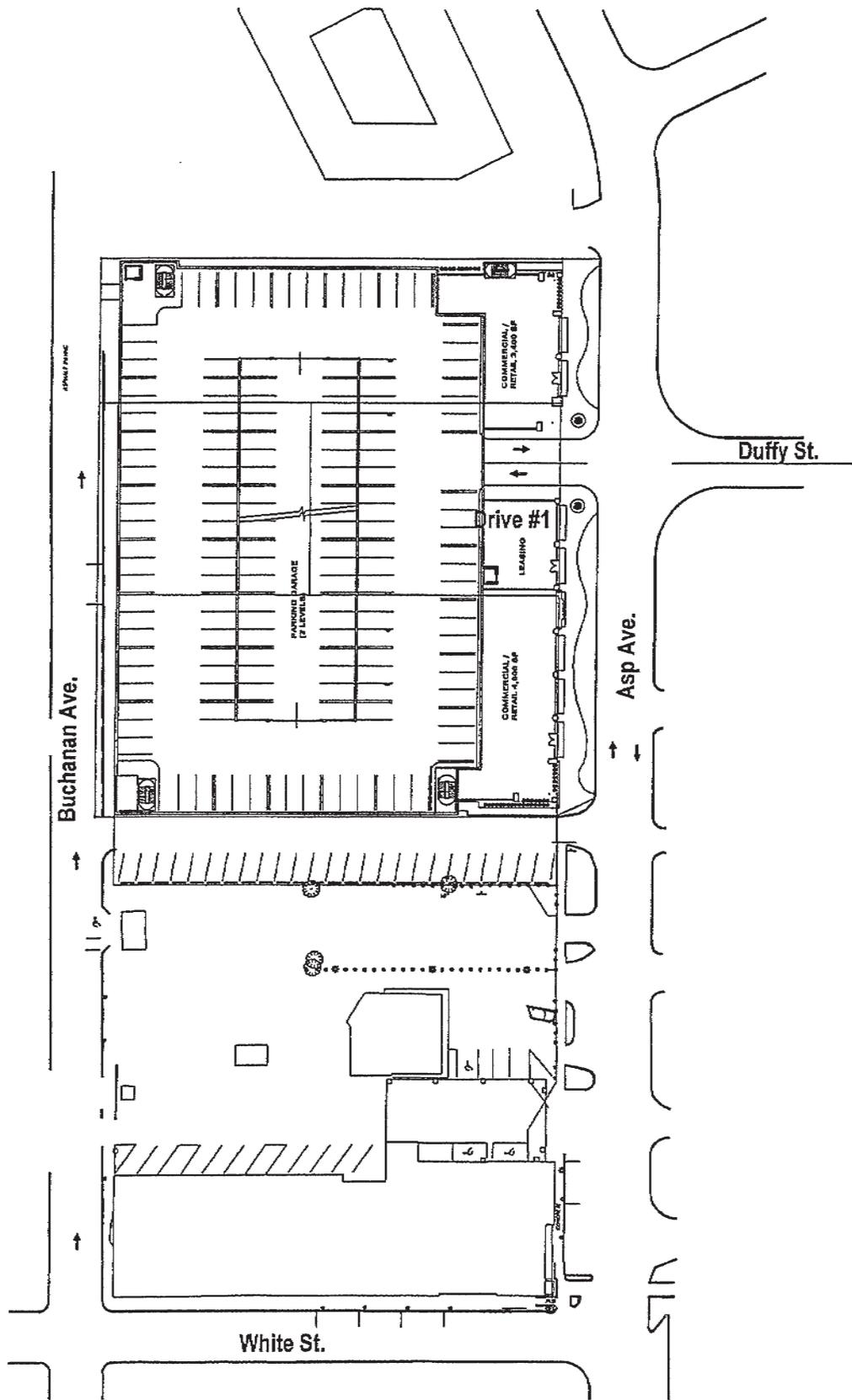
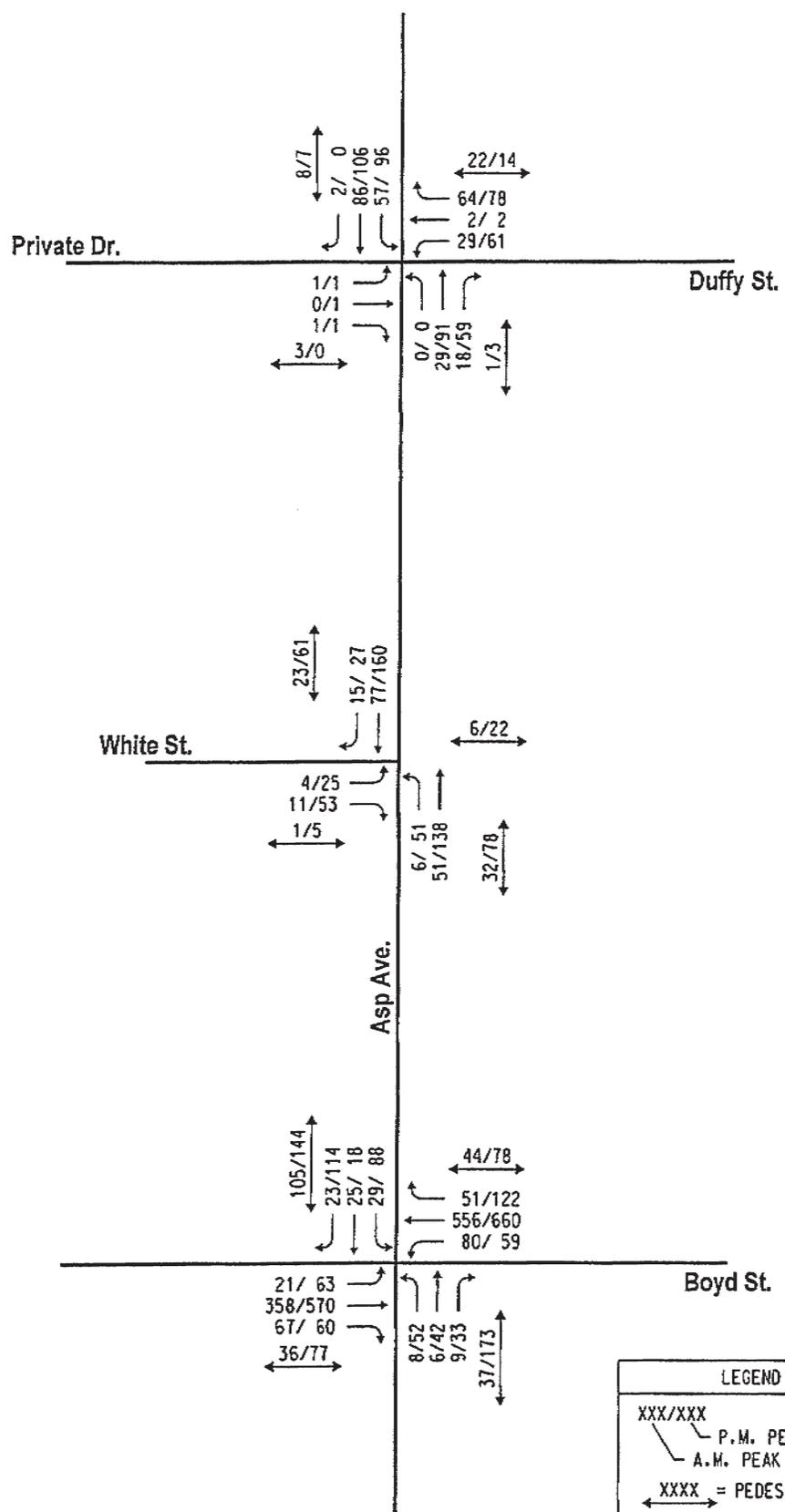


FIGURE 2. Proposed Site Plan

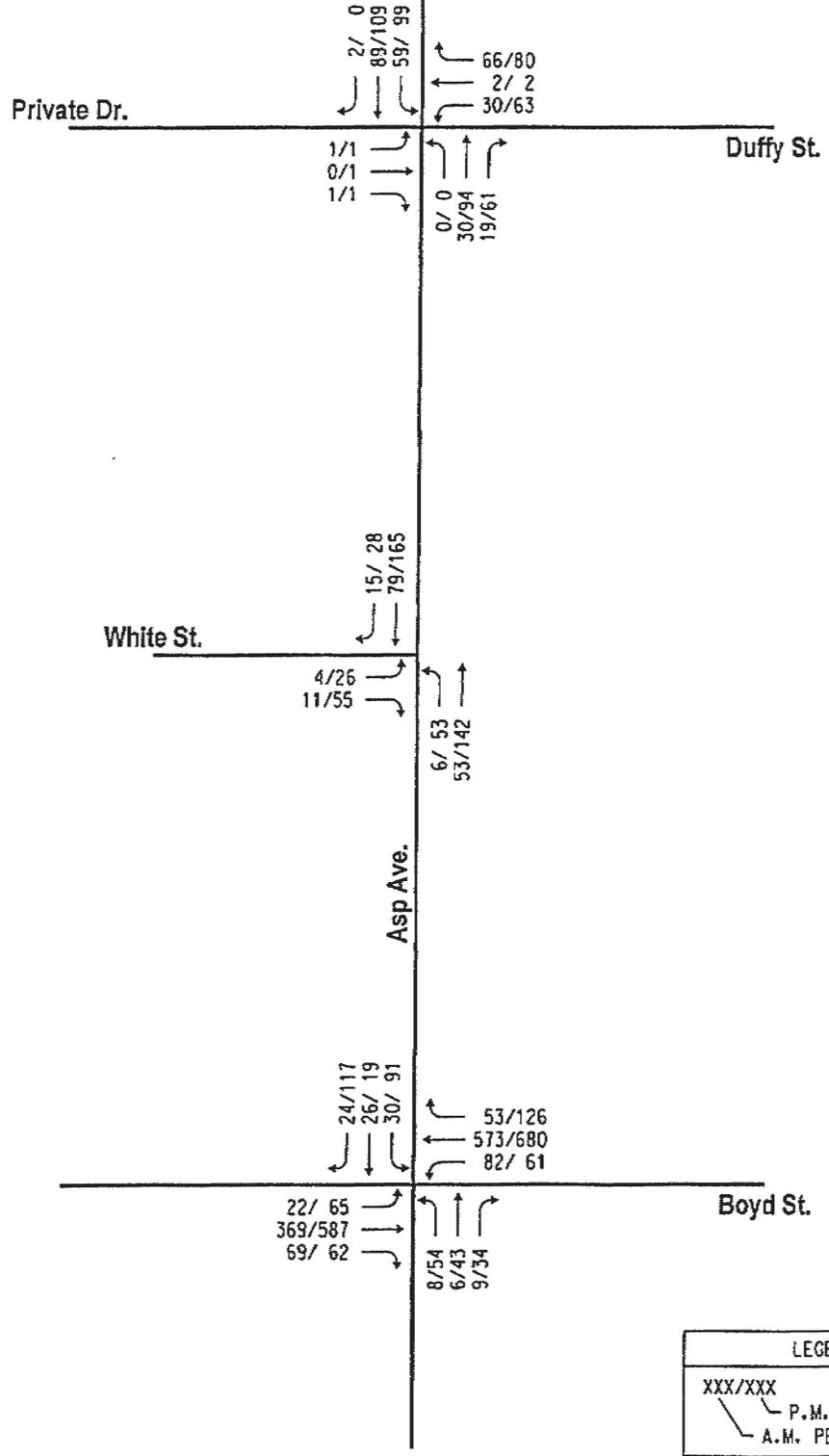




LEGEND	
XXX/XXX	P.M. PEAK HOUR
XXX/XXX	A.M. PEAK HOUR
XXXX	= PEDESTRIAN

FIGURE 3. 2012 Existing Traffic





LEGEND  
 XXX/XXX  
 P.M. PEAK HOUR  
 A.M. PEAK HOUR

FIGURE 4. 2015 Projected Background Traffic





Available information was utilized regarding the anticipated land uses to determine the site generated traffic. The *Single Tenant Office Building* (Land Use Code 715) and *Specialty Retail Center* (Land Use Code 826) categories were selected to determine the trip generation for the leasable spaces. Due to the close proximity of the development to the University of Oklahoma, the *apartment* land use category does not accurately reflect the expected site generated traffic and therefore other data must be used.

The new apartment development is proposed to provide residential dwellings primarily for students attending the University of Oklahoma. Due to the proximity of the development, it is believed that many of the residents will not drive to and from campus, but either walk or bike. TEC collected traffic volumes into and out of two nearby apartment complexes (Campus Station Apartments and Key West Apartments). Both of the sampled apartment complexes are similar in size and location to the proposed development. Based on the traffic volumes collected at these apartment complexes, the trip rate for a similar land use was determined to be 0.17 vehicles per hour per dwelling unit during the a.m. peak hour and 0.37 vehicles per hour per dwelling unit during the p.m. peak hour. These trip rates were approved by the City of Norman for this traffic study. For comparison purposes, the average trip rate for a standard mid-rise apartment complex is 0.30 vehicles per hour per dwelling unit during the a.m. peak hour and 0.39 vehicles per hour per dwelling unit during the p.m. peak hour. The resulting traffic volumes projected to be generated by the site once it is fully developed are indicated 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			Average AM Peak Hour Directional Distribution		Average AM Peak Hour Directional Volume		Average PM Peak Hour Directional Distribution		Average PM Peak Hour Directional Volume	
			PER DAY (vpd)	Per Peak Hour of Adjacent Street Traffic									
				One Hour Between 7am & 9am (vph)	One Hour Between 4pm & 6pm (vph)	IN	OUT	IN	OUT	IN	OUT	IN	OUT
Trip Rate** Mid-Rise Apartment	---	(dwelling units)	3.70	0.17	0.37	0.31	0.69	11	23	0.58	0.42	43	31
Trip Rate* Single Tenant Office Building	715	(sf)	42.33	7.15	10.17	0.89	0.11	26	3	0.15	0.85	6	35
Trip Rate* Specialty Retail Center	826	(sf)	53.86	---	8.72	---	---	---	---	0.44	0.56	13	17
<b>TOTAL</b>			<b>1,092</b>	<b>63</b>	<b>145</b>			<b>37</b>	<b>26</b>			<b>62</b>	<b>83</b>

\* Trip rates from "TRIP GENERATION", 9th Ed., Vol. 3 of 3, Institute of Transportation Engineers, 2012.  
 \*\* Trip rate determined from data collected at Campus Station Apartments in Norman, Oklahoma.

#### 4.2 Trip Distribution

The traffic expected to be generated by the proposed development was then distributed among the surrounding street system as well as the point of access for the a.m. and p.m. peak hours. The distribution of the site generated traffic was based on traffic patterns in the area and the assumed destination of future residents and is summarized in **Figure 5**. The directional distribution of the site generated traffic for the proposed development is expected to be:

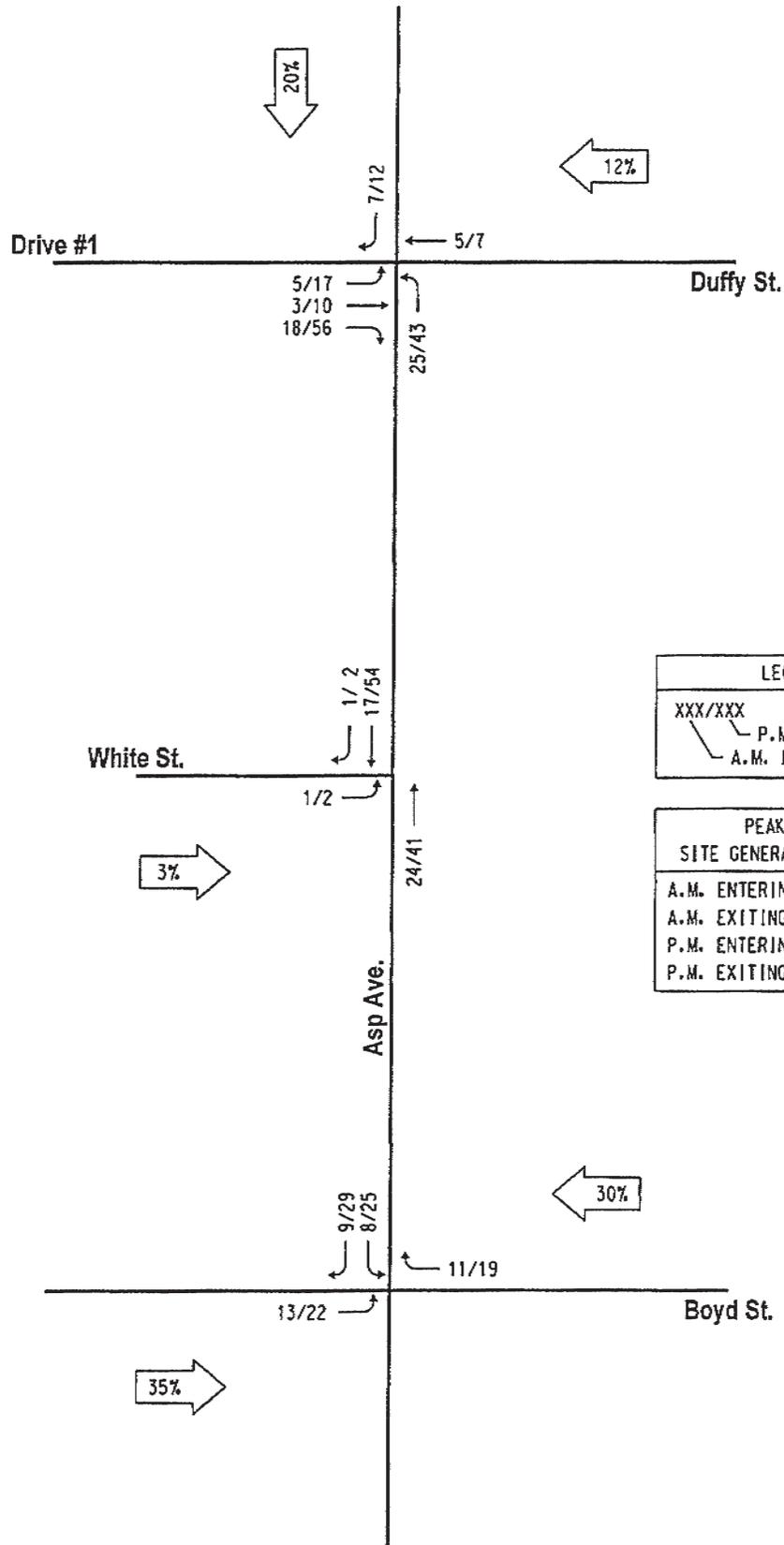
- 35% to/from Boyd Street west of the development
- 30% to/from Boyd Street east of the development
- 20% to/from Asp Avenue north of the development
- 12% to/from Duffy Street east of the development
- 03% to/from White Street west of the development

Traffic was not distributed to Asp Avenue south of Boyd Street. It was assumed that development traffic would not pay to park on the northeast corner of the university campus considering it is only a few blocks from the development. Additionally, any potential cut through traffic would be deterred by slow vehicle speeds and high pedestrian volumes. The projected site generated traffic was then added to the background traffic for the 2015 design year. The 2015 projected combined traffic volumes (2015 projected background traffic + site generated traffic) for the access point to the proposed development, as well as the surrounding street system, are summarized in **Figure 6**.

#### 5.0 CAPACITY ANALYSIS

The capacity analyses were conducted using *Synchro 7.0*, which is a software package for modeling and optimizing traffic signal timings at signalized intersections and analyzing unsignalized intersections in accordance with the methodology of the latest edition of the *Highway Capacity Manual*. The *Highway Capacity Manual* is published by the Transportation Research Board of the National Research Council, Washington, D.C. The information has been widely accepted throughout the U.S. as a guide for defining and solving transportation challenges. The information is approved and distributed by the U.S. Department of Transportation, Federal Highway Administration.

The capacity analysis provides a measure of the amount of traffic that a given facility can accommodate. Traffic facilities generally operate poorly at or near capacity. The analysis is intended to estimate the maximum amount of traffic that can be accommodated by a facility while maintaining prescribed

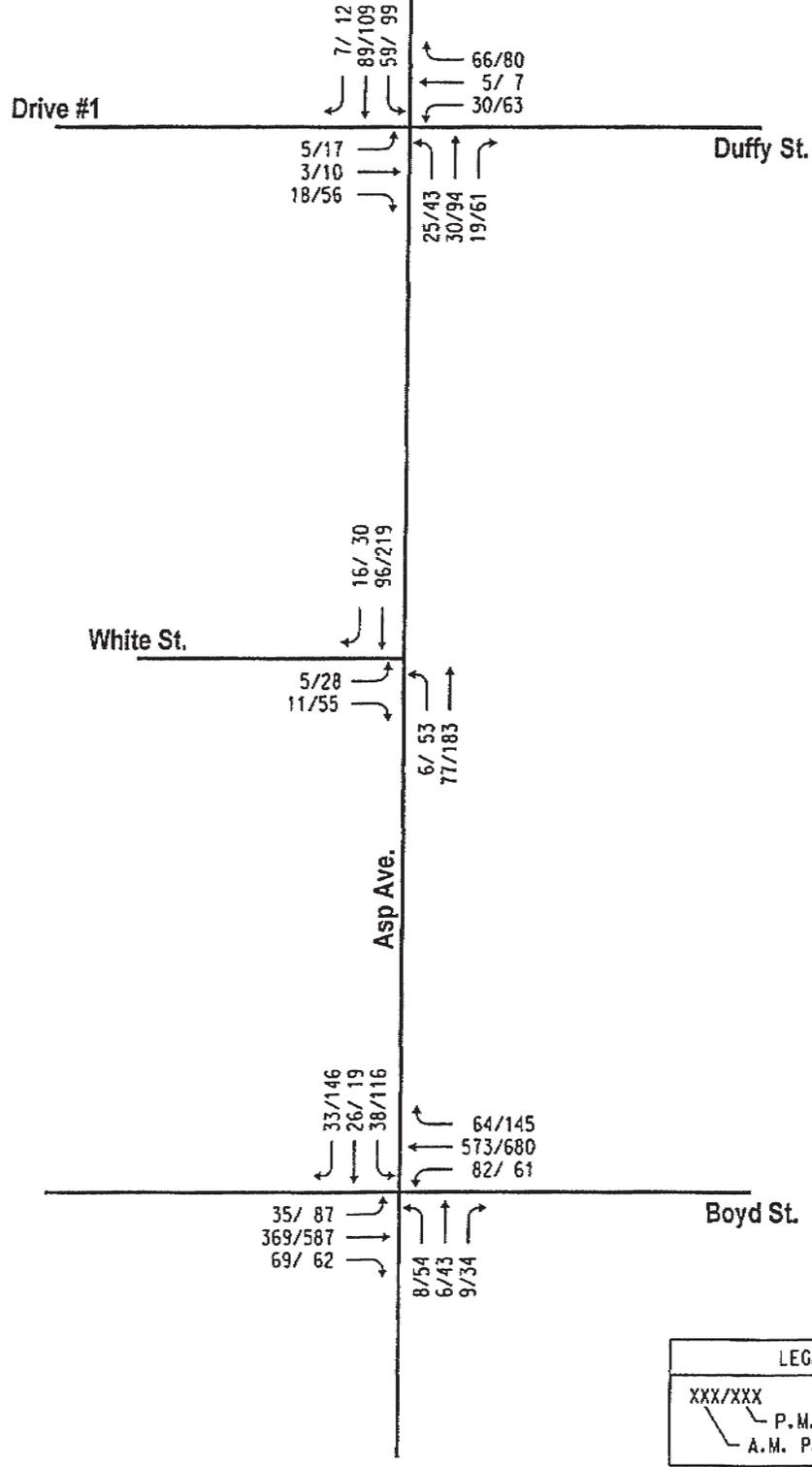


LEGEND	
XXX/XXX	P.M. PEAK HOUR
XXX/XXX	A.M. PEAK HOUR

PEAK HOUR SITE GENERATED TRAFFIC	
A.M. ENTERING	= 37 VPH
A.M. EXITING	= 26 VPH
P.M. ENTERING	= 62 VPH
P.M. EXITING	= 83 VPH

FIGURE 5. Distribution of Site Generated Traffic





LEGEND  
 XXX/XXX  
 / P.M. PEAK HOUR  
 \ A.M. PEAK HOUR

FIGURE 6. 2015 Projected Combined Traffic





operational qualities. The definition of operational criteria is accomplished using levels-of-service. The concept of levels-of-service is defined as a qualitative measure and describes operational conditions in terms of such factors as speed and travel time, freedom to maneuver, traffic interruptions, comfort and convenience, and safety. Six levels-of-service are defined for each type of facility for which analysis procedures are available. They are given letter designations, from "A" to "F", with level-of-service "A" representing the best operating conditions and level-of-service "F" the worst.

The average control delay for signalized intersections is estimated for each lane group and aggregated for each approach and for the intersection as a whole. The level-of-service for this type of traffic control is directly related to the control delay value. The level-of-service criteria for signalized intersections are indicated below.

**SIGNALIZED INTERSECTIONS**

Level-of-Service	Control Delay per Vehicle (s/veh)
A	0-10
B	> 10-20
C	> 20-35
D	> 35-55
E	> 55-80
F	> 80

The criteria for stop controlled or unsignalized intersections have different threshold values than do those for signalized intersections. A higher level of control delay has been determined to be acceptable at a signalized intersection for the same level-of-service. The level-of-service criteria for unsignalized intersections are indicated below.

**UNSIGNALIZED INTERSECTIONS**

Level-of-Service	Control Delay per Vehicle (s/veh)
A	0-10
B	> 10-15
C	> 15-25
D	> 25-35
E	> 35-50
F	> 50



Capacity analyses were conducted for the a.m. and p.m. peak hours for the access point to the proposed development as well as the intersections of Asp Avenue and Boyd Street and Asp Avenue and White Street. The intersections were analyzed and reviewed under the 2012 existing traffic, 2015 projected background traffic, and 2015 projected combined traffic. For purposes of this report, an overall intersection level-of-service “D” or better and a critical movement (movement with the lowest level-of-service) level-of-service “E” or better was considered an acceptable level-of-service. The results of the capacity analyses conducted are summarized in **Table 2** and the raw data sheets have been included in the appendix.

**TABLE 2**  
Capacity Analysis Summary

Intersection	Type of Traffic Control	AM Peak Hour					PM Peak Hour				
		Critical Movement			Intersection		Critical Movement			Intersection	
		Movement	Delay (sec/veh)	LOS	Delay (sec/veh)	LOS	Movement	Delay (sec/veh)	LOS	Delay (sec/veh)	LOS
<b>2012 Existing Traffic</b>											
Asp Avenue & Boyd Street	Signalized	SB	36.1	D	7.8	A	SB	101.8	F	24.6	C
Asp Avenue & White Street	Unsignalized	EB	9.2	A	1.1	A	EB	11.8	B	3.1	A
Asp Avenue & Duffy Street	Unsignalized	EB	10.4	B	4.9	A	WB	12.4	B	5.2	A
<b>2015 Projected Background Traffic</b>											
Asp Avenue & Boyd Street	Signalized	SB	36.4	D	7.9	A	SB	109.7	F	25.8	C
Asp Avenue & White Street	Unsignalized	EB	9.2	A	1.1	A	EB	11.9	B	3.1	A
Asp Avenue & Duffy Street	Unsignalized	EB	10.5	B	4.9	A	WB	12.6	B	5.3	A
<b>2015 Projected Background Traffic with Signal Timing Adjustments</b>											
Asp Avenue & Boyd Street	Signalized	SB	36.4	D	7.9	A	SB	49.6	D	20.2	C
<b>2015 Projected Background Traffic + Site Traffic</b>											
Asp Avenue & Boyd Street	Signalized	SB	38.4	D	8.8	A	SB	54.8	D	26.4	C
Asp Avenue & White Street	Unsignalized	EB	9.4	A	0.9	A	EB	13.0	B	2.8	A
Asp Avenue & Duffy Street/Drive #1	Unsignalized	WB	10.4	B	5.6	A	WB	15.9	C	7.1	A

The existing signal timing plans for the intersection of Asp Avenue and Boyd Street were provided by the City of Norman and used in the analyses. The pedestrian volumes and mid-block parking maneuvers have also been included in the analyses. The analyses conducted under the 2012 existing traffic conditions indicated that the critical movement at intersection of Asp Avenue and Boyd Street currently operates at level-of-service “F” during the p.m. peak hour. Under the 2015 projected background traffic, the critical movement would continue to operate at level-of-service “F” during the p.m. peak hour.

Due to right-of-way constraints, widening improvements at this intersection are not feasible. However, vehicle delay could be improved on the side streets and overall intersection by slightly adjusting the signal timing plans for the p.m. peak hour to provide more green time for Asp Avenue. The intersection would retain the existing 110 second cycle length during the p.m. peak hour. With signal timing adjustments made at Asp Avenue and Boyd Street, the critical movement would be expected to operate at



level-of-service "D" during the p.m. peak hour. Once the site generated traffic was added to the 2015 projected background traffic with adjusted signal timing, the critical movement would continue to operate at level-of-service "D" during the p.m. peak hour.

The intersections of Asp Avenue and White Street and Asp Avenue and Duffy Street would be expected to operate at acceptable levels-of-service. The site generated traffic was analyzed entering the development from the existing thru lanes on Asp Avenue and the construction of exclusive left and right turn lanes are not recommended.

## 6.0 CONCLUSIONS AND RECOMMENDATIONS

TEC was requested to conduct a traffic impact study on a proposed development in Norman, Oklahoma. Existing traffic volume data was collected adjacent to the proposed development in October of 2012. The existing traffic was utilized to determine the background traffic for 2015 by applying an average annual growth rate of 1% for three years. The 2015 design period was selected as the year the development is projected to be completed. The traffic expected to be generated by the new development was determined and distributed among the point of access to the development, as well as the adjacent street intersections. The proposed development traffic was added to the 2015 projected background traffic for conducting the reviews and analyses.

The analyses conducted under the 2012 existing traffic conditions indicated that the critical movement at intersection of Asp Avenue and Boyd Street currently operates at level-of-service "F" during the p.m. peak hour. Under the 2015 projected background traffic, the critical movement would slightly degrade and continue to operate at level-of-service "F" during the p.m. peak hour. It is recommended that slight signal timing adjustments be made at Asp Avenue and Boyd Street to provide additional green time for north/south traffic. With signal timing plan modifications implemented, the intersection would be expected to operate at level-of-service "D" during the p.m. peak hour. Once the site generated traffic was added to the 2015 projected background traffic with adjusted signal timing, the critical movement would continue to operate at level-of-service "D" during the p.m. peak hour.

The proposed development would be expected to add an additional 41 vehicles in the a.m. peak hour and 95 vehicles in the p.m. peak hour to the intersection of Asp Avenue and Boyd Street. This calculates out to an additional 3.2% and 4.9% of traffic through the intersection during the a.m. and p.m. peak hours, respectively.

# **APPENDIX**

**EXISTING TRAFFIC DATA**

Traffic Engineering Consultants, Inc.  
 6000 S. Western Ave., Suite 300  
 Oklahoma City, Ok. 73139

File Name : boyd & asp  
 Site Code : 00000000  
 Start Date : 10-17-12  
 Page No : 1

Groups Printed- Unshifted

Start Time	ASP Southbound						BOYD Westbound						ASP Northbound						BOYD Eastbound							
	Left	Thru	Right	Peds	App. Total	Int. Total	Left	Thru	Right	Peds	App. Total	Int. Total	Left	Thru	Right	Peds	App. Total	Int. Total	Left	Thru	Right	Peds	App. Total	Int. Total		
																									Left	Thru
07:00 AM	3	1	5	1	10	6	55	7	4	0	1	6	11	2	32	5	1	40	134	2	4	53	7	5	69	182
07:15 AM	3	2	2	9	16	9	76	4	6	0	0	1	2	4	53	7	5	69	182	4	5	58	18	4	85	249
07:30 AM	5	2	4	11	22	14	110	8	3	0	0	1	7	5	58	18	4	85	249	5	5	58	18	4	85	249
07:45 AM	12	5	12	20	49	20	127	11	8	0	1	5	12	2	86	18	9	115	342	2	2	86	18	9	115	342
Total	23	10	23	41	97	49	368	30	22	16	2	13	32	13	229	48	19	309	907	13	7	229	48	19	309	907
08:00 AM	8	9	3	13	33	22	159	14	5	1	2	8	16	3	76	16	6	101	350	3	6	109	14	9	138	410
08:15 AM	9	5	8	34	56	20	160	7	16	1	1	11	13	6	109	14	9	138	410	6	5	93	21	9	128	344
08:30 AM	7	5	5	26	43	21	113	18	9	2	2	5	12	2	93	21	9	128	344	5	5	93	21	9	128	344
08:45 AM	5	6	7	32	50	17	124	12	14	4	1	13	19	7	80	16	12	115	351	4	1	80	16	12	115	351
Total	29	25	23	105	182	80	556	51	44	8	6	37	60	21	358	67	36	482	1455	21	7	358	67	36	482	1455
*** BREAK ***																										
04:00 PM	15	4	16	32	67	20	158	15	25	12	4	1	27	9	105	21	16	151	480	12	6	105	21	16	151	480
04:15 PM	16	7	14	41	78	10	173	19	29	15	6	8	63	13	136	20	23	192	593	15	13	136	20	23	192	593
04:30 PM	16	3	17	34	70	16	176	18	19	12	6	4	46	22	168	25	23	238	605	12	6	168	25	23	238	605
04:45 PM	22	3	16	37	78	17	153	25	25	7	3	4	36	16	108	18	23	165	513	7	3	108	18	23	165	513
Total	69	17	63	144	293	63	660	77	98	46	19	17	172	60	517	84	85	746	2181	46	19	517	84	85	746	2181
05:00 PM	25	5	26	22	78	13	167	33	14	19	17	7	40	15	141	12	15	183	571	12	12	141	12	15	183	571
05:15 PM	20	5	38	26	89	14	157	26	10	207	14	12	15	12	156	16	16	200	579	14	12	156	16	16	200	579
05:30 PM	24	3	29	43	99	15	165	30	28	238	9	3	5	20	133	14	21	188	590	9	3	133	14	21	188	590
05:45 PM	19	5	21	53	98	17	171	33	26	247	10	10	6	16	140	18	25	199	613	10	10	140	18	25	199	613
Total	88	18	114	144	364	59	660	122	78	919	52	42	33	173	300	60	77	770	2353	52	42	300	60	77	770	2353
Grand Total	209	70	223	434	936	251	2244	280	242	3017	122	68	61	395	646	157	1674	2307	6906	122	68	1674	259	217	2307	6906
Approach %	22.3	7.5	23.8	46.4	13.6	8.3	74.4	9.3	8	43.7	18.9	10.5	9.4	61.1	9.4	6.8	72.6	11.2	9.4	6.8	72.6	11.2	9.4	6.8	72.6	11.2
Total %	3	1	3.2	6.3	3.6	3.6	32.5	4.1	3.5	43.7	1.8	1	0.9	5.7	9.4	2.3	24.2	3.8	3.1	2.3	24.2	3.8	3.1	2.3	24.2	3.8

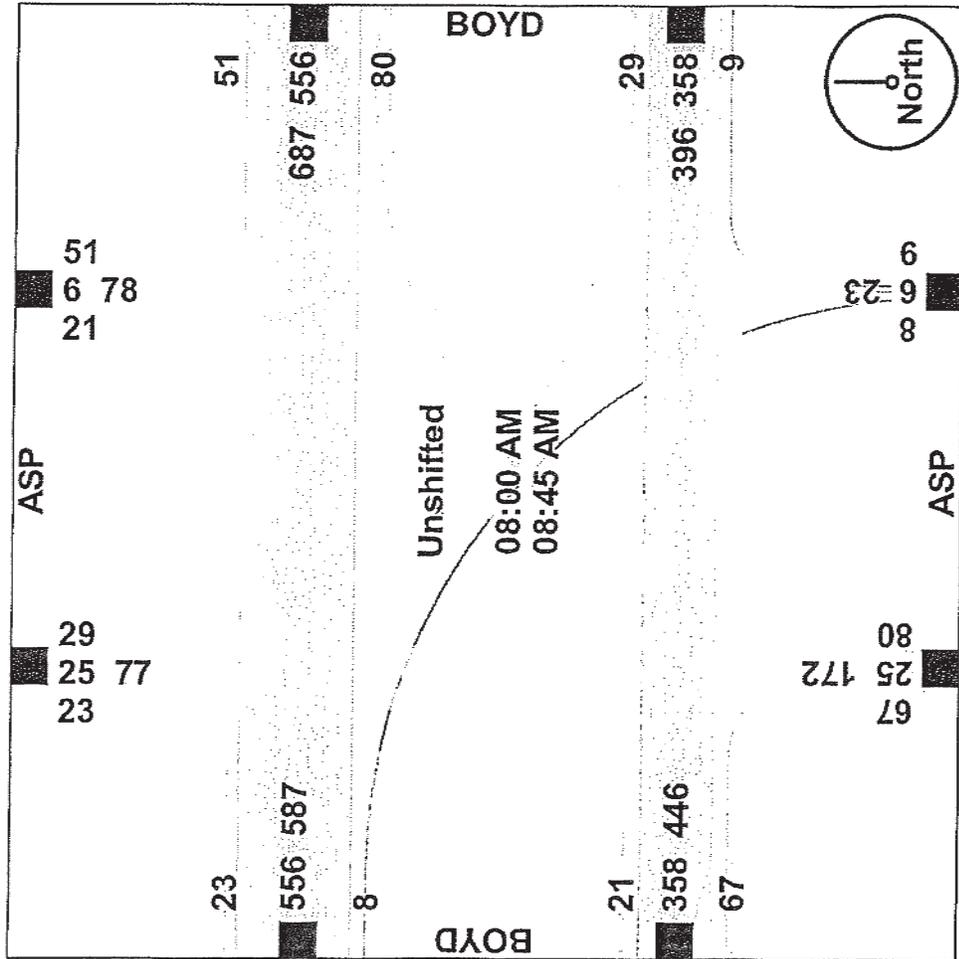
Traffic Engineering Consultants, Inc.  
 6000 S. Western Ave., Suite 300  
 Oklahoma City, Ok. 73139

File Name : boyd & asp  
 Site Code : 00000000  
 Start Date : 10-17-12  
 Page No : 2

Start Time	ASP Southbound			BOYD Westbound			ASP Northbound			BOYD Eastbound			Int. Total								
	Left	Thru	Right		App. Total	Peds	App. Total														
Peak Hour Analysis From 07:00 AM to 11:45 AM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 08:00 AM																					
08:00 AM	8	5	5	20	16	7	1	1	0	2	1	0	11	11	13	6	100	14	9	128	344
08:15 AM	7	5	5	21	113	9	2	2	3	2	2	3	5	5	12	5	93	11	9	128	344
08:30 AM	5	6	7	17	124	12	1	1	1	1	1	1	11	11	13	7	80	16	11	115	351
08:45 AM	29	25	23	80	556	51	8	6	9	6	6	9	37	37	60	21	358	67	36	482	1455
Total Volume	15.9	13.7	12.6	10.9	76.1	7	13.3	10	15	13.3	10	15	61.7	61.7	78.9	4.4	74.3	13.9	7.5	87.3	2635
% App. Total	.806	.694	.719	.909	.869	.708	.500	.750	.450	.750	.500	.450	.712	.712	.789	.750	.821	.798	.750	.873	.887
PHF																					

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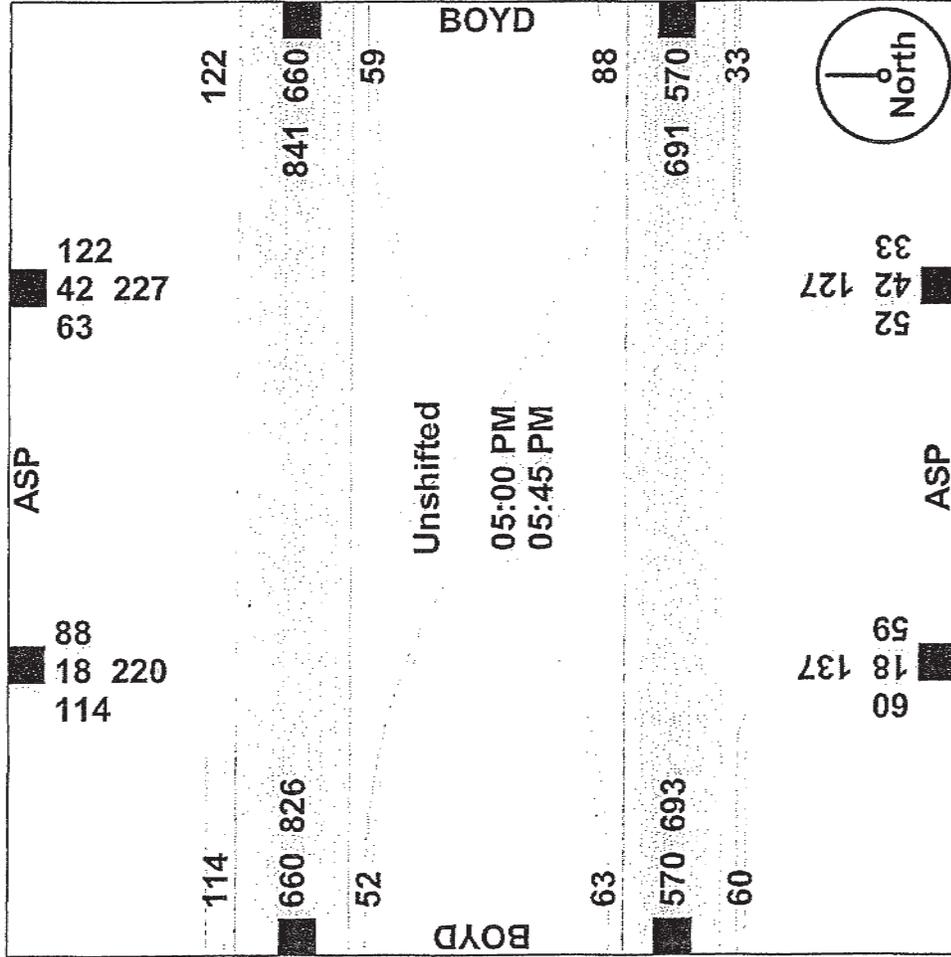
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File Name : boyd & asp  
 Site Code : 00000000  
 Start Date : 10-17-12  
 Page No : 4

Start Time	ASP Southbound				BOYD Westbound				ASP Northbound				BOYD Eastbound			
	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 12:00 PM to 05:45 PM - Peak 1 of 1																
Peak Hour for Entire Intersection Begins at 05:00 PM																
05:00 PM	25	5				14	157	26	10	207	19	17			83	
05:15 PM	20	5	38	26	89	15	165	30	28	238	14	12	15	42	83	16
05:30 PM	24	3	29	43	99	17	171	33	26	247	9	3	5	48	65	21
05:45 PM	19	5	21	53	98	59	660	122	78	919	10	10	6	43	69	25
Total Volume	88	18	114	144	364	6.4	71.8	13.3	8.5		52	42	33	173	300	60
% App. Total	24.2	4.9	31.3	39.6		.868	.965	.924	.696	.930	17.3	14	11	57.7	.904	7.8
PHF	.880	.900	.750	.679	.919	.868	.965	.924	.696	.930	.684	.618	.550	.901	.904	.770
											.788	.913	.833	.770	.963	.960

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File Name : boyd & asp  
 Site Code : 00000000  
 Start Date : 10-17-12  
 Page No : 5



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File Name : white & asp  
 Site Code : 00000000  
 Start Date : 10-17-12  
 Page No : 1

Groups Printed- Unshifted

Start Time	ASP AVE Southbound						WHITE ST Westbound						ASP AVE Northbound						WHITE ST Eastbound									
	Left		Right		Peds		Left		Right		Peds		Left		Right		Peds		Left		Right		Peds					
	Thru	App. Total	Thru	App. Total	Thru	App. Total	Thru	App. Total	Thru	App. Total	Thru	App. Total	Thru	App. Total	Thru	App. Total	Thru	App. Total	Thru	App. Total	Thru	App. Total	Thru	App. Total				
07:00 AM	0	5	0	0	0	0	0	0	0	0	0	0	2	7	0	0	2	11	0	1	0	0	0	0	0	1	0	0
07:15 AM	0	7	2	4	13	0	0	0	0	0	0	0	2	4	0	0	9	2	0	0	1	0	0	0	0	0	0	
07:30 AM	0	15	3	4	22	0	0	0	0	0	0	0	2	8	0	0	11	0	0	0	0	0	0	0	0	0	0	
07:45 AM	0	27	3	3	33	0	0	0	0	0	0	0	1	14	0	0	23	0	0	0	2	0	0	0	0	0	0	
Total	0	54	8	11	73	0	0	0	0	0	0	0	7	33	0	0	54	2	1	3	0	0	0	2	1	3	0	
08:00 AM	0	16	6	8	30	0	0	0	0	0	0	0	2	8	0	0	16	0	0	2	1	0	0	0	0	2	1	
08:15 AM	0	22	5	5	32	0	0	0	0	0	0	0	2	12	0	0	19	2	0	3	0	0	0	0	0	3	0	
08:30 AM	0	12	1	7	20	0	0	0	0	0	0	0	1	17	0	0	31	2	0	4	0	0	0	0	0	4	0	
08:45 AM	0	20	1	6	27	0	0	0	0	0	0	0	2	17	0	0	24	1	0	5	1	0	0	0	0	5	1	
Total	0	70	13	26	109	0	0	0	0	0	0	0	7	54	0	0	90	5	0	14	2	0	0	5	0	14	2	
*** BREAK ***																												
04:00 PM	0	28	4	17	49	0	0	0	0	0	0	0	3	20	0	0	31	4	1	9	1	0	0	4	1	9	1	
04:15 PM	0	20	9	13	42	0	0	0	0	0	0	0	5	32	0	0	55	7	0	11	1	0	0	7	0	11	1	
04:30 PM	0	22	4	4	30	0	0	0	0	0	0	0	8	30	0	0	56	0	0	13	4	0	0	0	0	13	4	
04:45 PM	0	33	6	8	47	0	0	0	0	0	0	0	11	37	0	0	65	6	0	8	0	0	0	6	0	8	0	
Total	0	103	23	42	168	0	0	0	0	0	0	0	27	119	0	0	207	17	1	41	6	0	0	17	1	41	6	
05:00 PM	0	35	6	9	50	0	0	0	0	0	0	0	11	51	0	0	70	9	0	13	2	0	0	9	0	13	2	
05:15 PM	0	45	6	19	70	0	0	0	0	0	0	0	10	33	0	0	60	5	0	14	0	0	0	5	0	14	0	
05:30 PM	0	37	8	17	62	0	0	0	0	0	0	0	16	24	0	0	59	7	0	15	2	0	0	7	0	15	2	
05:45 PM	0	43	7	16	66	0	0	0	0	0	0	0	14	30	0	0	78	4	0	11	1	0	0	4	0	11	1	
Total	0	160	27	61	248	0	0	0	0	0	0	0	51	138	0	0	267	25	0	53	5	0	0	25	0	53	5	
Grand Total	0	387	71	140	598	0	0	0	0	0	0	0	92	344	0	0	618	49	2	111	13	0	0	49	2	111	13	
Approach %	0	64.7	11.9	23.4	41.7	0	0	0	0	0	0	0	14.9	55.7	0	0	43.1	28	1.1	63.4	7.4	0	0	28	1.1	63.4	7.4	
Total %	0	27	4.9	9.8	41.7	0	0	0	0	0	0	0	6.4	24	0	0	12.7	3.4	0.1	7.7	0.9	0	0	3.4	0.1	7.7	0.9	

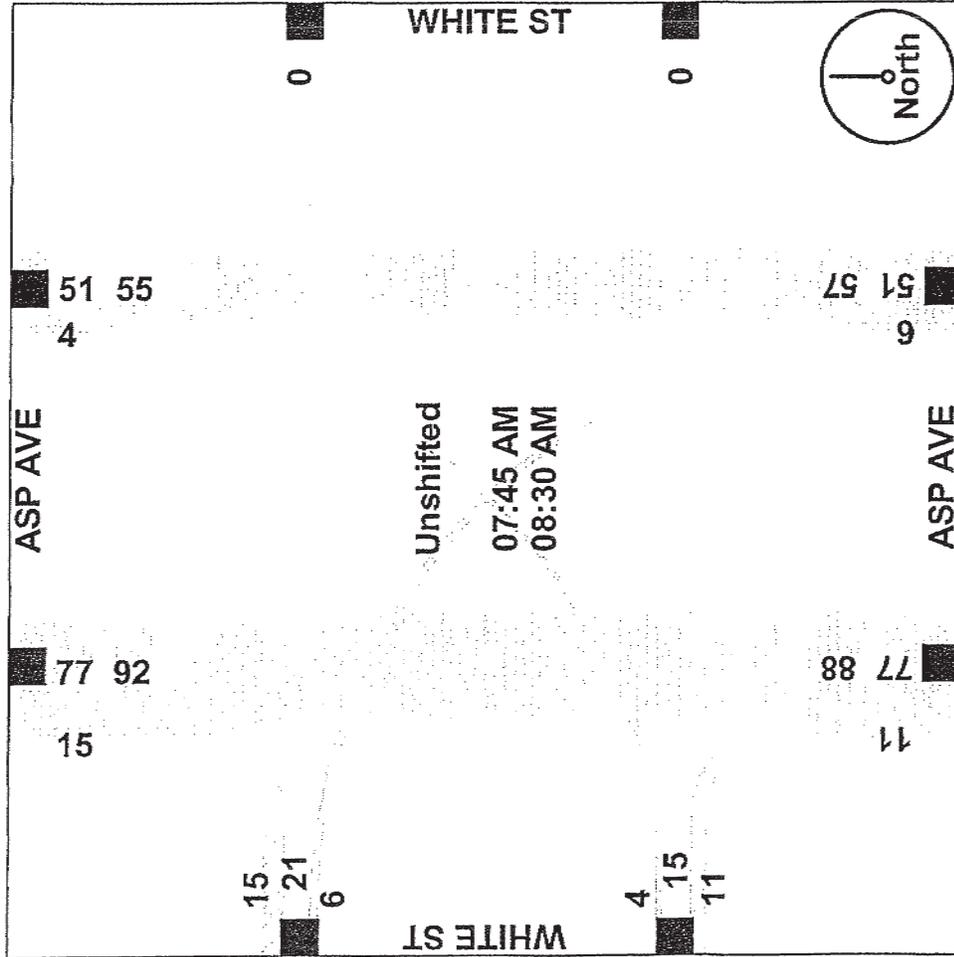
Traffic Engineering Consultants, Inc.  
 6000 S. Western Ave., Suite 300  
 Oklahoma City, Ok. 73139

File Name : white & asp  
 Site Code : 00000000  
 Start Date : 10-17-12  
 Page No : 2

Start Time	ASP AVE Southbound						WHITE ST Westbound						ASP AVE Northbound						WHITE ST Eastbound											
	Left	Thru	Right	Peds	App. Total		Left	Thru	Right	Peds	App. Total		Left	Thru	Right	Peds	App. Total		Left	Thru	Right	Peds	App. Total							
	Peak Hour Analysis From 07:00 AM to 11:45 AM - Peak 1 of 1 Peak Hour for Entire Intersection Begins at 07:45 AM																													
08:00 AM	0	16	4	5	30		0	0	0	0	0		2	8	0	6	16		0	0	2	1	3		0	0	2	1	3	
08:15 AM	0	22	5	7	32		0	0	0	0	0		2	12	0	5	19		2	0	3	0	5		2	0	3	0	5	
08:30 AM	0	12	1	7	20		0	0	0	0	0		1	7	0	3	11		1	0	1	0	2		2	0	1	0	3	
Total Volume	0	77	15	23	115		0	0	0	0	0		6	51	0	32	89		4	0	11	1	16		4	0	11	1	16	
% App. Total	0	67	13	20	87.1		0	0	0	0	0		6.7	57.3	0	36	68.8		25	0	68.8	6.2	95.8		25	0	68.8	6.2	95.8	
PHF	.000	.713	.625	.719	.871		.000	.000	.000	.500	.500		.750	.750	.000	.615	.718		.500	.000	.688	.250	.667		.500	.000	.688	.250	.667	

Traffic Engineering Consultants, Inc.  
6000 S. Western Ave., Suite 300  
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File Name : white & asp  
Site Code : 00000000  
Start Date : 10-17-12  
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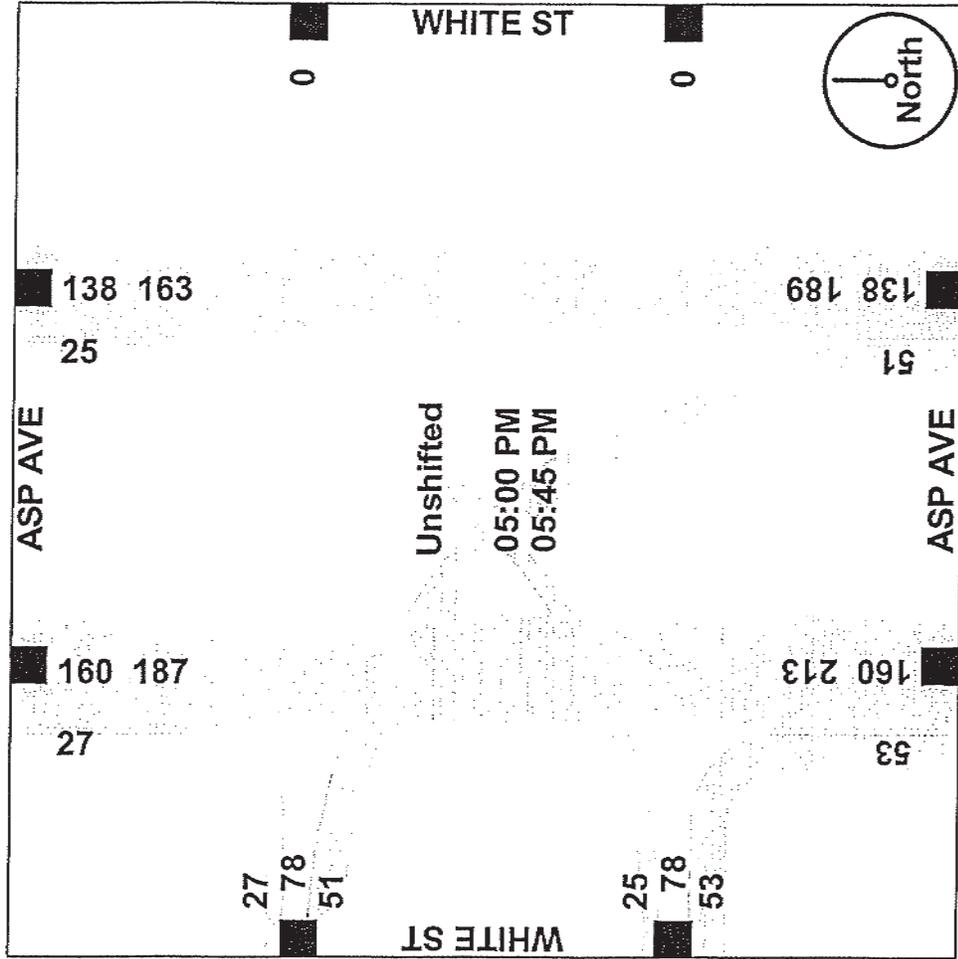
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File Name : white & asp  
 Site Code : 00000000  
 Start Date : 10-17-12  
 Page No : 4

Start Time	ASP AVE Southbound					WHITE ST Westbound					ASP AVE Northbound					WHITE ST Eastbound					
	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Left	Thru	Right	Peds	App. Total	Int. Total
Peak Hour Analysis From 12:00 PM to 05:45 PM - Peak 1 of 1																					
Peak Hour for Entire Intersection Begins at 05:00 PM																					
05:00 PM	0	35	6	9	50	0	0	0	5	5	11	51	0	17	60	9	0	14	2	24	
05:15 PM	0	45	6	19	70	0	0	0	4	4	10	33	0	19	59	5	0	15	0	19	153
05:30 PM	0	37	8	17	62	0	0	0	4	4	16	24	0	34	78	7	0	11	2	24	149
05:45 PM	0	43	7	16	66	0	0	0	9	9	14	30	0	78	267	4	0	11	1	16	169
Total Volume	0	160	27	61	248	0	0	0	22	22	51	138	0	78	856	25	0	53	5	83	620
% App. Total	0	64.5	10.9	24.6		0	0	0	100		19.1	51.7	0	29.2		30.1	0	63.9	6		
PHF	.000	.889	.844	.803	.886	.000	.000	.000	.611	.611	.797	.676	.000	.574	.856	.694	.000	.883	.625	.865	.917

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Oklahoma City, Ok. 73139

File Name : white & asp  
Site Code : 00000000  
Start Date : 10-17-12  
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File Name : duffy & asp  
 Site Code : 00000000  
 Start Date : 10-17-12  
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Groups Printed- Unshifted

Start Time	ASP Southbound						DUFFY Westbound						ASP Northbound						DUFFY Eastbound					
	Left	Thru	Right	Peds	App. Total		Left	Thru	Right	Peds	App. Total		Left	Thru	Right	Peds	App. Total		Left	Thru	Right	Peds	App. Total	
07:00 AM	1	7	0	0	8		1	0	0	6	7		0	6	1	0	7		0	0	0	0	0	
07:15 AM	6	10	1	0	17		4	0	7	0	11		3	0	0	0	3		0	0	0	0	0	
07:30 AM	9	12	0	1	22		8	0	8	1	17		6	0	0	0	6		0	0	0	0	0	
07:45 AM	12	26	0	1	39		6	1	16	5	28		9	4	4	0	13		0	0	0	0	0	
Total	28	55	1	2	86		19	1	37	6	63		24	5	5	0	29		0	0	0	0	0	
08:00 AM	18	22	1	5	46		8	0	12	3	23		2	4	4	1	7		0	0	1	0	0	
08:15 AM	16	29	1	1	47		7	1	14	4	26		8	5	0	0	13		1	0	0	0	0	
08:30 AM	11	9	0	1	21		8	0	22	10	40		10	5	0	0	15		0	0	0	0	0	
08:45 AM	10	16	0	3	29		7	0	17	4	28		11	4	0	0	15		0	0	0	0	0	
Total	55	76	2	10	143		30	1	65	21	117		31	18	1	1	50		1	0	1	1	3	
*** BREAK ***																								
04:00 PM	18	30	0	0	48		5	0	13	6	24		0	18	8	1	27		1	1	1	0	0	
04:15 PM	19	17	1	1	38		12	0	20	5	37		0	30	12	0	42		0	0	1	0	0	
04:30 PM	11	19	0	1	31		5	0	18	14	37		0	11	20	1	32		0	0	0	0	0	
04:45 PM	25	21	0	2	48		15	1	17	4	37		0	29	10	1	40		0	0	0	0	0	
Total	73	87	1	4	165		37	1	68	29	135		88	50	3	3	141		1	1	2	0	0	
05:00 PM	26	21	0	1	48		18	1	30	1	50		0	33	19	1	53		0	0	0	0	0	
05:15 PM	22	39	0	2	63		14	0	13	5	32		0	18	13	1	32		1	0	0	0	0	
05:30 PM	23	25	0	2	50		14	0	18	4	36		0	11	17	0	28		0	1	1	0	0	
05:45 PM	10	30	0	0	40		13	0	15	7	35		0	18	7	0	25		1	0	0	0	0	
Total	81	115	0	5	201		59	1	76	17	153		80	56	2	2	138		2	1	1	0	0	
Grand Total	237	333	4	21	595		145	4	246	73	468		223	129	6	6	358		4	2	4	1	11	
Approach %	39.8	56	0.7	3.5	15.6		31	0.9	52.6	15.6	62.3		62.3	36	1.7	1.7	25		36.4	18.2	36.4	9.1	0.1	
Total %	16.6	23.3	0.3	1.5	41.6		10.1	0.3	17.2	5.1	32.7		15.6	9	0.4	0.4	25		0.3	0.1	0.3	0.1	0.8	

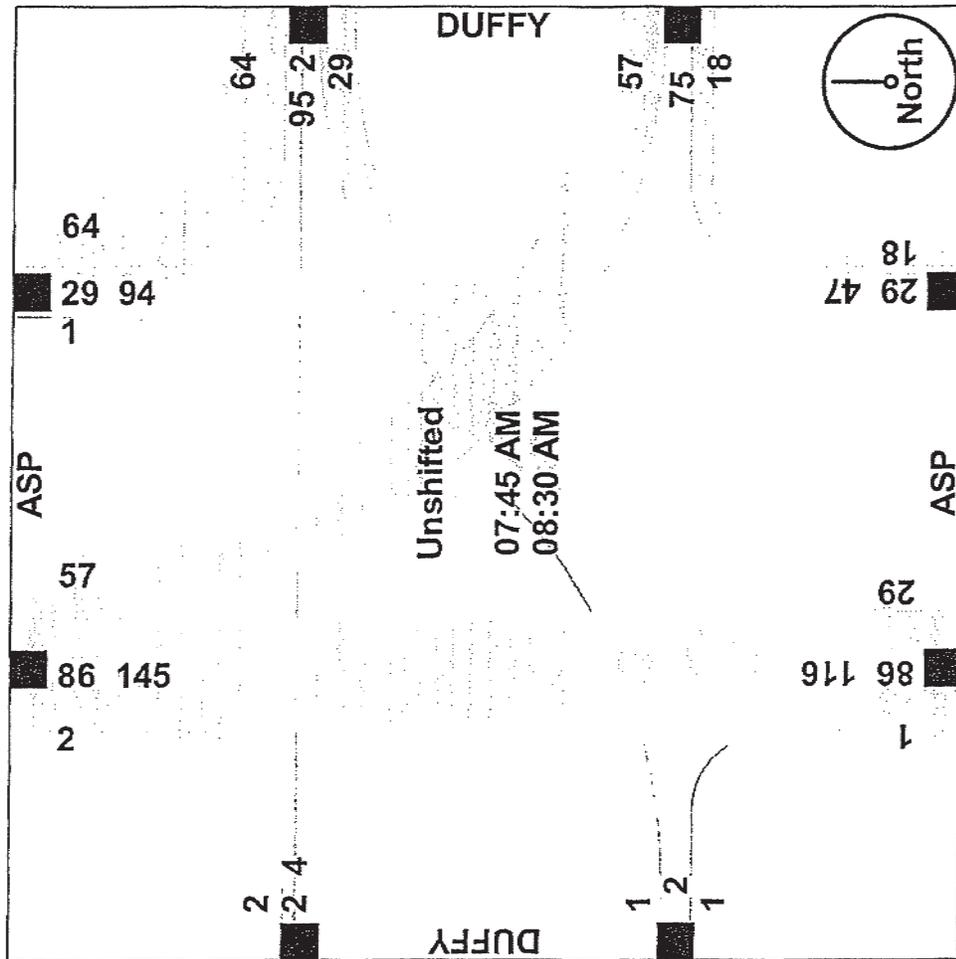
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Start Time	ASP Southbound			DUFFY Westbound			ASP Northbound			DUFFY Eastbound			Inl. Total						
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right		Peds	App. Total				
Peak Hour Analysis From 07:00 AM to 11:45 AM - Peak 1 of 1																			
Peak Hour for Entire Intersection Begins at 07:45 AM																			
07:45 AM																			
08:00 AM	11	22	1	6	0	12	3	23	0	2	4	1	7	0	0	0	0	1	77
08:15 AM	16	28	1	7	1	14	4	26	0	8	3	0	13	1	0	0	0	1	77
08:30 AM	11	9	0	8	0	22	10	40	0	10	5	0	15	0	0	0	0	1	77
Total Volume	57	86	2	29	2	64	22	117	0	29	18	1	48	1	0	1	1	3	321
% App. Total	37.3	56.2	1.3	24.8	1.7	54.7	18.8	73.1	0	60.4	37.5	2.1	80.0	33.3	0	33.3	33.3	3	922
PHF	.792	.741	.500	.906	.500	.727	.550	.731	.000	.725	.900	.250	.800	.250	.000	.250	.250	.750	.922

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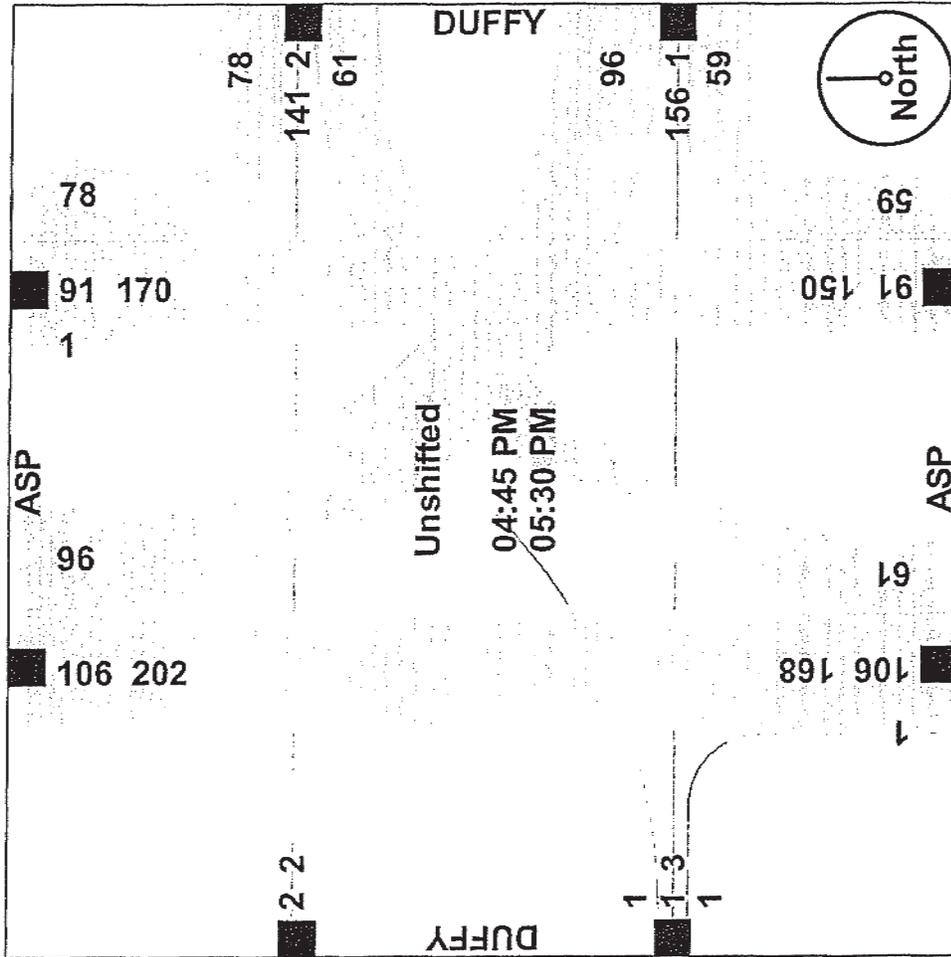
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 Site Code : 00000000  
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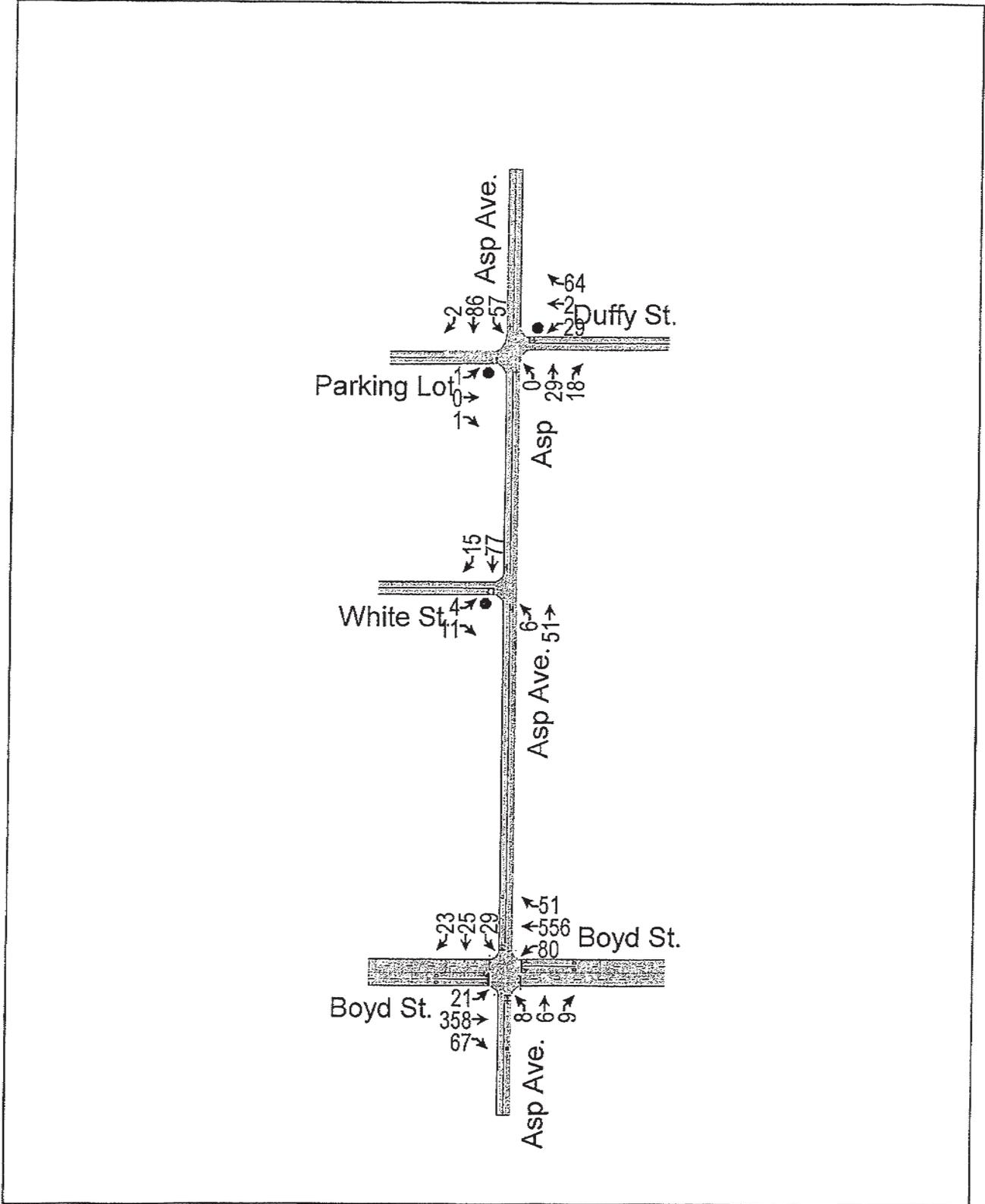
Start Time	ASP Southbound						DUFFY Westbound						ASP Northbound						DUFFY Eastbound											
	Left	Thru	Right	Peds	App. Total		Left	Thru	Right	Peds	App. Total		Left	Thru	Right	Peds	App. Total		Left	Thru	Right	Peds	App. Total							
	Peak Hour Analysis From 12:00 PM to 05:45 PM - Peak 1 of 1																													
04:45 PM	25	21	0	2			18	1	30	1	50		0	33	19	1	53		0	0	0	0	0		0	0	0	0	0	
05:00 PM	26	21	0	1	48		14	0	13	5	32		0	18	13	1	32		1	0	0	0	0		1	0	0	0	1	
05:15 PM	22	39	0	2	63		14	0	18	4	36		0	11	17	0	28		0	1	1	0	0		0	1	1	0	2	
05:30 PM	23	25	0	2	50		14	0	18	4	36		0	11	17	0	28		0	1	1	0	0		0	1	1	0	2	
Total Volume	96	106	0	7	209		61	2	78	14	155		0	91	59	3	153		1	1	1	0	3		1	1	1	0	3	
% App. Total	45.9	50.7	0	3.3			39.4	1.3	50.3	9			0	59.5	38.6	2			33.3	33.3	33.3	0			33.3	33.3	33.3	0		
PHF	.923	.679	.000	.875	.829		.847	.500	.650	.700	.775		.000	.689	.776	.750	.722		.250	.250	.250	.000	.375		.250	.250	.250	.000	.375	

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# **CAPACITY ANALYSIS**



T-2218 - Norman, OK 2012 Existing Traffic: A.M. Peak Hour  
Traffic Engineering Consultants, Inc.

HCM Signalized Intersection Capacity Analysis  
3: Boyd St. & Asp Ave.

5/30/2013



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		⇄			⇄			⇄			⇄	
Volume (vph)	21	358	67	80	556	51	8	6	9	29	25	23
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		5.0			5.0			5.0			5.0	
Lane Util. Factor		0.95			0.95			1.00			1.00	
Frb, ped/bikes		0.98			0.99			0.97			0.95	
Fipb, ped/bikes		1.00			1.00			0.95			0.98	
Frt		0.98			0.99			0.95			0.96	
Flt Protected		1.00			0.99			0.98			0.98	
Satd. Flow (prot)		3392			3436			1609			1627	
Flt Permitted		0.91			0.84			0.89			0.86	
Satd. Flow (perm)		3078			2889			1460			1432	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	23	389	73	87	604	55	9	7	10	32	27	25
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	0
Lane Group Flow (vph)	0	485	0	0	746	0	0	26	0	0	84	0
Confl. Peds. (#/hr)	44		36	36		44	105		37	37		105
Parking (#/hr)												25
Turn Type	Perm			pm+pt			Perm			Perm		
Protected Phases		6		5	2			4				8
Permitted Phases	6			2			4			8		
Actuated Green, G (s)		50.5			65.0			9.9				9.9
Effective Green, g (s)		50.5			65.0			9.9				9.9
Actuated g/C Ratio		0.59			0.77			0.12				0.12
Clearance Time (s)		5.0			5.0			5.0				5.0
Vehicle Extension (s)		2.0			2.0			2.0				2.0
Lane Grp Cap (vph)		1831			2273			170				167
v/s Ratio Prot					c0.04							
v/s Ratio Perm		0.16			c0.21			0.02				c0.06
v/c Ratio		0.26			0.33			0.15				0.50
Uniform Delay, d1		8.3			3.1			33.7				35.2
Progression Factor		1.00			1.00			1.00				1.00
Incremental Delay, d2		0.4			0.0			0.2				0.9
Delay (s)		8.6			3.1			33.9				36.1
Level of Service		A			A			C				D
Approach Delay (s)		8.6			3.1			33.9				36.1
Approach LOS		A			A			C				D

Intersection Summary

HCM Average Control Delay	7.8	HCM Level of Service	A
HCM Volume to Capacity ratio	0.35		
Actuated Cycle Length (s)	84.9	Sum of lost time (s)	10.0
Intersection Capacity Utilization	60.2%	ICU Level of Service	B
Analysis Period (min)	15		
c Critical Lane Group			

HCM Unsignalized Intersection Capacity Analysis  
 6: White St. & Asp Ave.

5/30/2013



Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	↘			↕	↕	
Volume (veh/h)	4	11	6	51	77	15
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	4	12	7	55	84	16
Pedestrians	23			1	6	
Lane Width (ft)	12.0			12.0	12.0	
Walking Speed (ft/s)	4.0			4.0	4.0	
Percent Blockage	2			0	0	
Right turn flare (veh)						
Median type				None	None	
Median storage (veh)						
Upstream signal (ft)				687		
pX, platoon unblocked						
vC, conflicting volume	189	116	123			
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	189	116	123			
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)						
tF (s)	3.5	3.3	2.2			
p0 queue free %	99	99	100			
cM capacity (veh/h)	777	918	1436			

Direction Lane #	EBL	NBL	SBL
Volume Total	16	62	100
Volume Left	4	7	0
Volume Right	12	0	16
cSH	875	1436	1700
Volume to Capacity	0.02	0.00	0.06
Queue Length 95th (ft)	1	0	0
Control Delay (s)	9.2	0.8	0.0
Lane LOS	A	A	
Approach Delay (s)	9.2	0.8	0.0
Approach LOS	A		

Intersection Summary			
Average Delay		1.1	
Intersection Capacity Utilization		19.9%	ICU Level of Service
Analysis Period (min)		15	A

HCM Unsignalized Intersection Capacity Analysis  
8: Parking Lot & Asp Ave.

5/30/2013



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Volume (veh/h)	1	0	1	29	2	64	0	29	18	57	86	2
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	1	0	1	32	2	70	0	32	20	62	93	2
Pedestrians		8			1			3			22	
Lane Width (ft)		12.0			12.0			12.0			12.0	
Walking Speed (ft/s)		4.0			4.0			4.0			4.0	
Percent Blockage		1			0			0			2	
Right turn flare (veh)												
Median type								None			None	
Median storage (veh)												
Upstream signal (ft)								1134				
pX, platoon unblocked												
vC, conflicting volume	360	279	106	265	270	64	104			52		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	360	279	106	265	270	64	104			52		
tC, single (s)	7.1	6.5	6.2	7.1	6.5	6.2	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	100	100	100	95	100	93	100			96		
cM capacity (veh/h)	518	600	940	660	607	981	1478			1553		

Direction Lane #	EB 1	WB 1	NB 1	SB 1
Volume Total	2	103	51	158
Volume Left	1	32	0	62
Volume Right	1	70	20	2
cSH	668	845	1478	1553
Volume to Capacity	0.00	0.12	0.00	0.04
Queue Length 95th (ft)	0	10	0	3
Control Delay (s)	10.4	9.9	0.0	3.1
Lane LOS	B	A		A
Approach Delay (s)	10.4	9.9	0.0	3.1
Approach LOS	B	A		

Intersection Summary			
Average Delay		4.9	
Intersection Capacity Utilization		31.7%	ICU Level of Service A
Analysis Period (min)		15	

HCM Signalized Intersection Capacity Analysis  
 3: Boyd St. & Asp Ave.

5/30/2013



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔			↔			↕			↕	
Volume (vph)	63	570	60	59	660	122	52	42	33	88	18	114
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		5.0			5.0			5.0			5.0	
Lane Util. Factor		0.95			0.95			1.00			1.00	
Flpb, ped/bikes		0.98			0.96			0.92			0.84	
Flpb, ped/bikes		0.99			1.00			0.95			0.92	
Frt		0.99			0.98			0.97			0.93	
Flt Protected		1.00			1.00			0.98			0.98	
Satd. Flow (prot)		3382			3313			1529			1315	
Flt Permitted		0.77			0.83			0.74			0.79	
Satd. Flow (perm)		2617			2761			1157			1053	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	68	620	65	64	717	133	57	46	36	96	20	124
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	0
Lane Group Flow (vph)	0	753	0	0	914	0	0	139	0	0	240	0
Conf. Peds. (#/hr)	78		77	77		78	144		173	173		144
Parking (#/hr)												25
Turn Type	Perm			pm+pt			Perm			Perm		
Protected Phases		6		5	2			4			8	
Permitted Phases	6			2			4			8		
Actuated Green, G (s)		60.0			75.0			25.0			25.0	
Effective Green, g (s)		60.0			75.0			25.0			25.0	
Actuated g/C Ratio		0.55			0.68			0.23			0.23	
Clearance Time (s)		5.0			5.0			5.0			5.0	
Vehicle Extension (s)		2.0			2.0			2.0			2.0	
Lane Grp Cap (vph)		1427			1933			263			239	
v/s Ratio Prot					c0.04							
v/s Ratio Perm		c0.29			0.28			0.12			c0.23	
w/c Ratio		0.53			0.47			0.53			1.00	
Uniform Delay, d1		16.0			8.2			37.3			42.5	
Progression Factor		1.00			1.00			1.00			1.00	
Incremental Delay, d2		1.4			0.1			0.9			59.3	
Delay (s)		17.4			8.3			38.2			101.8	
Level of Service		B			A			D			F	
Approach Delay (s)		17.4			8.3			38.2			101.8	
Approach LOS		B			A			D			F	

Intersection Summary			
HCM Average Control Delay	24.6	HCM Level of Service	C
HCM Volume to Capacity ratio	0.66		
Actuated Cycle Length (s)	110.0	Sum of lost time (s)	15.0
Intersection Capacity Utilization	77.0%	ICU Level of Service	D
Analysis Period (min)	15		
c Critical Lane Group			

HCM Unsignalized Intersection Capacity Analysis  
 6: White St. & Asp Ave.

5/30/2013



Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	Y			↑	↑	
Volume (veh/h)	25	53	51	138	160	27
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	27	58	55	150	174	29
Pedestrians	61			5	22	
Lane Width (ft)	12.0			12.0	12.0	
Walking Speed (ft/s)	4.0			4.0	4.0	
Percent Blockage	5			0	2	
Right turn flare (veh)						
Median type				None	None	
Median storage (veh)						
Upstream signal (ft)				687		
pX, platoon unblocked						
vC, conflicting volume	532	255	264			
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	532	255	264			
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)						
tF (s)	3.5	3.3	2.2			
p0 queue free %	94	92	96			
cM capacity (veh/h)	452	741	1234			

Direction Lane #	EB:1	NB:1	SB:1
Volume Total	85	205	203
Volume Left	27	55	0
Volume Right	58	0	29
cSH	615	1234	1700
Volume to Capacity	0.14	0.04	0.12
Queue Length 95th (ft)	12	4	0
Control Delay (s)	11.8	2.5	0.0
Lane LOS	B	A	
Approach Delay (s)	11.8	2.5	0.0
Approach LOS	B		

Intersection Summary			
Average Delay		3.1	
Intersection Capacity Utilization		39.4%	ICU Level of Service
Analysis Period (min)		15	A

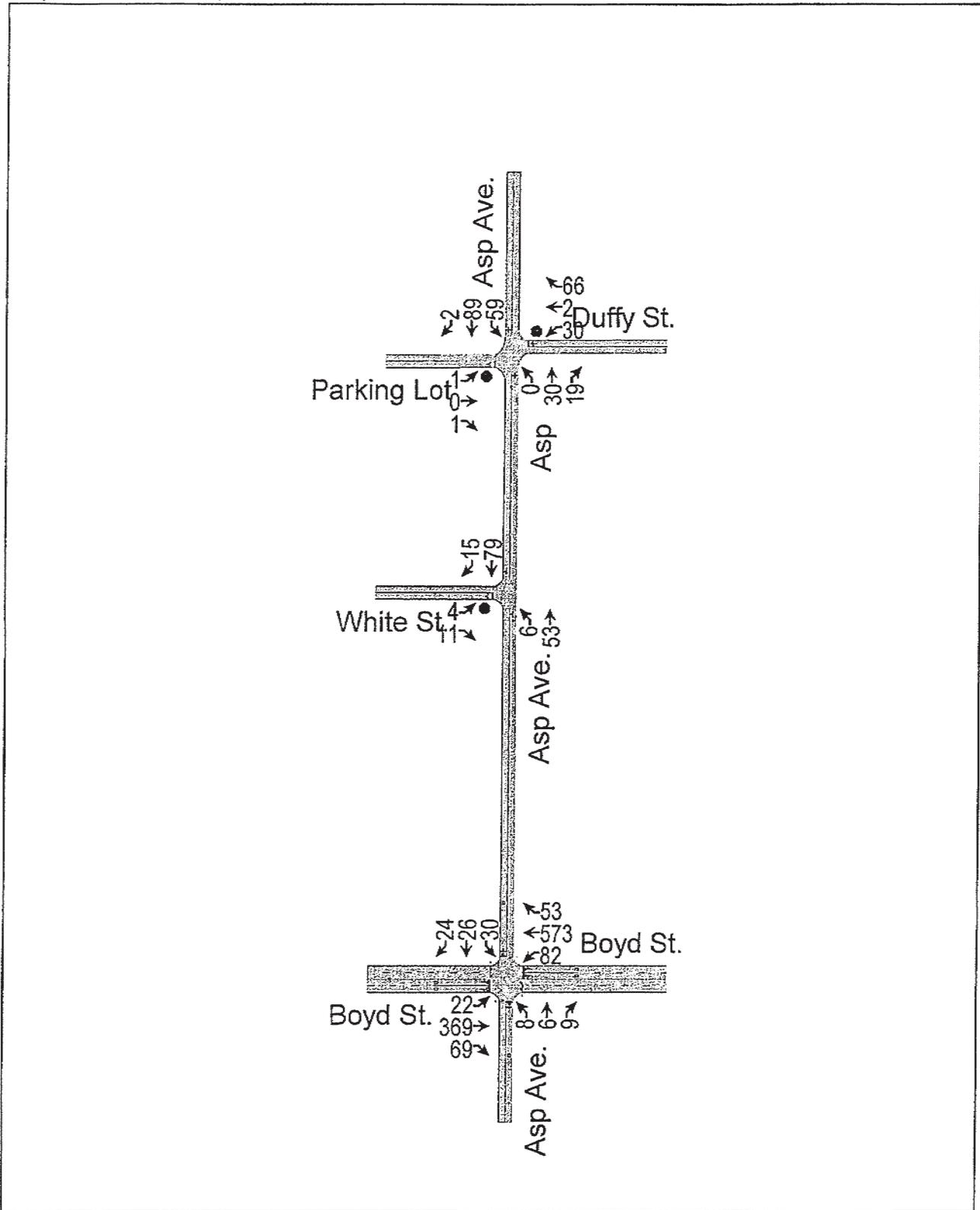
HCM Unsignalized Intersection Capacity Analysis  
 8: Parking Lot & Asp Ave.

5/30/2013

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔			↔			↔			↔	
Volume (veh/h)	1	1	1	61	2	78	0	91	59	96	106	0
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	1	1	1	66	2	85	0	99	64	104	115	0
Pedestrians		7			3						14	
Lane Width (ft)		12.0			12.0						12.0	
Walking Speed (ft/s)		4.0			4.0						4.0	
Percent Blockage		1			0						1	
Right turn flare (veh)												
Median type								None			None	
Median storage (veh)												
Upstream signal (ft)								1134				
pX, platoon unblocked												
vC, conflicting volume	562	497	122	460	465	148	122			166		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	562	497	122	460	465	148	122			166		
tC, single (s)	7.1	6.5	6.2	7.1	6.5	6.2	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	100	100	100	86	100	90	100			93		
cM capacity (veh/h)	363	436	923	477	454	886	1456			1408		

Direction / Lane #	EBL	WBL	NBL	SBL
Volume Total	3	153	163	220
Volume Left	1	66	0	104
Volume Right	1	85	64	0
cSH	489	640	1456	1408
Volume to Capacity	0.01	0.24	0.00	0.07
Queue Length 95th (ft)	1	23	0	6
Control Delay (s)	12.4	12.4	0.0	4.0
Lane LOS	B	B		A
Approach Delay (s)	12.4	12.4	0.0	4.0
Approach LOS	B	B		

Intersection Summary			
Average Delay		5.2	
Intersection Capacity Utilization	43.4%		ICU Level of Service
Analysis Period (min)		15	A



T-2218 - Norman, OK 2015 Projected Background Traffic: A.M. Peak Hour  
Traffic Engineering Consultants, Inc.

HCM Signalized Intersection Capacity Analysis  
 3: Boyd St. & Asp Ave.

5/30/2013

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		⇄			⇄			⇄			⇄	
Volume (vph)	22	369	69	82	573	53	8	6	9	30	26	24
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		5.0			5.0			5.0			5.0	
Lane Util. Factor		0.95			0.95			1.00			1.00	
Flpb, ped/bikes		0.98			0.99			0.97			0.95	
Flpb, ped/bikes		1.00			1.00			0.95			0.98	
Frt		0.98			0.99			0.95			0.96	
Flt Protected		1.00			0.99			0.98			0.98	
Satd. Flow (prot)		3392			3436			1609			1626	
Flt Permitted		0.90			0.83			0.90			0.86	
Satd. Flow (perm)		3066			2876			1471			1432	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	24	401	75	89	623	58	9	7	10	33	28	26
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	0
Lane Group Flow (vph)	0	500	0	0	770	0	0	26	0	0	87	0
Confl. Peds. (#/hr)	44		36	36		44	105		37	37		105
Parking (#/hr)												25
Turn Type	Perm			pm+pt			Perm			Perm		
Protected Phases		6		5	2		4	4			8	
Permitted Phases	6			2			4			8		
Actuated Green, G (s)		50.5			65.1			10.0			10.0	
Effective Green, g (s)		50.5			65.1			10.0			10.0	
Actuated g/C Ratio		0.59			0.76			0.12			0.12	
Clearance Time (s)		5.0			5.0			5.0			5.0	
Vehicle Extension (s)		2.0			2.0			2.0			2.0	
Lane Grp Cap (vph)		1819			2263			173			168	
v/s Ratio Prot					c0.04							
v/s Ratio Perm		0.16			c0.22			0.02			c0.06	
v/c Ratio		0.27			0.34			0.15			0.52	
Uniform Delay, d1		8.4			3.2			33.7			35.3	
Progression Factor		1.00			1.00			1.00			1.00	
Incremental Delay, d2		0.4			0.0			0.1			1.1	
Delay (s)		8.8			3.2			33.9			36.4	
Level of Service		A			A			C			D	
Approach Delay (s)		8.8			3.2			33.9			36.4	
Approach LOS		A			A			C			D	

Intersection Summary

HCM Average Control Delay	7.9	HCM Level of Service	A
HCM Volume to Capacity ratio	0.36		
Actuated Cycle Length (s)	85.1	Sum of lost time (s)	10.0
Intersection Capacity Utilization	60.8%	ICU Level of Service	B
Analysis Period (min)	15		
c Critical Lane Group			

HCM Unsignalized Intersection Capacity Analysis  
 6: White St. & Asp Ave.

5/30/2013



Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	↔			↔	↔	
Volume (veh/h)	4	11	6	53	79	15
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	4	12	7	58	86	16
Pedestrians	23			1	6	
Lane Width (ft)	12.0			12.0	12.0	
Walking Speed (ft/s)	4.0			4.0	4.0	
Percent Blockage	2			0	0	
Right turn flare (veh)						
Median type				None	None	
Median storage (veh)						
Upstream signal (ft)				687		
pX, platoon unblocked						
vC, conflicting volume	194	118	125			
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	194	118	125			
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)						
tF (s)	3.5	3.3	2.2			
p0 queue free %	99	99	100			
cM capacity (veh/h)	772	915	1433			

Direction \ Lane #	EB:1	NB:1	SB:1
Volume Total	16	64	102
Volume Left	4	7	0
Volume Right	12	0	16
cSH	872	1433	1700
Volume to Capacity	0.02	0.00	0.06
Queue Length 95th (ft)	1	0	0
Control Delay (s)	9.2	0.8	0.0
Lane LOS	A	A	
Approach Delay (s)	9.2	0.8	0.0
Approach LOS	A		

Intersection Summary			
Average Delay		1.1	
Intersection Capacity Utilization		20.0%	ICU Level of Service
Analysis Period (min)		15	A

HCM Unsignalized Intersection Capacity Analysis  
 8: Parking Lot & Asp Ave.

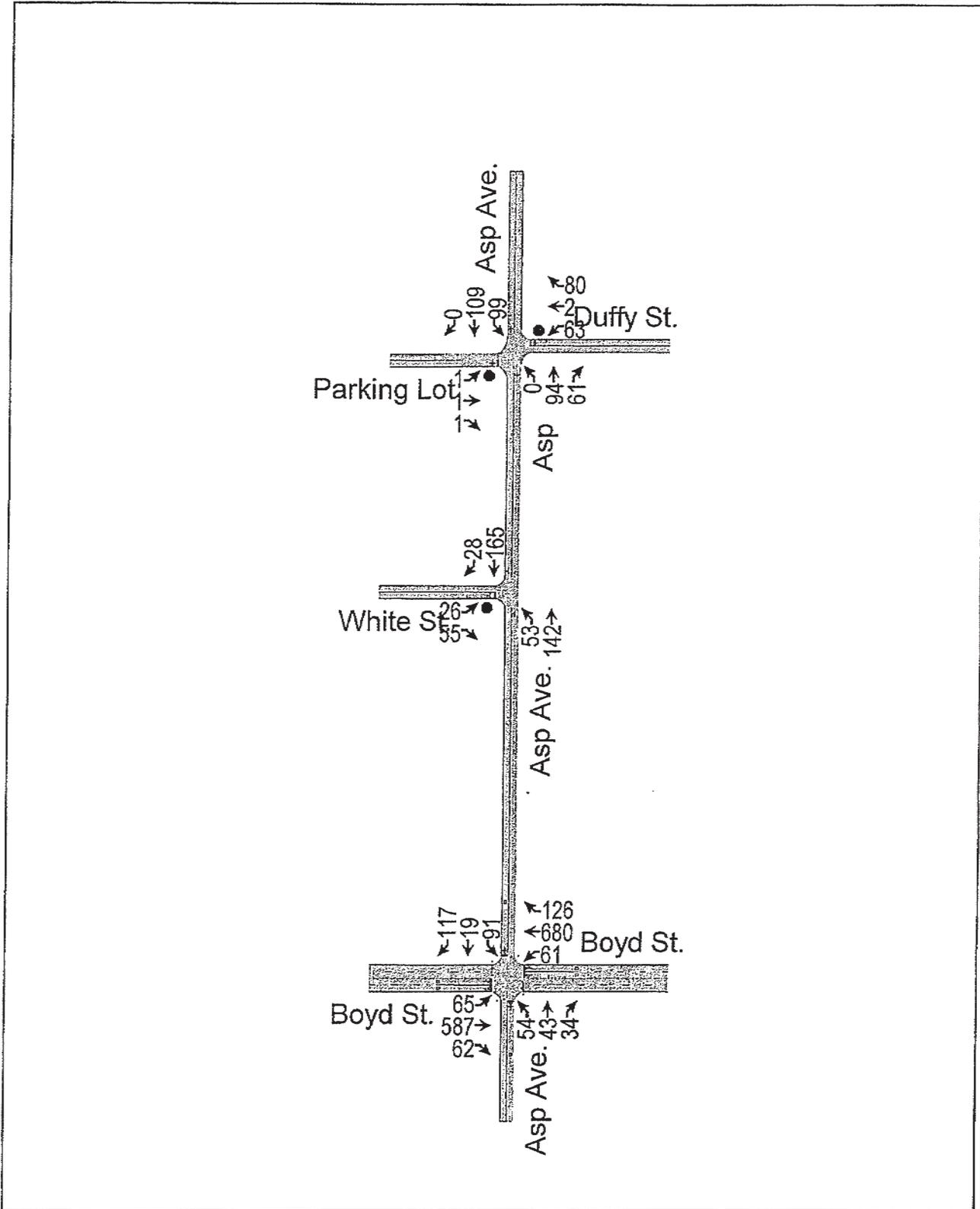
5/30/2013



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔			↔			↔			↔	
Volume (veh/h)	1	0	1	30	2	66	0	30	19	59	89	2
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	1	0	1	33	2	72	0	33	21	64	97	2
Pedestrians		8			1			3			22	
Lane Width (ft)		12.0			12.0			12.0			12.0	
Walking Speed (ft/s)		4.0			4.0			4.0			4.0	
Percent Blockage		1			0			0			2	
Right turn flare (veh)												
Median type								None			None	
Median storage (veh)												
Upstream signal (ft)								1134				
pX, platoon unblocked												
vC, conflicting volume	372	288	109	274	279	66	107			54		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	372	288	109	274	279	66	107			54		
tC, single (s)	7.1	6.5	6.2	7.1	6.5	6.2	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	100	100	100	95	100	93	100			96		
cM capacity (veh/h)	508	591	936	650	598	979	1474			1550		

Direction/Lane #	EB 1	WB 1	NB 1	SB 1
Volume Total	2	107	53	163
Volume Left	1	33	0	64
Volume Right	1	72	21	2
cSH	658	838	1474	1550
Volume to Capacity	0.00	0.13	0.00	0.04
Queue Length 95th (ft)	0	11	0	3
Control Delay (s)	10.5	9.9	0.0	3.1
Lane LOS	B	A		A
Approach Delay (s)	10.5	9.9	0.0	3.1
Approach LOS	B	A		

Intersection Summary			
Average Delay		4.9	
Intersection Capacity Utilization		32.1%	ICU Level of Service
Analysis Period (min)		15	A



T-2218 - Norman, OK 2015 Projected Background Traffic: P.M. Peak Hour  
Traffic Engineering Consultants, Inc.

HCM Signalized Intersection Capacity Analysis  
 3: Boyd St. & Asp Ave.

5/30/2013



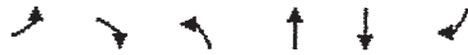
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔			↔			↕			↕	
Volume (vph)	65	587	62	61	680	126	54	43	34	91	19	117
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		5.0			5.0			5.0			5.0	
Lane Util. Factor		0.95			0.95			1.00			1.00	
Frb, ped/bikes		0.98			0.96			0.92			0.84	
Flpb, ped/bikes		0.99			1.00			0.95			0.92	
Frt		0.99			0.98			0.97			0.93	
Flt Protected		1.00			1.00			0.98			0.98	
Satd. Flow (prot)		3382			3314			1531			1318	
Flt Permitted		0.76			0.82			0.73			0.78	
Satd. Flow (perm)		2583			2722			1145			1051	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	71	638	67	66	739	137	59	47	37	99	21	127
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	0
Lane Group Flow (vph)	0	776	0	0	942	0	0	143	0	0	247	0
Confl. Peds. (#/hr)	78		77	77		78	144		173	173		144
Parking (#/hr)												25
Turn Type	Perm			pm+pt			Perm			Perm		
Protected Phases		6		5	2			4			8	
Permitted Phases	6			2			4			8		
Actuated Green, G (s)		60.0			75.0			25.0			25.0	
Effective Green, g (s)		60.0			75.0			25.0			25.0	
Actuated g/C Ratio		0.55			0.68			0.23			0.23	
Clearance Time (s)		5.0			5.0			5.0			5.0	
Vehicle Extension (s)		2.0			2.0			2.0			2.0	
Lane Grp Cap (vph)		1409			1910			260			239	
v/s Ratio Prot					c0.04							
v/s Ratio Perm	c0.30				0.29			0.12			c0.24	
v/c Ratio	0.55				0.49			0.55			1.03	
Uniform Delay, d1	16.2				8.4			37.5			42.5	
Progression Factor	1.00				1.00			1.00			1.00	
Incremental Delay, d2	1.6				0.1			1.4			67.2	
Delay (s)	17.8				8.5			39.0			109.7	
Level of Service	B				A			D			F	
Approach Delay (s)	17.8				8.5			39.0			109.7	
Approach LOS	B				A			D			F	

Intersection Summary

HCM Average Control Delay	25.8	HCM Level of Service	C
HCM Volume to Capacity ratio	0.68		
Actuated Cycle Length (s)	110.0	Sum of lost time (s)	15.0
Intersection Capacity Utilization	78.8%	ICU Level of Service	D
Analysis Period (min)	15		
c Critical Lane Group			

HCM Unsignalized Intersection Capacity Analysis  
 6: White St. & Asp Ave.

5/30/2013



Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	T			T		
Volume (veh/h)	26	55	53	142	165	28
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	28	60	58	154	179	30
Pedestrians	61			5	22	
Lane Width (ft)	12.0			12.0	12.0	
Walking Speed (ft/s)	4.0			4.0	4.0	
Percent Blockage	5			0	2	
Right turn flare (veh)						
Median type				None	None	
Median storage (veh)						
Upstream signal (ft)				687		
pX, platoon unblocked						
vC, conflicting volume	547	261	271			
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCU, unblocked vol	547	261	271			
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)						
tF (s)	3.5	3.3	2.2			
p0 queue free %	94	92	95			
cM capacity (veh/h)	442	735	1227			

Direction/Lane #	EB/1	NB/1	SB/1
Volume Total	88	212	210
Volume Left	28	58	0
Volume Right	60	0	30
cSH	606	1227	1700
Volume to Capacity	0.15	0.05	0.12
Queue Length 95th (ft)	13	4	0
Control Delay (s)	11.9	2.5	0.0
Lane LOS	B	A	
Approach Delay (s)	11.9	2.5	0.0
Approach LOS	B		

Intersection Summary			
Average Delay		3.1	
Intersection Capacity Utilization		39.9%	ICU Level of Service
Analysis Period (min)		15	A

HCM Unsignalized Intersection Capacity Analysis  
 8: Parking Lot & Asp Ave.

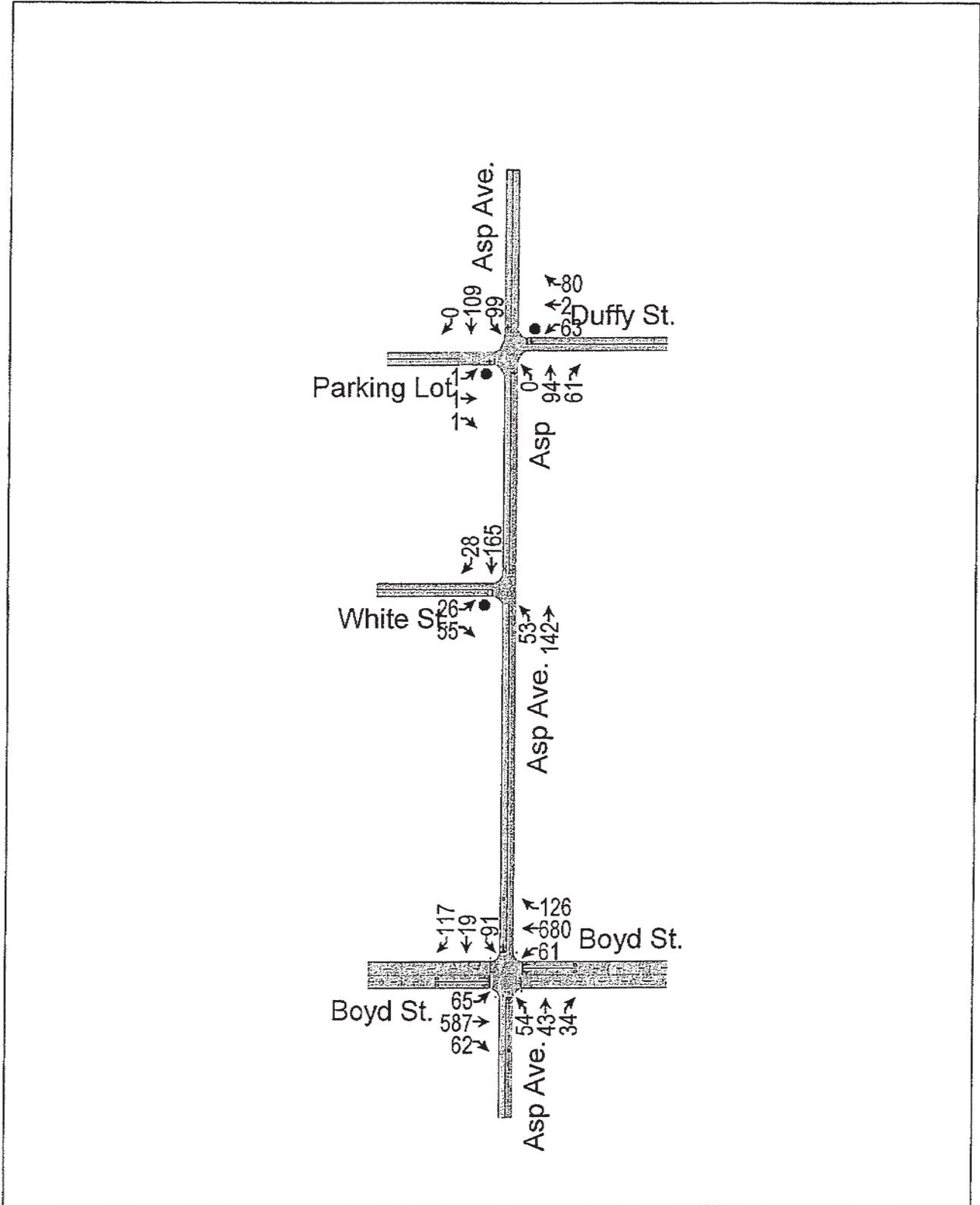
5/30/2013



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔			↔			↔			↔	
Volume (veh/h)	1	1	1	63	2	80	0	94	61	99	109	0
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	1	1	1	68	2	87	0	102	66	108	118	0
Pedestrians		7			3						14	
Lane Width (ft)		12.0			12.0						12.0	
Walking Speed (ft/s)		4.0			4.0						4.0	
Percent Blockage		1			0						1	
Right turn flare (veh)												
Median type								None			None	
Median storage (veh)												
Upstream signal (ft)								1134				
pX, platoon unblocked												
vC, conflicting volume	578	512	125	474	479	152	125			171		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	578	512	125	474	479	152	125			171		
tC, single (s)	7.1	6.5	6.2	7.1	6.5	6.2	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	100	100	100	85	100	90	100			92		
cM capacity (veh/h)	352	426	920	466	445	881	1452			1402		

Direction/Lane #	EBL	WB	NB	SB
Volume Total	3	158	168	226
Volume Left	1	68	0	108
Volume Right	1	87	66	0
cSH	478	629	1452	1402
Volume to Capacity	0.01	0.25	0.00	0.08
Queue Length 95th (ft)	1	25	0	6
Control Delay (s)	12.6	12.6	0.0	4.0
Lane LOS	B	B		A
Approach Delay (s)	12.6	12.6	0.0	4.0
Approach LOS	B	B		

Intersection Summary:			
Average Delay		5.3	
Intersection Capacity Utilization	44.2%		ICU Level of Service
Analysis Period (min)		15	A



T-2218 - Norman, OK 2015 Projected Background Traffic with Signal Timing Adjustments: P.M. Peak Hour  
Traffic Engineering Consultants, Inc.

# HCM Signalized Intersection Capacity Analysis

3: Boyd St. & Asp Ave.

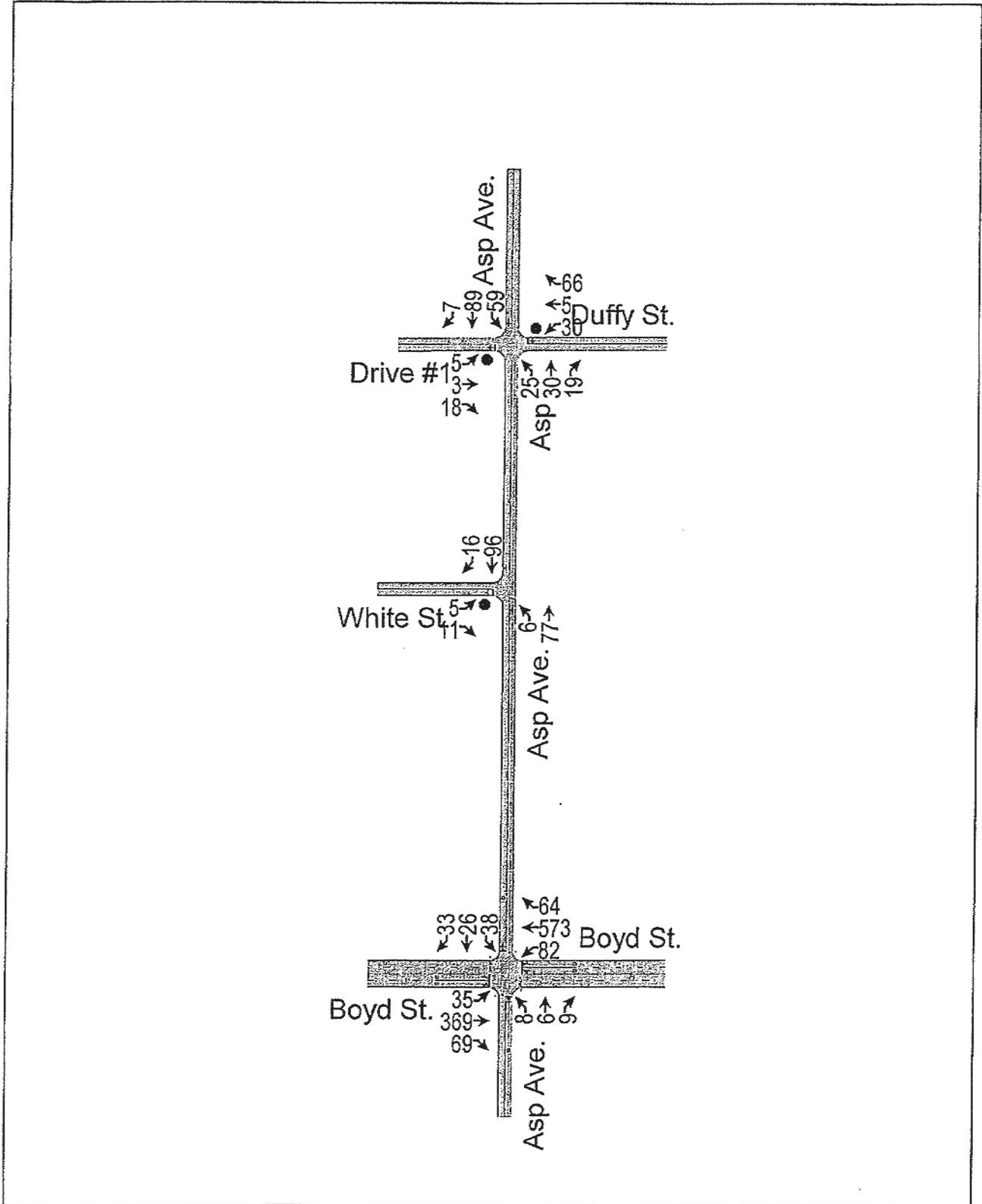
6/5/2013



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔			↔			↔			↔	
Volume (vph)	65	587	62	61	680	126	54	43	34	91	19	117
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		5.0			5.0			5.0			5.0	
Lane Util. Factor		0.95			0.95			1.00			1.00	
Frpb, ped/bikes		0.98			0.97			0.92			0.87	
Flpb, ped/bikes		0.99			1.00			0.95			0.92	
Frft		0.99			0.98			0.97			0.93	
Flt Protected		1.00			1.00			0.98			0.98	
Satd. Flow (prot)		3396			3333			1538			1348	
Flt Permitted		0.77			0.81			0.77			0.80	
Satd. Flow (perm)		2617			2716			1212			1107	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	71	638	67	66	739	137	59	47	37	99	21	127
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	0
Lane Group Flow (vph)	0	776	0	0	942	0	0	143	0	0	247	0
Confl. Peds. (#/hr)	78		77	77		78	144		173	173		144
Parking (#/hr)												25
Turn Type	Perm			pm+pt			Perm			Perm		
Protected Phases		6		5	2		4			8		
Permitted Phases	6			2			4			8		
Actuated Green, G (s)		43.4			58.5			25.0			25.0	
Effective Green, g (s)		43.4			58.5			25.0			25.0	
Actuated g/C Ratio		0.46			0.63			0.27			0.27	
Clearance Time (s)		5.0			5.0			5.0			5.0	
Vehicle Extension (s)		2.0			2.0			2.0			2.0	
Lane Grp Cap (vph)		1215			1766			324			296	
v/s Ratio Prot					c0.06							
v/s Ratio Perm		c0.30			0.28			0.12			c0.22	
v/c Ratio		0.64			0.53			0.44			0.83	
Uniform Delay, d1		19.1			9.8			28.4			32.3	
Progression Factor		1.00			1.00			1.00			1.00	
Incremental Delay, d2		2.6			0.2			0.4			17.3	
Delay (s)		21.7			10.0			28.8			49.6	
Level of Service		C			A			C			D	
Approach Delay (s)		21.7			10.0			28.8			49.6	
Approach LOS		C			A			C			D	

### Intersection Summary

HCM Average Control Delay	20.2	HCM Level of Service	C
HCM Volume to Capacity ratio	0.70		
Actuated Cycle Length (s)	93.5	Sum of lost time (s)	15.0
Intersection Capacity Utilization	78.8%	ICU Level of Service	D
Analysis Period (min)	15		
c Critical Lane Group			



T-2218 - Norman, OK 2015 Projected Combined Traffic: A.M. Peak Hour  
Traffic Engineering Consultants, Inc.

# HCM Signalized Intersection Capacity Analysis

3: Boyd St. & Asp Ave.

6/4/2013



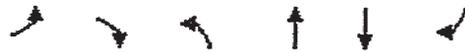
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔			↔			↕			↕	
Volume (vph)	35	369	69	82	573	64	8	6	9	38	26	33
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		5.0			5.0			5.0			5.0	
Lane Util. Factor		0.95			0.95			1.00			1.00	
Frbp, ped/bikes		0.98			0.99			0.97			0.94	
Flpb, ped/bikes		1.00			1.00			0.95			0.98	
Frt		0.98			0.99			0.95			0.95	
Flt Protected		1.00			0.99			0.98			0.98	
Satd. Flow (prot)		3387			3422			1613			1599	
Flt Permitted		0.86			0.83			0.91			0.86	
Satd. Flow (perm)		2920			2858			1493			1403	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	38	401	75	89	623	70	9	7	10	41	28	36
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	0
Lane Group Flow (vph)	0	514	0	0	782	0	0	26	0	0	105	0
Conf. Peds. (#/hr)	44		36	36		44	105		37	37		105
Parking (#/hr)												25
Turn Type	Perm			pm+pt			Perm			Perm		
Protected Phases		6		5	2			4			8	
Permitted Phases	6			2			4			8		
Actuated Green, G (s)		50.5			65.1			11.1			11.1	
Effective Green, g (s)		50.5			65.1			11.1			11.1	
Actuated g/C Ratio		0.59			0.76			0.13			0.13	
Clearance Time (s)		5.0			5.0			5.0			5.0	
Vehicle Extension (s)		2.0			2.0			2.0			2.0	
Lane Grp Cap (vph)		1711			2221			192			181	
v/s Ratio Prot					c0.04							
v/s Ratio Perm		0.18			c0.23			0.02			c0.07	
v/c Ratio		0.30			0.35			0.14			0.58	
Uniform Delay, d1		9.0			3.5			33.3			35.4	
Progression Factor		1.00			1.00			1.00			1.00	
Incremental Delay, d2		0.5			0.0			0.1			3.0	
Delay (s)		9.4			3.6			33.4			38.4	
Level of Service		A			A			C			D	
Approach Delay (s)		9.4			3.6			33.4			38.4	
Approach LOS		A			A			C			D	

## Intersection Summary

HCM Average Control Delay	8.8	HCM Level of Service	A
HCM Volume to Capacity ratio	0.38		
Actuated Cycle Length (s)	86.2	Sum of lost time (s)	10.0
Intersection Capacity Utilization	61.3%	ICU Level of Service	B
Analysis Period (min)	15		
c Critical Lane Group			

HCM Unsignalized Intersection Capacity Analysis  
 6: White St. & Asp Ave.

6/4/2013



Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	↔			↔	↔	
Volume (veh/h)	5	11	6	77	96	16
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	5	12	7	84	104	17
Pedestrians	23			1	6	
Lane Width (ft)	12.0			12.0	12.0	
Walking Speed (ft/s)	4.0			4.0	4.0	
Percent Blockage	2			0	0	
Right turn flare (veh)						
Median type				None	None	
Median storage (veh)						
Upstream signal (ft)	687					
pX, platoon unblocked						
vC, conflicting volume	239	137	145			
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	239	137	145			
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)						
tF (s)	3.5	3.3	2.2			
p0 queue free %	99	99	100			
cM capacity (veh/h)	728	893	1410			

Direction/Lane #	EB/1	NB/1	SB/1
Volume Total	17	90	122
Volume Left	5	7	0
Volume Right	12	0	17
cSH	834	1410	1700
Volume to Capacity	0.02	0.00	0.07
Queue Length 95th (ft)	2	0	0
Control Delay (s)	9.4	0.6	0.0
Lane LOS	A	A	
Approach Delay (s)	9.4	0.6	0.0
Approach LOS	A		

Intersection Summary			
Average Delay		0.9	
Intersection Capacity Utilization		20.4%	ICU Level of Service A
Analysis Period (min)		15	

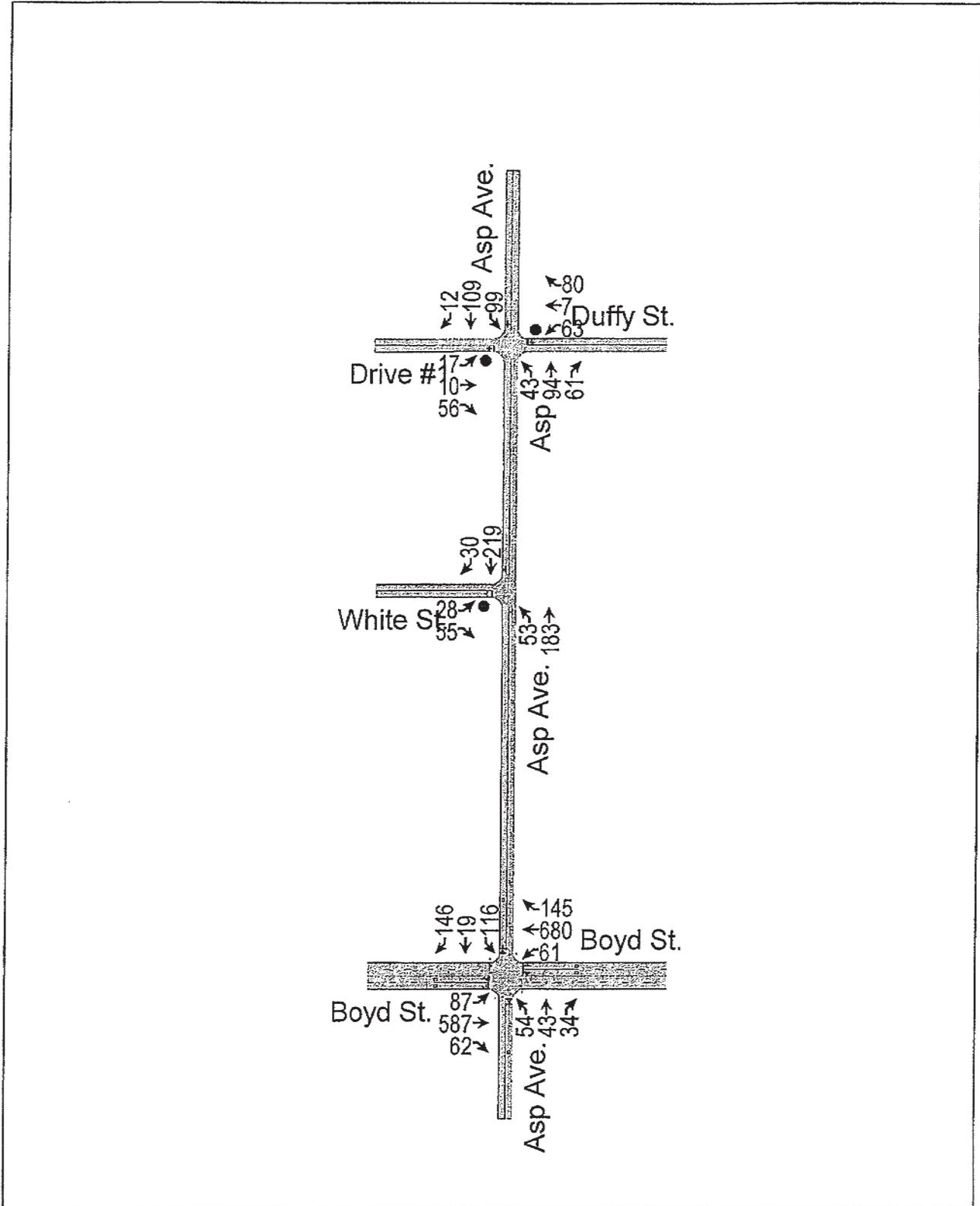
HCM Unsignalized Intersection Capacity Analysis  
 8: Drive #1 & Asp Ave.

6/4/2013

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔			↔			↔			↔	
Volume (veh/h)	5	3	18	30	5	66	25	30	19	59	89	7
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	5	3	20	33	5	72	27	33	21	64	97	8
Pedestrians		8			1			3			22	
Lane Width (ft)		12.0			12.0			12.0			12.0	
Walking Speed (ft/s)		4.0			4.0			4.0			4.0	
Percent Blockage		1			0			0			2	
Right turn flare (veh)												
Median type								None			None	
Median storage (veh)												
Upstream signal (ft)								1134				
pX, platoon unblocked												
vC, conflicting volume	431	345	112	351	339	66	112			54		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	431	345	112	351	339	66	112			54		
tC, single (s)	7.1	6.5	6.2	7.1	6.5	6.2	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	99	99	98	94	99	93	98			96		
cM capacity (veh/h)	456	539	933	557	544	979	1467			1550		

Direction Lane #	EB	WB	NB	SB
Volume Total	28	110	80	168
Volume Left	5	33	27	64
Volume Right	20	72	21	8
cSH	726	774	1467	1550
Volume to Capacity	0.04	0.14	0.02	0.04
Queue Length 95th (ft)	3	12	1	3
Control Delay (s)	10.2	10.4	2.6	3.0
Lane LOS	B	B	A	A
Approach Delay (s)	10.2	10.4	2.6	3.0
Approach LOS	B	B		

Intersection Summary			
Average Delay		5.6	
Intersection Capacity Utilization		30.8%	ICU Level of Service A
Analysis Period (min)		15	



T-2218 - Norman, OK 2015 Projected Combined Traffic: P.M. Peak Hour  
Traffic Engineering Consultants, Inc.

HCM Signalized Intersection Capacity Analysis  
 3: Boyd St. & Asp Ave.

6/5/2013



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔			↔			↕			↕	
Volume (vph)	87	587	62	61	680	145	54	43	34	116	19	146
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		5.0			5.0			5.0			5.0	
Lane Util. Factor		0.95			0.95			1.00			1.00	
Frbp, ped/bikes		0.98			0.96			0.92			0.86	
Flpb, ped/bikes		0.99			1.00			0.95			0.91	
Frt		0.99			0.98			0.97			0.93	
Flt Protected		0.99			1.00			0.98			0.98	
Satd. Flow (prot)		3384			3302			1545			1323	
Flt Permitted		0.70			0.78			0.76			0.80	
Satd. Flow (perm)		2389			2572			1206			1079	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	95	638	67	66	739	158	59	47	37	126	21	159
RTOR Reduction (vph)	0	0	0	0	0	0	0	0	0	0	0	0
Lane Group Flow (vph)	0	800	0	0	963	0	0	143	0	0	306	0
Confl. Peds. (#/hr)	78		77	77		78	144		173	173		144
Parking (#/hr)												25
Turn Type	Perm			pm+pt			Perm			Perm		
Protected Phases		6		5	2			4			8	
Permitted Phases	6			2			4			8		
Actuated Green, G (s)		43.3			58.4			32.1			32.1	
Effective Green, g (s)		43.3			58.4			32.1			32.1	
Actuated g/C Ratio		0.43			0.58			0.32			0.32	
Clearance Time (s)		5.0			5.0			5.0			5.0	
Vehicle Extension (s)		2.0			2.0			2.0			2.0	
Lane Grp Cap (vph)		1029			1568			385			345	
v/s Ratio Prot					c0.06							
v/s Ratio Perm		c0.33			0.30			0.12			c0.28	
v/c Ratio		0.78			0.61			0.37			0.89	
Uniform Delay, d1		24.5			13.7			26.4			32.5	
Progression Factor		1.00			1.00			1.00			1.00	
Incremental Delay, d2		5.8			0.5			0.2			22.3	
Delay (s)		30.3			14.2			26.6			54.8	
Level of Service		C			B			C			D	
Approach Delay (s)		30.3			14.2			26.6			54.8	
Approach LOS		C			B			C			D	

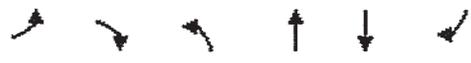
**Intersection Summary**

HCM Average Control Delay	26.4	HCM Level of Service	C
HCM Volume to Capacity ratio	0.81		
Actuated Cycle Length (s)	100.5	Sum of lost time (s)	15.0
Intersection Capacity Utilization	84.4%	ICU Level of Service	E
Analysis Period (min)	15		

c Critical Lane Group

HCM Unsignalized Intersection Capacity Analysis  
 6: White St. & Asp Ave.

6/4/2013



Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	Y			↑	↓	
Volume (veh/h)	28	55	53	183	219	30
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	30	60	58	199	238	33
Pedestrians	61			5	22	
Lane Width (ft)	12.0			12.0	12.0	
Walking Speed (ft/s)	4.0			4.0	4.0	
Percent Blockage	5			0	2	
Right turn flare (veh)						
Median type				None	None	
Median storage (veh)						
Upstream signal (ft)				687		
pX, platoon unblocked						
vC, conflicting volume	651	320	332			
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	651	320	332			
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)						
tF (s)	3.5	3.3	2.2			
p0 queue free %	92	91	95			
cM capacity (veh/h)	383	681	1165			

Direction Lane #	EBL	NBL	SB
Volume Total	90	257	271
Volume Left	30	58	0
Volume Right	60	0	33
cSH	540	1165	1700
Volume to Capacity	0.17	0.05	0.16
Queue Length 95th (ft)	15	4	0
Control Delay (s)	13.0	2.2	0.0
Lane LOS	B	A	
Approach Delay (s)	13.0	2.2	0.0
Approach LOS	B		

Intersection Summary			
Average Delay		2.8	
Intersection Capacity Utilization		43.0%	ICU Level of Service A
Analysis Period (min)		15	

HCM Unsignalized Intersection Capacity Analysis  
 8: Drive #1 & Asp Ave.

6/4/2013



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Volume (veh/h)	17	10	56	63	7	80	43	94	61	99	109	12
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	18	11	61	68	8	87	47	102	66	108	118	13
Pedestrians		7			3						14	
Lane Width (ft)		12.0			12.0						12.0	
Walking Speed (ft/s)		4.0			4.0						4.0	
Percent Blockage		1			0						1	
Right turn flare (veh)												
Median type								None			None	
Median storage (veh)												
Upstream signal (ft)								1134				
pX, platoon unblocked												
vC, conflicting volume	681	612	132	638	586	152	139			171		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	681	612	132	638	586	152	139			171		
tC, single (s)	7.1	6.5	6.2	7.1	6.5	6.2	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	94	97	93	79	98	90	97			92		
cM capacity (veh/h)	290	361	912	323	374	881	1437			1402		

Direction Lane #	EB	WB	NB	SB
Volume Total	90	163	215	239
Volume Left	18	68	47	108
Volume Right	61	87	66	13
cSH	562	493	1437	1402
Volume to Capacity	0.16	0.33	0.03	0.08
Queue Length 95th (ft)	14	36	3	6
Control Delay (s)	12.6	15.9	1.9	3.9
Lane LOS	B	C	A	A
Approach Delay (s)	12.6	15.9	1.9	3.9
Approach LOS	B	C		

Intersection Summary			
Average Delay		7.1	
Intersection Capacity Utilization	45.6%		ICU Level of Service A
Analysis Period (min)		15	

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ORDINANCE NO. O-1112-38

ITEM NO. 6b

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**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.

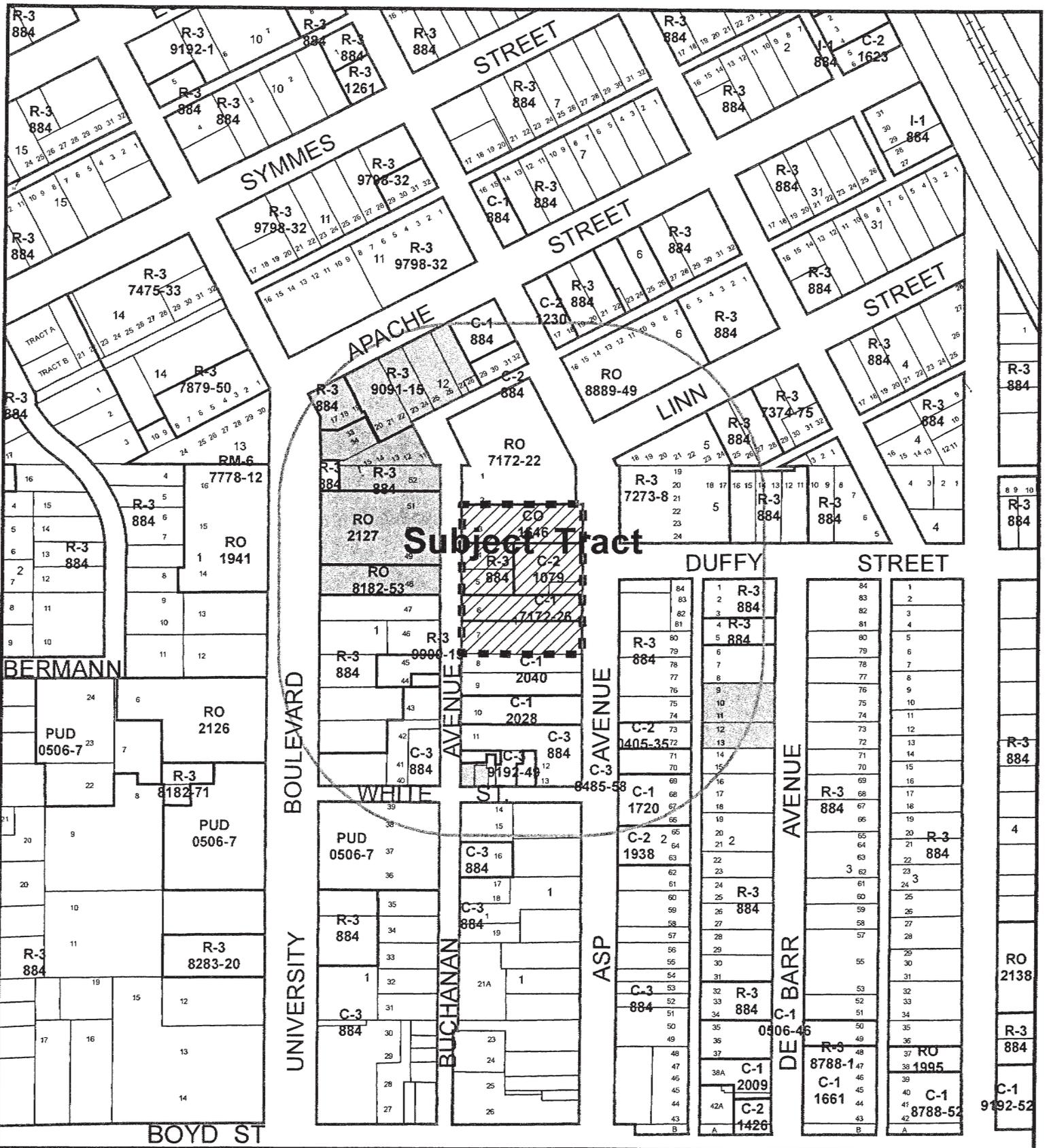
**IMPACTS:** The proposal is not a gated development; however, the two levels of the parking garage do have controlled access. The development will utilize public streets for access to the building and trash services. Any exterior lighting proposed will meet the requirements of the commercial outdoor 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.



# Protest Map

23.3% Protest Within Notification Area



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.



Scale: 1" = 250'  
June 19, 2013

-  Subject Tract
-  Protest
-  Notification Area

June 18, 2013

To Whom It May Concern: Regarding the N E Development Proposal, O-1112-38

My name is Jane Martin. My husband, Rocky, and I live at 523 S. University Blvd., Norman, OK 73069. This is the property just west of and across Buchanan Street from where the proposed high rise apartment building would be built.

My Grandparents bought this house in the mid 1930's. It was formerly used as an OU Fraternity. We have the pictures from the 1926 Sooner Yearbook showing the house and the men that lived in it. When telling where she lived, my grandmother would always say, "The big white house with the red roof, on Boulevard". And that is just how we've kept it!

We moved from Denver, Colorado to retire in Norman, Ok. We love Campus Corner and being close to the University, and we wanted to save the Family Home. If this brick and concrete high rise apartment plan is approved, it will destroy the warm, picturesque, unique look and feel of Campus Corner.

We personally will be drastically impacted. There is already a horrendous parking problem and this will compound it! If you have ever seen this area when there is a wedding or funeral at McFarlin or especially St. John's Episcopal Church you would know how congested it gets. This is in addition to the already busy and overflowing parking problems that people have to deal with in order to eat at nearby Othello's or Victoria's, or shop at the other businesses on Campus Corner. We are already having to constantly watch and try to keep people from driving over or parking in our back yard. We cannot imagine the complications when the 99+ parking spaces are no longer available. Also, we have an extremely high amount of foot traffic that cuts through our yard at all hours of the night.

On an even more personal note, when sitting out on our deck, instead of enjoying the sights and sounds of Campus Corner, we will not only not see the sun until noon but we will be looking out on a huge, cold, totally out of character structure. We fear that this will be the first and possibly lead the way for others, which will end up changing the entire atmosphere of Campus Corner.

If this high rise building plan is approved can you assure us that during construction Buchanan Street will always remain open? It is the only access to our garage. Also, Buchanan Street needs to remain open during OU home football games. We and our neighbors have friends that come to tailgate. Also, a lot of people around here count on the money from parking cars during home games. Furthermore can you assure us that our home and property will not be damaged by any of the heavy building equipment, cranes, etc.?

We believe that anyone who is in favor of this proposed high rise will not be living adjacent to it. We ask each of you; honestly, would you want this building and all that goes with it, a few feet from your home?

We ask the board to vote no to a high rise building on Campus Corner. If approved we do not call this progress – we call this making money at others expense.

Thank you for your consideration.

Sincerely,

Handwritten signature of Rocky Martin and Jane Martin in cursive script.

Rocky and Jane Martin

(405) 573-7773

May 29<sup>th</sup> 2013

To whom it may concern;

I am writing this letter to oppose the changes in zoning to the property located at 612 Asp, 421 & 427 Buchanan Ave, 706 Asp Ave. and 710 Asp Ave.

I own the property at 519 S. University Blvd. directly west across Buchanan St. from the proposed changes. When I stand in my yard and look east I see some quiet little brick duplexes with yards, white rail fences and blue sky.

I am afraid if they let the developer build the building proposed I will be looking at the back side of a two story parking garage, two or three stories on top of the parking garage and I suspect the trash collection for this building will accrue on the back side of the building as well.

I also do not think Asp. St. or Buchanan St. can handle the traffic that is generated by a building of that size.

If there were windows or balconies on the back side of this building I would not like the residents to be able to look down onto my property.

Sincerely,



Kirk S. Milby

FILED IN THE OFFICE  
OF THE CITY CLERK  
ON 6/13/13 



419 S. University at Apache, P. O. Box 6390, Norman, OK 73070-6390

Phone 405-321-3484 Fax 405-321-3498  
www.mcfarlinumc.org

May 7, 2012

FILED IN THE OFFICE  
OF THE CITY CLERK  
ON 5-7-12 JMC

The City of Norman

Re: Case Number: PD 12  
Applicant: Mark Risser/B3 Development Group  
Location: 710 & 730 Asp, 421-427 Buchanan

Dear Planning and Community Development Department:

On behalf of McFarlin Memorial United Methodist Church we are writing to express our objections to the proposed development described above. First, we are concerned that the development does not fit aesthetically in the historic Campus Corner District or the surrounding area. No significant attempt has been made to make the modern exterior of the building blend with architectural style of the other buildings in Campus Corner. This development will be inconsistent with the historic appearance of this part of Norman, which includes many architecturally significant and interesting buildings, including McFarlin. We believe that the historic appearance should be continued to the fullest extent possible in the Campus Corner District and surrounding area. Additionally, if the proposed change is approved, we are concerned that it could lead to additional changes that will have a further negative impact on the historic appearance of the area.

Second, we believe McFarlin would be directly impacted by the secondary exit from the proposed development onto one-way, North-bound Buchanan Street. This street terminates just two blocks North of the development and turns right into an alley. This termination point and alley are at the South end of McFarlin's parking lot. The planned development will likely increase traffic on Buchanan. McFarlin has already experienced problems with vehicles illegally cutting through its parking lot from Buchanan to University. Any increase in traffic on Buchanan will only exacerbate this problem. We appreciate your consideration.

Sincerely,

Richard Burris, Business Administrator

John DuFran, Chairman Board of Trustees



# Coltrane Properties

700 Asp, Suite 1 • Norman, Oklahoma 73069 • (405) 329-6488 Fax (405) 329-2317

August 6, 2012

Susan Connors  
Director of Planning and Community Development

Re: Protest Letter

I'm concerned about the High Density Residential Development by Campus Corner. The development will have a massive impact on the surrounding businesses, churches and residents. This construction will create high risk and business disruption for the surrounding businesses, churches and residents for an extended period of time. This is a massive undertaking for a small concentrated area.

The traffic will increase significantly along with major parking issues. We already have major parking issues. The intersection of Duffy and Asp is a very dangerous intersection with many accidents over the years. The significant increase in residents in this area in a very small space will increase the risk even more. This project is doing away with parking that the Campus Corner merchants desperately need.

Having worked at 700 Asp for 29 years I sit right in the middle of this project. This area has always maintained a very pleasant community appeal. Campus Corner has been home to low-rise businesses, churches and residents. To build multiple, high rise buildings in this area - almost as tall as the Vista Building on Main Street-will completely change the appeal that historical Campus Corner in Norman has had.

Lastly, I don't think you can build on an easement. Property owners cannot build structures in utility easements or easements allowing access by others. This is by Barbara Nichols of Nichols Real Estate & General Contracting a broker, contractor, expert witness, and author of "The No Lawsuit Guide to Real Estate Transactions," I have an easement over, across and through the property just to the West of my building (421-427 Buchanan). If this project were to be built it would cut us off from Buchanan Street totally. All of my utilities run that way and my sewer runs to Buchanan Street. People at this office complex would have to take their trash elsewhere. I don't think the poly carts would look very nice sitting in front of our building.

Respectfully

Linda Lankister

FILED IN THE OFFICE  
OF THE CITY CLERK  
ON 8-6-12

JN

**Juneann W. Murphy**  
**2328 Ashwood Lane**  
**Norman, OK 73071**  
**July 28, 2012**

Norman Planning Commission  
c/o City Clerk  
The City of Norman  
P.O. Box 370  
Norman, OK 73070

Dear Planning Commission:

I am a property owner on White Street between Buchanan and Asp Streets. I have reviewed the proposal and amendments to rezone the property located at 612 Asp, 421-427 Buchanan, 710 Asp and the adjacent lot to the south from High Density Residential Designation and Office Designation to Intensive Commercial Designation.

I have two reasons for objecting to the plans as amended. First, there will be an excessive amount of traffic entering onto Asp from the proposed building and parking area. This will cause major traffic tie-ups and delays on Asp and will result in Norman residents and visitors avoiding the campus corner area. Consequently, merchants in the area will be adversely affected. Second, a sufficient number of parking spaces has not been included in the project to accommodate the number of individuals who will potentially live in the proposed housing. Thus, the over flow of cars of the residents of the building will take up valuable parking around and near campus corner again resulting in avoidance of the area by potential customers of the existing businesses on the corner.

I recommend that the plans be revised to alleviate these problems. Satisfactorily addressing these problems is important to all merchants on Campus Corner so until that is done, the amended rezoning plan should not go forward.

Sincerely,

  
Juneann Murphy

FILED IN THE OFFICE  
OF THE CITY CLERK  
ON 8-6-12

IN

34-102

THE MELTING POT  
321 WHITE STREET  
NORMAN, OKLAHOMA 73069

August 2, 2012

Norman Planning Commission  
c/o City Clerk  
The City of Norman  
P.O. Box 370  
Norman, Oklahoma 73070

To Whom It May Concern:

My husband and I are the owners of the property located at 321 White Street on Campus Corner. Our gift shop has been in this location for eight years.

We are writing to object to the proposed plans to rezone the property located at 612 Asp, 421-427 Buchanan, 710 Asp and the adjacent lot to the south thereof from High Density Residential Designation and Office Designation to Intensive Commercial Designation.

Norman residents already avoid the Campus Corner area citing lack of adequate parking and high traffic volume. All Campus Corner merchants (I am on the Board of Directors) have experienced this same negativity. We deal with it as best we can.

In our opinion, the proposed changes would increase the traffic flow and greatly increase the parking problem. It appears the issue of a sufficient number of parking spaces has not been addressed in this rezoning proposal. Of course, this would mean the overflow would automatically fall on the already overcrowded Campus Corner area.

Thank you for your consideration.

Sincerely,



Richard and Cathy Alexander  
4121 Northridge Road  
Norman, Oklahoma 73072

FILED IN THE OFFICE  
OF THE CITY CLERK  
ON 8-6-12

September 9, 2012

FILED IN THE OFFICE  
OF THE CITY CLERK  
ON 9/10/12 TML

Andrea Loughridge  
226 E. Duffy St.  
Norman, OK 73069

Dear Norman Planning Commission,

I am writing this letter to protest the proposed Land Use Plan Amendment and rezoning of 612, 710 Asp, 730 Asp, and 421-427 Buchanan. My reasons for protesting are as follows.

This is an inappropriate oversized project and not in keeping with the existing character of the neighborhood. As this project has evolved it has become even larger and more intrusive. The neighboring buildings will be restricted on their sun exposure and their right to daylight. This project will infringe on the solar rights of neighboring buildings, increasing energy costs during cooler weather and make them less comfortable.

Next is the issue of water during heavy rainfall. The 2 story underground garage has the potential to take in water, as do many basements in this part of Norman. Many existing houses in the area must run pumps to prevent flooding. A good example would be the water problems at the Sarkey's Energy building. I question the disposal of this water and the excess it would bring to neighboring buildings.

The project is proposed to include 250 parking spaces. These additional cars will, at some time, be coming and going from the building. They will increase pollution in the small area and will make a huge impact on the already congested narrow Asp street. Formerly Asp was a one way street, when it was converted to 2 way traffic it has increased the congestion and danger of the traffic coming from Duffy and South around a curved street on Webster/Asp Av.

For this type of development, to be successful, the area would need to offer jobs, transportation, dining, and retail. This area already has more foot traffic and bicycle use than other parts of Norman. In the informal meeting, the developer has stated this project is intended to encourage foot traffic and bicycling to the area. Essential services would need to be offered to the tenants. The area would have to offer a sustainable alternative for these services, to prevent them from making car errands. The whole culture of Norman would need to seriously change for all of this non car activity to occur. The University North Park area would be inaccessible to these resident unless they use their cars. He also stated they would walk to Main street. I live the same proximity to Main street and only walk there for special events.

not owner

Also the developer has indicated this building would appeal to an up-scale tenant. I do not believe a building that has appeal to students would have appeal for any other type of tenants. These apartments would be for lease only, not for sale. Many of the parents of affluent students want to buy property as an investment and do not want to waste money on a leased property.

After attending several meeting about this proposed building, my impression is that the campus corner merchants do not want this type of building. The overflow of visitors with cars will take up already limited parking and increase congestion around campus corner. This area of Asp street is closed off on home football game days. This parking lot will need street access and reduce the area used for merchant activity.

My last point would be the long term use and value of the property. After a period of 7 - 10 years. Students are unlikely to take pride in their building. What would be the long term maintenance of this property. Repairs and maintenance would be exorbitantly expensive. This extremely large building could disintegrate and become a problem to the neighborhood.

Sincerely,

A handwritten signature in cursive script that reads "Andrea Loughridge". The signature is written in black ink and is positioned below the word "Sincerely,".

8-02-12

RECEIVED  
Development Services  
AUG 03 2012

From:  
Eric Kozlowski  
824 S. Lahoma Ave  
Norman, OK 73069

Time 8:45 By ML

To:  
City of Norman Planning Staff  
201 W. Gray St. #A  
Norman, OK 73069

Hello City of Norman Planning Staff,

I attended the Pre-Development meeting by Mark Risser for his proposal of Market Rate / Student Housing located on Asp extending to Buchanan & near the Duffy intersection and I am AGAINST this proposal.

Regards,

*Eric Kozlowski*

Eric Kozlowski  
CELL (405) 208-1341

FILED IN THE OFFICE  
OF THE CITY CLERK  
ON 8/3/12 *ML*

out

August 3, 2012

Norman Planning Commission  
c/o City Clerk  
The City of Norman  
PO Box 370  
Norman, OK 73070

To Whom It May Concern:

I am writing on behalf of Campus Corner Merchants Association and its Board of Directors regarding the proposed rezoning for the property located at 612 Asp, 421-427 Buchanan, 710 Asp and adjacent lot. It is our understanding that the proposed rezoning would allow development of high-density residential building along with retail space in this area.

It has been brought to our attention that the planned development would include a 5 or 6 story building with residential space on top floors and retail/commercial space on the bottom floor. Our concerns are about the amount of parking that would be required by this type of construction for tenants & visitors. While we don't know the specifics of the planned construction, our concern is that the plans we have heard about do not allow for enough parking.

Parking is already an issue in the Campus Corner area. We realize that our parking issues are a combination of factors, including our customers, employees & students using the parking spaces that are available. We are concerned that construction of this type would add significantly to the traffic in the area and that it could significantly impact the parking problems we already experience. If there are not a sufficient number of parking spaces provided by any new construction, this will just compound a parking problem that already exists in this area.

We feel the number of parking spaces that should be required if the re-zoning is approved and the planned project is allowed should be greater than or equal to the number of beds available in rental units plus a sufficient number to cover all employees, visitors to the potential retail/commercial business, and any contracted or dedicated spaces that would be included in the development.

Unless the parking concerns we have expressed are being addressed in advance, our organization is opposed to the re-zoning as proposed.

Respectfully,  
Campus Corner Merchants Association

Jeff Stewart-President

FILED IN THE OFFICE  
OF THE CITY CLERK  
ON 8-6-12

not owner

May 7, 2012

Terri Stubblefield  
1902 Elmhurst Dr.  
Norman, OK 73071

Dear Norman Planning Commission:

I am writing this letter to protest the proposed land use plan amendment and rezoning of 710 Asp, 730 Asp, and 421-427 Buchanan. My reasoning for protesting is below.

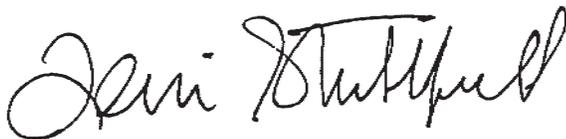
I work at a small locally owned hair salon Professional Hair Design located at 706 Asp Avenue and even without a large apartment complex in our area we deal with parking problems, pollution, traffic accidents, low water pressure, and power surges.

The campus corner area is a small quaint area with many historic homes in the area, and a high density apartment complex would be obtrusive. The hair salon I work in if this building is built would receive no sunlight after 10am if such a large structure were built, we would be have to tow more cars do to illegal parking, our water pressure would be nil, and our customers would have an even harder time coming and going because of even more traffic on Asp since it was made two way.

This type of development is not good for Norman, and is not what Norman needs. We have so many condo/apartment buildings in Norman that are not at capacity. Take the condos at S.E. 12<sup>th</sup> & Lindsey Street that have retail below and condo's on top that were originally for sale, and not only have they not sold they can't get them rented. You can also look at the new condos by the Mont on Boyd & Classen that still are not sold, and I have heard rumors they are trying to rent them as well.

Norman is a wonderful place to live let's try and keep it that way change isn't always what it's cracked up to be!

Best regards,



FILED IN THE OFFICE  
OF THE CITY CLERK  
ON 5-7-12

not owner

August 6, 2012

Andrea Loughridge  
226 E. Duffy St.  
Norman, OK 73069

Dear Norman Planning Commission,

I am writing this letter to protest the proposed Land Use Plan Amendment and rezoning of 612, 710 Asp, 730 Asp, and 421-427 Buchanan. My reasons for protesting are as follows.

This is an inappropriate oversized project and not in keeping with the existing character of the neighborhood. As this project has evolved it has become even larger and more intrusive. The neighboring buildings will be restricted on their sun exposure and their right to daylight. This project will infringe on the solar rights of neighboring buildings, increasing energy costs during cooler weather and make them less comfortable.

Next is the issue of water during heavy rainfall. The 2 story underground garage has the potential to take in water, as do many basements in this part of Norman. Many existing houses in the area must run pumps to prevent flooding. A good example would be the water problems at the Sarkey's Energy building. I question the disposal of this water and the excess it would bring to neighboring buildings.

The project is proposed to include 250 parking spaces. These additional cars will, at some time, be coming and going from the building. They will increase pollution in the small area and will make a huge impact on the already congested narrow Asp street. Formerly Asp was a one way street, when it was converted to 2 way traffic it has increased the congestion and danger of the traffic coming from Duffy and South around a curved street on Webster/Asp Av.

For this type of development, to be successful, the area would need to offer jobs, transportation, dining, and retail. This area already has more foot traffic and bicycle use than other parts of Norman. In the informal meeting, the developer has stated this project is intended to encourage foot traffic and bicycling to the area. Essential services would need to be offered to the tenants. The area would have to offer a sustainable alternative for these services, to prevent them from making car errands. The whole culture of Norman would need to seriously change for all of this non car activity to occur. The University North Park area would be inaccessible to these resident unless they use their cars. He also stated they would walk to Main street. I live the same proximity to Main street and only walk there for special events.

Also the developer has indicated this building would appeal to an up-scale tenant. I do not believe a building that has appeal to students would have appeal for any other type of tenants. These apartments would be for lease only, not for sale. Many of the parents of affluent students want to buy property as an investment and do not want to waste money on a leased property.

After attending several meeting about this proposed building, my impression is that the campus corner merchants do not want this type of building. The overflow of visitors with cars will take up already limited parking and increase congestion around campus corner. This area of Asp street is closed off on home football game days. This parking lot will need street access and reduce the area used for merchant activity.

My last point would be the long term use and value of the property. After a period of 7 - 10 years. Students are unlikely to take pride in their building. What would be the long term maintenance of this property. Repairs and maintenance would be exorbitantly expensive. This extremely large building could disintegrate and become a problem to the neighborhood.

Sincerely,

*Andrea Scaghridge*

FILED IN THE OFFICE  
OF THE CITY CLERK  
ON 8/6/12 *MK*

May 7, 2012

FILED IN THE OFFICE  
OF THE CITY CLERK  
ON 5-7-12

Andrea Loughridge  
226 E. Duffy St.  
Norman, OK 73069

Dear Norman Planning Commission,

I am writing this letter to protest the proposed Land Use Plan Amendment and rezoning of 710 Asp, 730 Asp, and 421-427 Buchanan. My reasons for protesting are as follows.

This is an inappropriate oversized project and not in keeping with the existing character of the neighborhood. The neighboring buildings will be restricted on their sun exposure and their right to daylight. This project will infringe on the solar rights of neighboring buildings, increasing energy costs during cooler weather and making them less comfortable.

Next is the issue of water during heavy rainfall. The 2 story underground garage has the potential to take in water, as do many basements in this part of Norman. Many existing houses in the area must run pumps to prevent flooding. A good example would be the water problems at the Sarkey's Energy building. I question the disposal of this water and the excess it would bring to neighboring buildings.

The project is proposed to include 230 parking spaces. These additional cars will, at some time, be coming and going from the building. They will increase pollution in the small area and will make a huge impact on the already congested narrow Asp street. Formerly Asp was a one way street, when it was converted to 2 way traffic it has increased the congestion and danger of the traffic coming from Duffy and South around a curved street on Webster/Asp Av.

For this type of development, to be successful, the area would need to offer jobs, transportation, dining, and retail. This area already has more foot traffic and bicycle use than other parts of Norman. In the informal meeting, the developer has stated this project is intended to encourage foot traffic and bicycling to the area. Essential services would need to be offered to the tenants. The area would have to offer a sustainable alternative for these services, to prevent them from making car errands. The whole culture of Norman would need to seriously change for all of this non car activity to occur. The University North Park area would be inaccessible to these resident unless they use their cars. He also stated they would walk to Main street. I live the same proximity to Main street and only walk there for special events.

Also the developer has indicated this building would appeal to an up-scale tenant. He mentioned professors and students as residents. With areas offered for study sessions. I do not believe a building that has appeal to students would have appeal to professors in the mix. Many professors have families and a 2 bedroom apartment would not work for them. Those likely to live in such a building would be singles, empty nesters and students. These apartments would be for lease only, not for sale. Many of the parents of affluent students want to buy property as an investment and do not want to waste money on a leased property.

My last point would be the long term use and value of the property. After a period of 10 - 15 years. What would be the long term maintenance of this property. Repairs and maintenance would be exorbitantly expensive. This extremely large building could disintegrate and become a problem to the neighborhood.

As council member Linda Lockett was quoted recently " Norman is unique and doesn't have to follow the lead of other cities." I would agree with this statement and hope the Planning Commission would do more study on high density projects in Norman.

Sincerely,

*Andrea Loughridge*

## Rone Tromble

---

**From:** Jay Jimerson [Jay@cardinalriver.com]  
**Sent:** Wednesday, September 12, 2012 4:02 PM  
**To:** Rone Tromble  
**Subject:** Support for Proposed High Density Development Project

**Attachments:** CCE00000.pdf



CCE00000.pdf  
(387 KB)

Dear Planning Commission members,

I am a long time resident of Norman (since 1966) and have enclosed a letter in support of Mark Risser's proposed development for the Campus Corner area. If you have any questions, please do not hesitate to contact me. We appreciate your consideration of Mark's request to develop a high quality project that will improve the Campus Corner area.

Thank you,

Jay Jimerson

Jay Jimerson  
Cardinal River Energy I LLC  
210 Park Avenue, Suite 1140  
Oklahoma City, OK 73102  
(405) 606-7481  
(405) 606-7483 (fax)  
jay@cardinalriver.com  
www.cardinalriver.com

September 10, 2012

To: The Norman Planning Commission  
City Council and Department of Planning and Community Development  
City of Norman  
Norman, OK

RE: High Density Development – Asp Avenue  
Support for the proposed Campus Corner project

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Dear Commission Members:

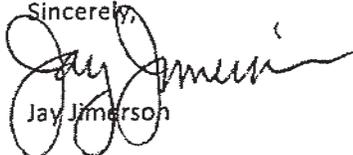
I am writing in support of the proposed high density, mixed-use development submitted by Mark Risser of B3 Group, to be constructed on Asp Avenue. After Mark completed the Loft development project at the corner of Boyd and Classen, I had an opportunity to view the project. Needless to say, I was very impressed with the design, quality and appearance of the project. Although I did not know Mark at the time, as a property owner in the Campus Corner area I was hopeful that he would consider a similar project in the Campus Corner area. I am an owner of the old, single story duplex apartments located at the north end of the current project being proposed by Mark. If approved, our old duplexes would be replaced by a modern, innovative and very attractive project. This would be a significant improvement to the area.

While Norman currently offers several different neighborhood types and housing options, it lacks a high-density community project. As you are probably aware, a quality community project like the one being proposed by B3 Group appeals very much to students, to people saving to buy a home, and to the growing number of people who prefer renting (in a high quality development project) instead of dealing with home ownership issues. I am confident that the developers have thoroughly evaluated and addressed neighborhood compatibility and other issues including parking, height regulations and other compliance issues. With that in mind, I sincerely believe that the building will substantially improve the appearance of the north end of Campus Corner, and will further enhance the entire Campus Corner area by attracting new retail businesses, restaurants, etc. This, in turn, should increase city revenues.

I have lived in Norman almost my entire life, but I work in downtown Oklahoma City. I have watched the dramatic changes and improvements that have occurred in downtown Oklahoma City over the last several years. A part of this very positive change has been the addition of high quality living projects like the one that Mark Risser is now proposing in the Campus Corner area.

I support this commitment to Norman's future and encourage the Planning Commission to approve this development.

Sincerely,



Jay Jimerson

[jay@cardinalriver.com](mailto:jay@cardinalriver.com)

**Rone Tromble**

---

**From:** Michael Shoemaker [michaelshoemaker@timberlakeconstruction.com]  
**Sent:** Thursday, September 13, 2012 7:58 AM  
**To:** Rone Tromble; Jane Hudson; Susan Connors  
**Cc:** mrisser@milesrisser.com  
**Subject:** 710 Asp Avenue Mixed Use Development  
**Attachments:** Timberlake Construction Support Letter.pdf

All,

Please see the attached Letter of Support on behalf of myself, Steven Callendar (VP of Operations), and Timberlake Construction for the proposed high density mixed used development in the City of Norman along Asp Avenue. If you have any questions please do not hesitate to contact me. Thank you for your time and consideration in this matter.

***Michael Shoemaker***

Project Manager  
Timberlake Construction Co., Inc.  
P.O. Box 18297  
Oklahoma City, OK 73154  
405-840-2521 office  
405-627-1144 cell  
405-840-5469 fax  
[michaelshoemaker@timberlakeconstruction.com](mailto:michaelshoemaker@timberlakeconstruction.com)  
[www.timberlakeconstruction.com](http://www.timberlakeconstruction.com)



**TIMBERLAKE**  
Construction

September 12, 2012

To: The Norman Planning Commission  
City Council and Department of Planning and Community Development  
City of Norman  
Norman, OK

RE: High Density Development – Asp Avenue  
Support for the proposed Campus Corner project

---

Dear Planning Commission Members:

I am writing in support of the proposed high density, mixed-use development submitted by Mark Risser, B3 Group, to be constructed on Asp Avenue. Timberlake Construction is proud to be associated with the continued growth and development of the Norman community. We have been fortunate to have been associated with the construction of the new Phi Gamma Delta house on campus, the construction of the new Cleveland County Justice Facility, and continue to be involved in the development of the University Town Center. We support Norman's mission of "Building an Inclusive Community" and strongly believe that the high-density community development proposed by the B3 Group will significantly aid in the growth that the Norman community has experienced over the last decade.

As a business that participates in developments such as these around the United States, we have seen first-hand what the creation of a mixed-use, high-density community within an established neighborhood can achieve when the design concept focuses on features that not only supports the needs of its residents, but also the needs of the surrounding community. An already vibrant economic engine begins to attract new retail, new restaurants, and new services, which increases the tax revenue of the locale and better the life of its citizens.

As a proud graduate of the University of Oklahoma, I enthusiastically support this commitment to Norman's growth and encourage the Planning Commission to approve this development.

Sincerely,



Steven Callendar  
Vice President - Operations  
Timberlake Construction Co., Inc  
Office (405) 312-4132

**Applicant** Mark Risser/B3 Development Group  
**Location** Generally located at 612 and 710 Asp Avenue and 421-427 Buchanan Avenue  
**Case Number** PD 12-27  
**Time** 5:30-6:00 PM

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<b>Attendee</b>	<b>Stakeholder</b>	<b>Address</b>	<b>Phone</b>
Mark Risser	Applicant	10999 Petal St. Dallas, TX 75238	329-6070
Janice Oak	Neighbor/Interested Party	111 W. Linn St.	292-8224
Steve Davis	Neighbor/Interested Party	539 Shawnee St.	550-7758
Jayne Crumpley	Neighbor/Interested Party	423 Elm Ave.	321-2563
Linda Lancaster	Neighbor/Interested Party	700 Asp Ave.	517-1381
Rocky & Jane Martin	Neighbor/Interested Party	523 S. University Blvd.	573-7773
Rev. Dwight Helt	Neighbor/Interested Party	235 Asp Ave.	321-3020
Council Member Greg Jungman	Neighbor/Interested Party	642 S. Lahoma	250-6145
Tracy Gordon	Neighbor/Interested Party	700 Asp Ave.	650-9676
Ann Groff	Neighbor/Interested Party	806 Mockingbird	329-3900
Council Member R. Gallagher	Neighbor/Interested Party	1522 E. Boyd St.	329-4395
Cindy Rogers	Neighbor/Interested Party	633 Reed Ave.	397-3067
Dennis & Barbara Fite	Neighbor/Interested Party	535 Shawnee	808-8553

**City of Norman Predevelopment****July 26, 2012**

Jeanette Coker	Neighbor/Interested Party	620 E. Main	321-5944
Bill Waterhouse	Neighbor/Interested Party	428 Buchanan	360-1727
Nancy Yoch	Neighbor/Interested Party	617 Okmulgee	329-7042
John BuFran			
Ken Danner	City Staff – Public Works Department		366-5458
Jane Hudson	City Staff – Planning Department		366-5344
Leah Messner	City Staff –Legal Department		271-7700
Terry Floyd	City Staff – Development Coordinator		366-5446

**Application Summary** The applicant, 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 generally located at 612 Asp Avenue, 421-427 Buchanan Avenue, 710 Asp Avenue and the adjacent lot to the south.

**Applicant's Opportunity** This is our third Pre-Development meeting due to some changes we have made to the proposal. We started with one parcel and have now added 2 more parcels. We had previously proposed to only use the lot where NEDC is currently located. Now we have included an additional area along Buchannan and an area north along Asp Avenue. We plan to relocate NEDC temporarily while we construct a mixed use, multi-family building. The first two floors of the building will have commercial/retail and parking which accesses off Asp Avenue on both the north and south ends of the development. The balance of the building height will be residential, not limited to student housing. Currently we are estimating 230 units. There will be a mixture of bedroom counts within those units but the bedroom count is not set at this time. Our goal for this development is to bring added activity and life in and updated feature to the Campus Corner area and near the OU Campus itself. The surface parking currently at this location is dilapidated. Foot traffic from developments such as this can bring more business to merchants in Campus Corner Area. Concern is to create a lot of open space even though the building

is on a tight lot. We have created an elevated second floor court yard as well as stepping back the building so that we have green space that are elevated. I am from Norman, I grew up in Norman. With these types of development it is my intent to keep Norman's best interest in mind.

**Neighbor's Question/Comment**

How far back is building from Buchanan?

**Applicant's Response**

15' off street (There is 15' between the sidewalk and the building)

**Neighbor's Question/Comment**

How close is the building to Buchanan

**Applicant's Response**

10' off Buchanan

**Neighbor's Question/Comment**

What is the height in feet and how does it compare to the buildings in the vicinity?

**Applicant's Response**

It is about 70 feet; the 2 buildings which are about the same are on Main Street, Republic Bank and Vista.

**Neighbor's Question/Comment**

How tall is McFarland Tower?

**Applicant's Response**

Don't know but it is taller than our building.

**Neighbor's Question/Comment**

How far away are buildings you referred to on Main?

**Applicant's Response**

About 3 blocks

**Neighbor's Question/Comment**

What is your parking ratio?

**Applicant's Response**

We are proposing one parking space per bedroom, and will accommodate commercial spaces as well. Parking count will boil down to what the unit count is but at this time we don't have a definite unit count.

**Neighbor's Question/Comment**

How much guest parking will be provided?

**Applicant's Response**

Again the parking will depend on the unit count but at this time a rough estimate might be 5-20 spaces for guests.

**Neighbor's Question/Comment**

Depending on how many students, with 15-20 spaces that is just not a realistic number of guest parking for core area developments

**Neighbor's Question/Comment**

Will you comply with the ADA requirements?

**Applicant's Response**

Yes, we will comply.

**Applicant** B3 Development Group

**Location** Generally located on the west side of Asp Avenue just south of the Duffy Street and Asp Avenue intersection

**Case Number** PD 12-17

**Time** 7:00-7:30 PM

---

Attendee	Stakeholder	Address	Phone
Mark Risser	Applicant Architect	-	214-460-1636
Yola Risser	Applicant	-	-
Ty Hardiman	Neighbor	630 Miller Avenue	-
Andrea Loughridge	Neighbor	226 E. Duffy Street	321-1777
Teresa Rhymes	Neighbor	1917 Vanessa Dr.	249-2138
Linda Lankister	Neighbor	700 Asp Avenue	517-1381
Kirk Milby	Neighbor	310 S. University	834-4168
John Martin	Neighbor	-	625-4346
Rocky & Jane Martin	Neighbor	523 S. University Blvd.	571-7773
John DuFran	Neighbor	409 S. University Blvd	306-0003
Ron Robinson	Neighbor/NEDC	2601 Wood Hollow	701-1907
Don Wood	Neighbor/NEDC	2715 72 <sup>nd</sup> Avenue SE	573-1900
Leah Messner	City Staff – Legal		217-7748
Ken Danner	City Staff – Public Works Department		366-5458
Jane Hudson	City Staff – Planning Department		366-5344

**Application Summary.** The applicant is proposing a "mixed use" development consisting of a parking garage with approximately 230 spaces, commercial/retail consisting of

approximately 7,500 square feet and apartment housing with approximately 116 units. The vision of this project is to bring a higher level of housing to the Campus Corner District. We would like to create a high density mixed use project which 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 of Norman have to offer.

**Applicant's Opportunity**

**Applicant** Mark Risser  
**Location** 710 Asp Avenue  
**Case Number** PD 12-09  
**Time** 6:30-7:00 PM

---

<b>Attendee</b>	<b>Stakeholder</b>	<b>Address</b>	<b>phone</b>
Mark Risser	Applicant	B3 Development 10999 Petal St Dallas, TX 75238	214-460-1636
Yola Risser	Applicant's wife	10999 Petal St Dallas, TX 75238	214-460-1636
Julie Schubert	Applicant's employee	401 Lofts 401 E Boyd St	
Mell Trissel	Applicant's banker	Coppermark Bank OKC	
John & Sheri Lungren	Neighboring owners		
Don Wood	Subject Property owner	NEDC 710 Asp Avenue	
Ben Odom	Representative, neighboring church	2350 McKown Drive Norman	701-1863
Judy Hatfield	Neighboring owner	Equity Realty PO Box 1763 Norman 73070	640-6167
Dak Hatfield	Interested party		
Kirk Milby	Neighboring owner	310 S University	834-4168
Linda Lankister	Neighboring owner	700 Asp	517-1391
Marty Coltrane	Neighboring owner	305 S Peters	202-2022

Dean Harrington	Interested party	1228 Broad Acres Dr	760-0306
Keith McCabe	Neighboring owner	753 Asp	818-1097
Susan Atkinson	City staff		366-5392
Doug Koscinski	City staff		
Leah Messner	City staff		

**Application Summary.** The applicant and his partners are seeking to rezone a .8-acre parcel in Campus Corner from C-1, Local Commercial to C-3 Intensive Commercial with a Special Use Permit for a Mixed Use Building. *The Norman 2025 Land Use Plan* designation is Commercial.

**Applicant's Opportunity.** The applicant has a option to purchase this parcel which currently houses the Norman Economic Development Council offices and parking lot. The applicant proposes to redevelop the parcel to become a single building, mixed-use development that would include office/retail on the ground floor, a two-floor parking garage with 150 spaces, and 80+/- of 1 and 2-BR apartment units for a total of six stories.

The applicant and his partners believe this is a product that doesn't exist in Norman at present and he believes there is market demand for this type of housing product which he has witnessed in other urban markets such as Dallas, Austin and Tuscaloosa. The building would include a rooftop courtyard and would have a 2<sup>nd</sup> floor pool. While the building would front on Asp, four-sided design would be used so the building would not turn its back on Buchanan.

**Neighbors' Questions and Comments.**

**Q. Will this development compete for tenants with existing landlords?**

Applicant's Answer. Applicant stated that this development would not target students so he did not envision it as creating competition for existing area landlords.

**Q. How will drainage be handled?**

Applicant's Answer. On-site and internally so there would be no need for on-site retention.

**Q. Will a traffic study be required?**

Staff Answer. 100 trips per hour triggers traffic study requirement. This development not anticipated to generate that level of traffic.

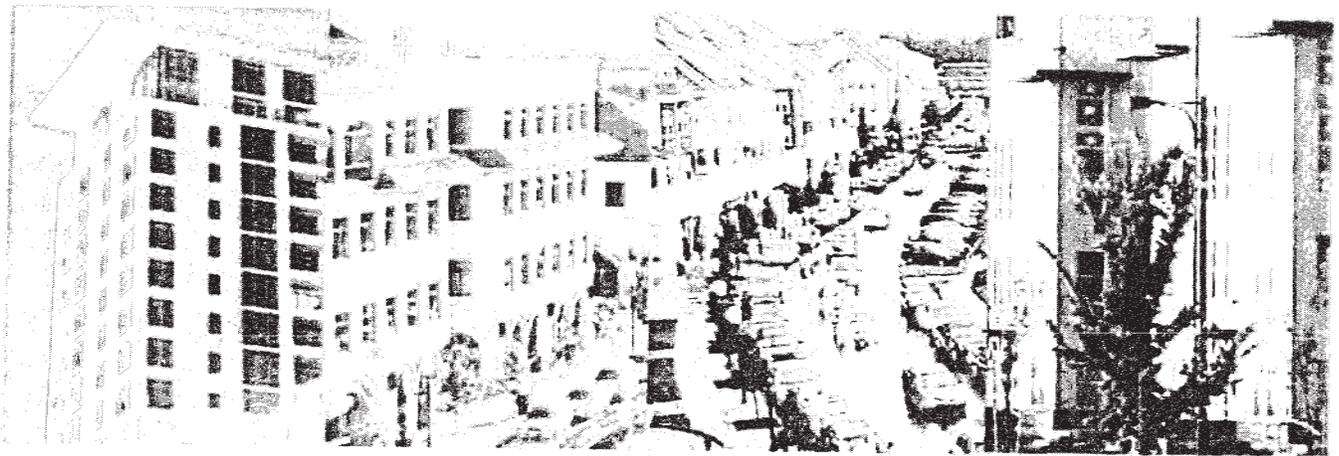
**Q. What is the anticipated timing of construction?**

Applicant's Answer. Anticipate a delivery date of July 2013 so would begin construction as soon as they can get the required permit review, in other words ASAP.

**Q. What would site lighting be?**

Applicant's Answer. Majority of site lighting would be in the courtyard and would be uplit.

# MYTH AND FACT



Urban Land  
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# THE URBAN LAND INSTITUTE

## MYTH AND FACT



Urban Land  
Institute

## About NMHC—the National Multi Housing Council

NMHC is a national association representing the interests of the nation's larger and most prominent apartment firms. NMHC advocates on behalf of rental housing, conducts apartment-related research, encourages the exchange of strategic business information, and promotes the desirability of apartment living. One-third of Americans rent their housing, and 15 percent of all U.S. households live in an apartment home.

Doug Bibby, *President*

## About Sierra Club

The Sierra Club's members are 700,000 of your friends and neighbors. Inspired by nature, we work together to protect our communities and the planet. The Club is America's oldest, largest, and most influential grass-roots environmental organization.

Larry Fahn, *President*

## About AIA—the American Institute of Architects

Since 1857, the AIA has represented the professional interests of America's architects. As AIA members, more than 75,000 licensed architects, emerging professionals, and allied partners express their commitment to excellence in design and livability in our nation's buildings and communities. Members adhere to a code of ethics and professional conduct that assures the client, the public, and colleagues of an AIA-member architect's dedication to the highest standards in professional practice.

Douglas L. Steidl, *President*

## About ULI—the Urban Land Institute

ULI—the Urban Land Institute is a nonprofit educational and research institute supported by its members. Its mission is to provide responsible leadership in the use of land to enhance the total environment. ULI sponsors educational programs and forums to encourage an open exchange of ideas and sharing of experiences; initiates research that anticipates emerging land use trends and issues and proposes creative solutions based on that research; provides advisory services; and publishes a wide variety of materials to disseminate information on land use and development. Established in 1936, the Institute has more than 24,000 members and associates from more than 80 countries representing the entire spectrum of the land use and development disciplines.

Richard M. Rosan, *President*

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ULI

Richard M. Haughey, *Director, Multifamily Development*

As this country continues to grow and change, communities are left to figure out where all these new people will live, work, and shop. New markets are emerging for real estate that offers a more convenient lifestyle than is offered by many low-density sprawling communities. New compact developments with a mix of uses and housing types throughout the country are being embraced as a popular alternative to sprawl. At the core of the success of these developments is density, which is the key to making these communities walkable and vibrant.

Unfortunately, in too many communities higher-density mixed-use development is difficult to construct because of zoning and building codes that favor low-density development with segregated uses and because of opposition from the community. This publication looks at several myths surrounding higher-density development and attempts to dispel them with facts to help dismantle the many barriers such developments face.

ULI is proud to have partnered with NMHC—the National Multi Housing Council, Sierra Club, and AIA—the American Institute of Architects on this publication. This convergence of interests highlights the importance each organization has placed on finding a new development pattern that better fits the needs of a growing and changing country.

ULI will continue to provide forums in which all stakeholders can explore and debate issues about growth and development patterns and how properly designed and incorporated density can be used to accommodate new growth. ULI will conduct research, produce well-balanced information, and identify best practices on issues relevant to growth and density. Through these efforts, ULI and its partners hope to play a role in planning a better development pattern for the future.

Harry H. Frampton III  
*Chair*

# Myth and Fact

America's changing population is creating demand for new types of homes, offices, and retail outlets. Better solutions are needed to the challenges created by changing demographics, dwindling natural areas, smog and public health issues, shrinking municipal budgets, and traffic congestion. Communities that answer these challenges will develop into great places to live.

America will add roughly 43 million new residents—that's 2.7 million new residents per year—between now and 2020.<sup>1</sup> America is not only growing but also undergoing dramatic demographic changes. The traditional two-parent household with children is now less than a quarter of the population and getting proportionally smaller. Single-parent households, single-person households, empty nesters, and couples without children make up the new majority of American households, and they have quite different real estate needs.<sup>2</sup> These groups are more likely to choose higher-density housing in mixed-density communities that offer vibrant neighborhoods over single-family houses far from the community core.

The fact is that continuing the sprawling, low-density haphazard development pattern of the past 40 years is unsustainable, financially and otherwise. It will exacerbate many of the problems sprawl has already created—dwindling natural areas and working farms, increasingly longer commutes, debilitating traffic congestion, and harmful smog and water pollution. Local officials now realize that paying for basic infrastructure—roadways and schools, libraries, fire, police, and sewer services—spread over large and sprawling distances is inefficient and expensive.

Most public leaders want to create vibrant, economically strong communities where citizens can enjoy a high quality of life in a fiscally and environmentally responsible manner, but many are not sure how to achieve it. Planning for growth is a comprehensive and complicated process that requires leaders to employ a variety of tools to balance diverse community interests. Arguably, no tool is more important than increasing the density of existing and new communities, which includes support for infill development, the rehabilitation and reuse of existing structures, and denser new development. Indeed, well-designed and well-integrated higher-density development makes successful planning for growth possible.

Density refers not only to high-rise buildings. The definition of density depends on the context in which it is used. In this publication, *higher density* simply means new residential and commercial development at a density that is higher than what is typically found in the existing community. Thus, in a sprawling area with single-family detached houses on one-acre lots, single-family houses on one-fourth or one-eighth acre are considered higher density. In more densely populated areas with single-family houses on small lots, townhouses and apartments are considered higher-density development. For many suburban communities, the popular mixed-use town centers being developed around the country are considered higher-density development.

Most land use professionals and community leaders now agree that creating communities with a mix of densities, housing types, and uses could be the antidote to sprawl when implemented regionally. And across the country, the general public is becoming more informed and engaged in making the tough land use choices that need to be made while understanding the consequences of continuing to grow as we have in the past. Many have also come to appreciate the “place-making” benefits of density and the relationship between higher-density development and land preservation. Media coverage of the topic of growth and development has also evolved. Past media coverage of growth and development issues was often limited to the heated conflicts between developers and community residents. Many in the media are now presenting more thoughtful and balanced coverage, and several editorial boards support higher-density developments in their communities as an antidote to regional sprawl.

Yet despite the growing awareness of the complexity of the issue and growing support for higher-density development as an answer to sprawl, many still have questions and fears related to higher-density development. How will it change the neighborhood? Will it make traffic worse? What will happen to property values? And what about crime? Ample evidence—documented throughout this publication—suggests that well-designed higher-density development, properly integrated into an existing community, can become a significant community asset that adds to the quality of life and property values for existing residents while addressing the needs of a growing and changing population.

Many people’s perception of higher-density development does not mesh with the reality. Studies show that when surveyed about higher-density development, those interviewed hold a negative view. But when shown images of higher-density versus lower-density development, people often change their perceptions and prefer higher density.<sup>3</sup> In a recent study by the National Association of Realtors® and Smart Growth America, six in ten prospective homebuyers, when asked to choose between two communities, chose the neighborhood that offered a shorter commute, sidewalks, and amenities like shops, restaurants, libraries, schools, and public transportation within walking distance. They preferred this option over the one with longer commutes and larger lots but limited options for walking.<sup>4</sup> The 2001 American Housing Survey further reveals that respondents cited proximity to work more often than unit type as the leading factor in housing choice.<sup>5</sup> Such contradictions point to widespread misconceptions about the nature of higher-density development and sprawl. Several of these misconceptions are so prevalent as to be considered myths.

To some degree, these myths are the result of memories people have of the very-high-density urban public housing projects of the 1960s and 1970s that have been subsequently deemed a failure. Somehow, the concept of density became associated with the negative imagery and social problems of depressed urban areas. The reality

is that complex interrelated factors such as the high concentration of poverty and poor educational and employment opportunities combined to doom the public housing projects. Even very-high-density housing can be practical, safe, and desirable. For example, the mixed-income apartments and condominiums or luxury high rises in New York and Chicago—some of the safest and most expensive housing in the country—prove that density does not equal an unsafe environment.

The purpose of this publication is to dispel the many myths surrounding higher-density development and to create a new understanding of density that goes beyond simplistic negative connotations that overestimate its impact and underestimate its value. Elected officials, concerned citizens, and community leaders can use this publication to support well-designed and well-planned density that creates great places and great communities that people love. With the anticipated population growth and continuing demographic and lifestyle changes, consensus is building that creating communities with a mix of densities, housing types, and uses will be both necessary and desirable.

*Higher-Density Development: Myth and Fact* is the sixth in a series of Urban Land Institute myth and fact booklets. The series is intended to clarify misconceptions surrounding growth and development. Other topics covered have included transportation, smart growth, urban infill housing, environment and development, and mixed-income housing.

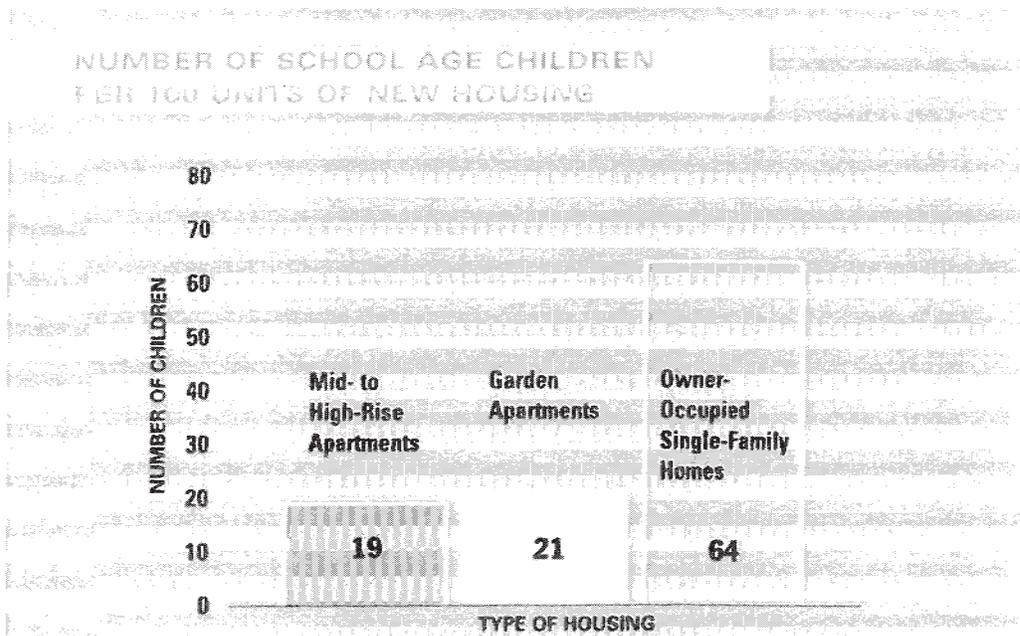
*Higher-Density Development: Myth and Fact* examines widespread misconceptions related to higher-density development and seeks to dispel them with relevant facts and information. Although the benefits of higher-density development are often understated, so are the detrimental effects of low-density development. The advantages and drawbacks of higher-density development are compared throughout this publication with the alternative of low-density development. In the process, misconceptions regarding low-density development are also addressed.

Higher-density development overburdens public schools and other public services and requires more infrastructure support systems.

# FACT

The nature of who lives in higher-density housing—fewer families with children—puts less demand on schools and other public services than low-density housing. Moreover, the compact nature of higher-density development requires less extensive infrastructure to support it.

Public officials across the country struggle to afford the infrastructure needed to support sprawling development. A recent study analyzing the costs of sprawl estimated that more than \$100 billion in infrastructure costs could be saved over 25 years by pursuing better planned and more compact forms of development.<sup>6</sup> The issue has transcended political parties and ideologies and has become an issue of basic fiscal responsibility. California's Republican Governor Arnold Schwarzenegger has criticized "fiscally unsustainable sprawl,"<sup>7</sup> while Michigan's Democratic Governor Jennifer Granholm has noted that sprawl "is hampering the ability of this state and its local governments to finance public facilities and service improvements."<sup>8</sup>



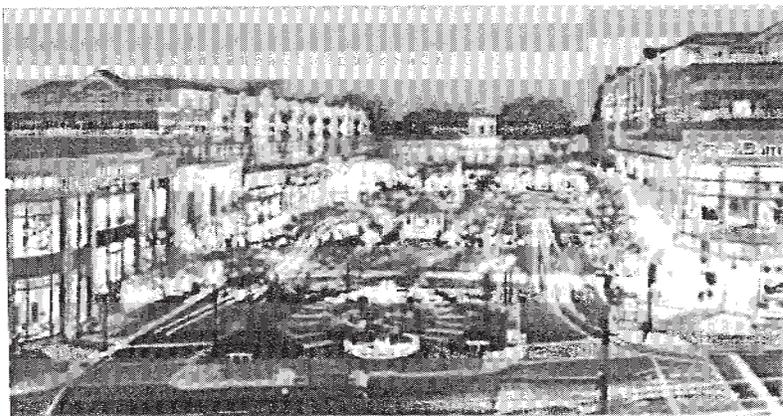
Source: 1999 American Housing Survey (Washington, D.C.: U.S. Bureau of the Census and U.S. Department of Housing and Urban Development, 1999).

Progressive and conservative groups have identified sprawl as a real problem. Charter of the New Urbanism states that “placeless sprawl” is an “interrelated community building challenge.”<sup>9</sup> Conservative groups have concluded that “sprawl is in fact a conservative issue” with “conservative solutions” and that “sprawl was in large part created through government intervention in the economy.”<sup>10</sup>

Indeed, numerous government policies over the last half century have led to and supported sprawl. Historically, federal spending for transportation has subsidized large-scale highway construction over other modes of transportation. Financing policies from the Federal Housing Administration have promoted suburban subdivisions across the nation. Large lot exclusionary zoning has forced the artificial separation of land uses, leading to large distances between employment centers, housing, and retail. But many government agencies now realize they cannot afford to continue providing the infrastructure and public services that sprawl demands.

Not only do local governments absorb much of the cost of more and more roadways, profoundly longer water and electrical lines, and much larger sewer systems to support sprawling development, they must also fund public services to the new residents who live farther and farther from the core community. These new residents need police and fire protection, schools, libraries, trash removal, and other services. Stretching all these basic services over ever-growing geographic areas places a great burden on local governments. For example, the Minneapolis/St. Paul region built 78 new schools in the suburbs between 1970 and 1990 while simultaneously closing 162 schools in good condition located within city limits.<sup>11</sup> Albuquerque, New Mexico, faces a school budget crisis as a result of the need to build expensive new schools in outlying areas while enrollment in existing close-in schools declines.

PROFILE



The Market Common Clarendon

Located on the site of a former parking lot and occupying roughly ten acres of land, the Market Common in Clarendon, Virginia, just outside Washington, D.C., provides 300 Class A apartments, 87 townhouses, 100,000 square feet of office space, and 240,000 square feet of prime retail space. Located within walking distance of the Orange Line of Washington’s extensive subway system, residents can leave their cars parked while they take public transit to work. They can also walk to a Whole Foods grocery store adjacent to the highly successful development. Prominent national retailers occupy the ground level of the building, and structured parking is provided. The compact development form of the Market Common promotes walking, biking, and using public transit over autos. The apartments are attractive to young professionals without children, lessening the impact on the county’s

Located within walking distance of a Washington, D.C., Metro stop, the Market Common provides housing, offices, retail, and restaurants on a ten-acre site that was formerly a parking lot.

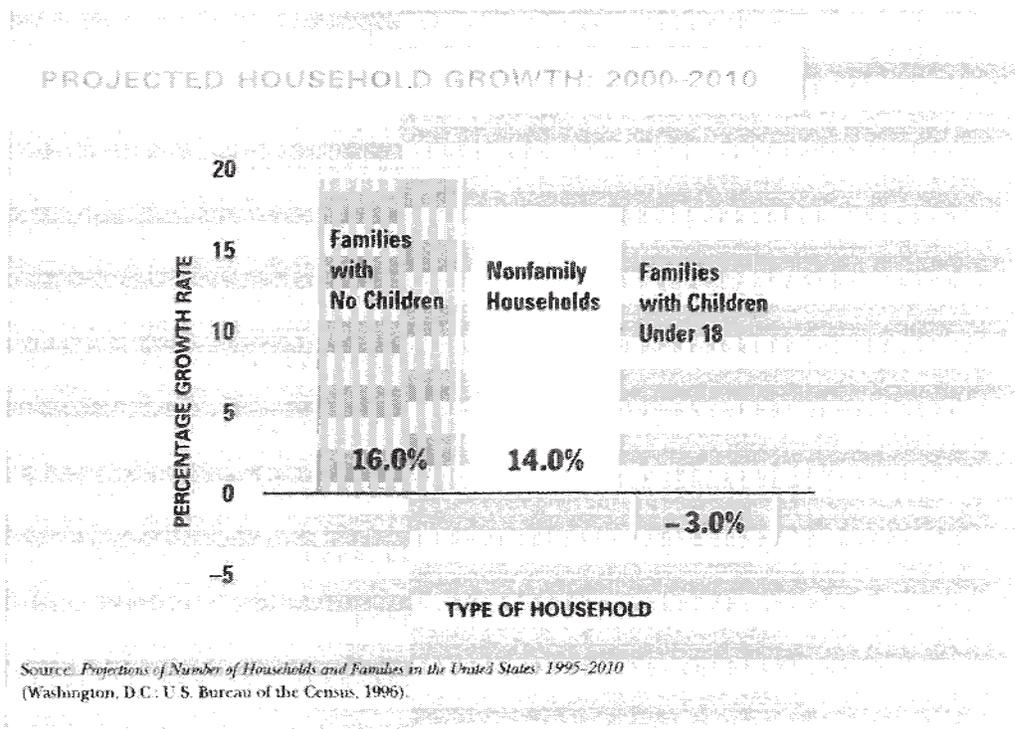
school system. The project is the result of a successful collaboration of McCaffery Interests, Arlington County officials, and citizens of the Clarendon neighborhood; it has spurred new retail, office, and residential construction on neighboring sites.

Unfortunately for local governments, a growing body of evidence shows that sprawling development often does not pay enough property tax to cover the services it requires. A study conducted for a suburban community outside Milwaukee found that public services for an average-price single-family house in that community cost more than twice as much as the property taxes paid by the homeowner.<sup>12</sup>

One reason for the disparity between property tax revenue and the cost of public services is expenditures for public schools. Low-density suburbs and exurban areas generally attract families with more school-age children. In fact, single-family developments average 64 children for every 100 units, compared with only 21 children for every 100 units of garden apartments and 19 children for every 100 units of mid- to high-rise apartments.<sup>13</sup> The reason is that multifamily housing attracts predominantly childless couples, singles, and empty nesters.

And although apartment renters do not pay property tax directly, apartment owners do. Apartments are also usually taxed at a higher commercial real estate tax rate,<sup>14</sup> so a typical mixed-use development with retail, office, and apartments may subsidize the schools and other public services required by residents of low-density housing in the same community. This phenomenon is further exacerbated because many multifamily developments and retail and office establishments pay for their own trash disposal, shuttle buses, and security.

Reducing the distance between homes, shops, and offices also reduces the cost of public infrastructure. According to one of many studies, “The public capital and operating costs for close-in, compact development [are] much lower than they [are] for fringe, scattered, linear, and satellite development.”<sup>15</sup> And many of these studies do not take into account the advantages created by making public transit



more feasible as well as making delivery of basic services like mail delivery, trash collection, and police and fire protection more efficient.

Another emerging body of research suggests that higher-density development is an important component of economic development initiatives and helps attract new employers. "Information economy" is a term used to define the growing industries based on the economics of the Internet, information goods, and intellectual property. Workers in this field are known as "knowledge workers," and many believe they are the future of the American economy. These workers are comfortable with the latest technology and, because their skills are transferable, choose their jobs based on the attributes of the town or city where they are located. They seek out vibrant, diverse urban centers that offer access to technology, other knowledge workers, and lifestyle.<sup>16</sup>

The economic development game has changed. Employers now follow the workers rather than the other way around. Therefore, communities that focus on providing a high quality of life with the energy and vitality created by urban centers will be much more likely to attract these highly prized, talented, and productive workers than communities of faceless sprawl. Companies that understand the appeal of these communities are making relocation decisions with these workers in mind. Studies have shown that increasing employment density increases labor productivity, generally by reducing commuting times.<sup>17</sup>

Thus, introducing higher-density projects into a community will actually increase that community's revenue without significantly increasing the infrastructure and public service burdens. Blending apartments into low-density communities can help pay for schools without drastic increases in the number of students. Diversifying housing options and adding amenities like shops and offices close by will improve the quality of life and attract businesses and people that will strengthen the community's economic stability. Increasing density provides a real economic boost to the community and helps pay for the infrastructure and public services that everybody needs.

PROFILE

Highlands' Garden Village

Built on the site of the Elitch Gardens amusement park in Denver, Highlands' Garden Village is a walkable, transit-linked community and a financially viable model for environmentally responsible infill development. New York-based developer Jonathan Rose & Companies developed single-family homes, townhouses, seniors' and multifamily apartments, cohousing, offices, and retail space on the site. At the center, a historic theater and carousel from the original amusement park are being transformed



Highlands' Garden Village reuses some structures from the amusement park previously located on the site. The compact development, combined with a variety of uses and housing types, uses public infrastructure more efficiently than low-density sprawling development.

into a community performing arts center and a walking labyrinth. Berkeley, California-based Calthorpe Associates designed a plan that put new homes on three sides of a square-shaped village and a commercial "main street" on the fourth. Restaurants, studios, and shops line the street with live/work townhouses and offices above, giving residents the opportunity to live, work, and shop in the same community. The proximity of amenities, location near downtown, and convenience of public bus lines encourage people to walk and reduce travel costs.

Higher-density developments lower property values in surrounding areas.

## FACT

No discernible difference exists in the appreciation rate of properties located near higher-density development and those that are not. Some research even shows that higher-density development can increase property values.

The precise value of real estate is determined by many factors, and isolating the impact of one factor can be difficult. Although location and school district are the two most obvious determining factors of value, location within a community and size and condition of the house also affect value. Several studies have examined whether multifamily housing has any impact on the value of nearby single-family detached houses. These studies have shown either no impact or even a slightly positive impact on appreciation rates.

## PROFILE



HAILE PLANTATION CORPORATION

### Haile Plantation

Haile Plantation is a Gainesville, Florida, icon. Although it is denser than surrounding communities, the values of homes in Haile Plantation are often higher than the values of houses in neighboring lower-density communities, because the traditional neighborhood design employed there makes Haile Plantation more desirable and valuable. Beginning with the master plan in 1979, Haile Plantation has been called one of the first new urbanist communities in the country. Developers Bob Rowe and Bob Kramer in conjunction with the Haile Plantation Corporation developed the 1,700-acre site to include more than 2,700 units, ranging from single-family homes to townhouses and garden apartments. The sense of community has only grown with the expansion of the development to include a town center, a village green, trails, civic uses, and offices. Indeed, it is density and diversity that together add value to this popular Florida community.

Homes in Haile Plantation sell for more than neighboring homes because prospective buyers view the traditional neighborhood design as a valuable and desirable amenity.

For instance, one study by the National Association of Home Builders looked at data from the American Housing Survey, which is conducted every two years by the U.S. Census Bureau and the Department of Housing and Urban Development. It found that between 1997 and 1999, the value of single-family houses within 300 feet of an apartment or condominium building went up 2.9 percent a year, slightly higher than the 2.7 percent rate for single-family homes without multifamily properties nearby.<sup>18</sup>

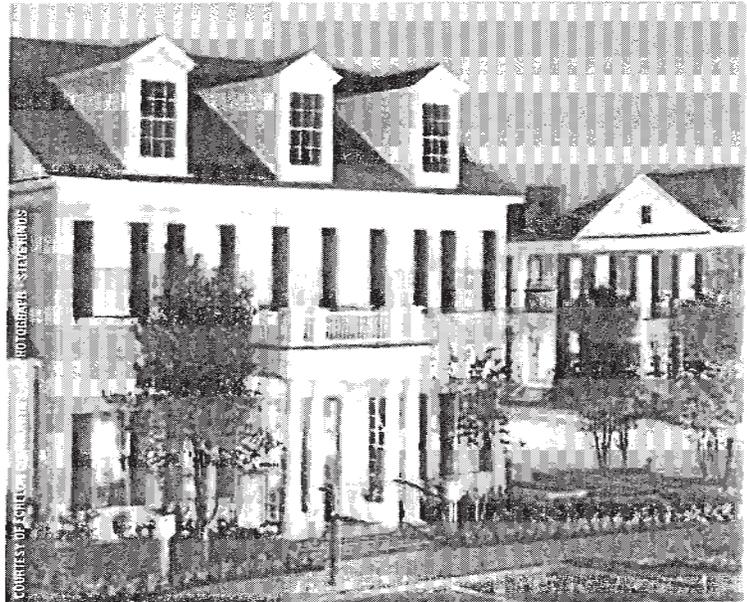
Another study, commissioned by the Family Housing Fund in Minnesota, studied affordable apartments in 12 Twin Cities neighborhoods and found “little or no evidence to support the claim that tax-credit family rental developments in [the] study eroded surrounding home values.”<sup>19</sup> And a long-term study by Harvard University’s Joint Center for Housing Studies published in 2003 also confirms that apartments pose no threat to nearby single-family house values, based on U.S. Census data from 1970 to 2000.<sup>20</sup>

Not only is there compelling evidence that increased density does not hurt property values of nearby neighbors: researchers at Virginia Tech University have concluded that over the long run, well-placed market-rate apartments with attractive design and landscaping actually increases the overall value of detached houses nearby.<sup>21</sup> They cite three possible reasons. First, the new apartments could themselves be an indicator that an area’s economy is vibrant and growing. Second, multifamily housing may increase the pool of potential future homebuyers, creating more possible buyers for existing owners when they decide to sell their houses. Third, new multifamily housing, particularly as part of mixed-use development, often makes an area more attractive than nearby communities that have fewer housing and retail choices.<sup>22</sup>

P R O F I L E

Echelon at Lakeside

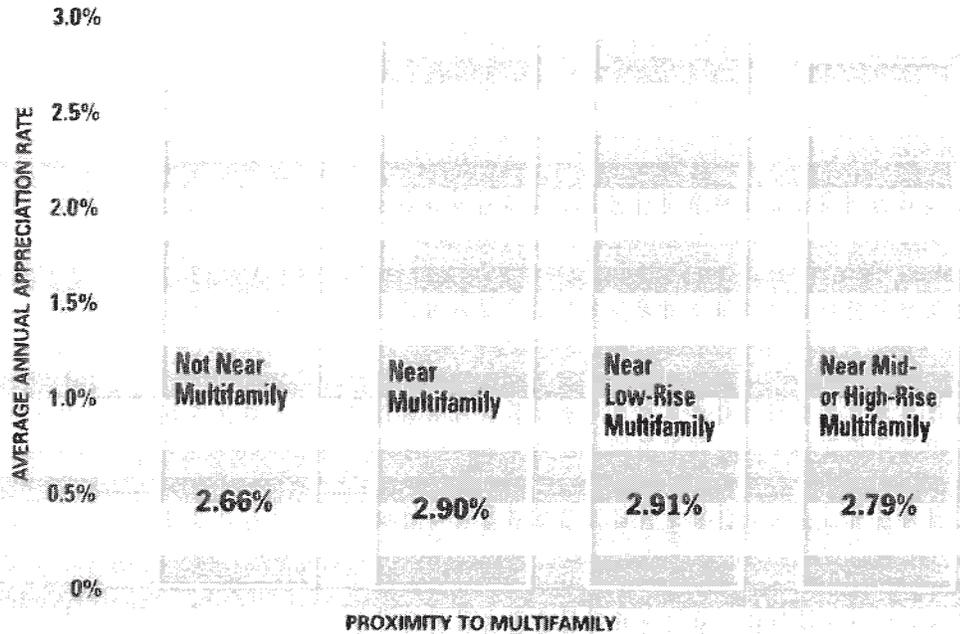
Echelon at Lakeside is the only multifamily development in an upscale, master-planned single-family suburban neighborhood of Lakeside on Preston in Plano, Texas a suburb of Dallas. Florida-based developers Echelon Communities, LLC, overcame initial community opposition from area residents through high-quality innovative design. The award-winning architecture blends seamlessly with the surrounding neighborhood’s traditional style. Larger-than-normal floor plans, individual entries, and attached garages combine to mirror the grand



The award-winning apartments at Echelon at Lakeside were designed to blend with the neighboring luxury homes.

estates in the surrounding communities. Although street elevations make the buildings appear to be one single-family home, they actually house several multifamily units. Memphis-based architects Looney Ricks Kiss used five building types and three building styles. All units include high-quality interior finishes; community amenities include a resort-style pool, fitness facility, clubroom, business and conference center, and full-time concierge.

MYTH TWO: PROPERTY VALUES IN CLOSE PROXIMITY TO MULTIFAMILY HOUSES WILL DECREASE



Source: NAHB computations based on data in the *American Housing Survey*, 1997 and 1999 (Washington, D.C.: U.S. Bureau of the Census and U.S. Department of Housing and Urban Development, 1997 and 1999).

Concerned citizens should use the entitlement process to demand high-quality development in their communities while understanding that density and adjacent property values are not inversely related. Higher-density real estate developers and investors in higher-density real estate need to appreciate the fact that most Americans' wealth is held in their home equity. Therefore, changes in property values can have very real consequences to existing property owners. Likewise, homeowners would benefit from knowing that developers make a substantial financial commitment when investing in new higher-density projects. This investment is an incentive to make the project successful, which can give the community leverage in working with the developer. Such interrelated and overlapping economic interests among these stakeholders make it all the more likely that a mutually beneficial agreement can be reached. Such an agreement can result in a project that enhances the existing community, ensures the appreciation of residents', developers', and the local government's financial interests, and addresses the needs of current and future residents of the community and region.

# MYTH

Higher-density development creates more regional traffic congestion and parking problems than low-density development.

# FACT

Higher-density development generates less traffic than low-density development per unit; it makes walking and public transit more feasible and creates opportunities for shared parking.

**M**ost people assume that higher-density development generates more traffic than low-density development and that regional traffic will get worse with more compact development. In fact, the opposite is true. Although residents of low-density single-family communities tend to have two or more cars per household, residents of high-density apartments and condominiums tend to have only one car per household.<sup>23</sup> And according to one study using data from the National Personal Transportation Survey, doubling density decreases the vehicle miles traveled by 38 percent.<sup>24</sup>

## PROFILE

### Mockingbird Station

The residents of Mockingbird Station in Dallas, Texas, are far less dependent on their cars, because they have a whole host of amenities at their doorstep. Dallas developer Ken Hughes partnered with Denver-based Simpson Housing Group to create the ten-acre pedestrian-oriented urban village, which includes 216 loft apartments, an eight-screen film center and café, more than 90 shops and restaurants, offices, an enclosed public plaza, and parking, all directly linked to the Dallas Area Rapid Transit (DART) light-rail system. Mockingbird Station provides direct platform access to DART trains, which offer residents an eight-minute commute to Dallas's central business district and a single train connection to the Dallas Convention Center, Reunion Arena, and other downtown entertainment. The new village is also immediately adjacent to the campus of Southern Methodist University and within walking distance of the university's new stadium and sports center. RTKL created architecture reminiscent of historic train stations but with a modern twist to the materials and detailing. Although only limited driving is necessary, a parking garage is provided but placed out of sight and underground. The myriad materials, architectural styles, and amenities create a vibrant transit-oriented community.



Residents of Mockingbird Station can leave their cars in the garage and take an eight-minute train ride to downtown Dallas; they can also walk to shops, offices, and a movie theater.

The reason is that higher-density developments make for more walkable neighborhoods and bring together the concentration of population required to support public transportation. The result is that residents in higher-density housing make fewer and shorter auto trips than those living in low-density housing.<sup>25</sup> Condominium and townhouse residents average 5.6 trips per day and apartment dwellers 6.3 car trips per day, compared with the ten trips a day averaged by residents of low-density communities. (A trip is defined as any time a car leaves or returns to a home.)

Increasing density can significantly reduce dependency on cars, but those benefits are even greater when jobs and retail are incorporated with the housing. Such mixed-use neighborhoods make it easier for people to park their car in one place and accomplish several tasks, which not only reduces the number of car trips required but also reduces overall parking needs for the community. But if retail uses are to survive, they must be near households with disposable income. Having those households within walking distance of the shops builds in a market for the stores. One study indicates that in some markets, 25 to 35 percent of retail sales must come from housing close to shops for the shops to be successful.<sup>26</sup>

P R O F I L E

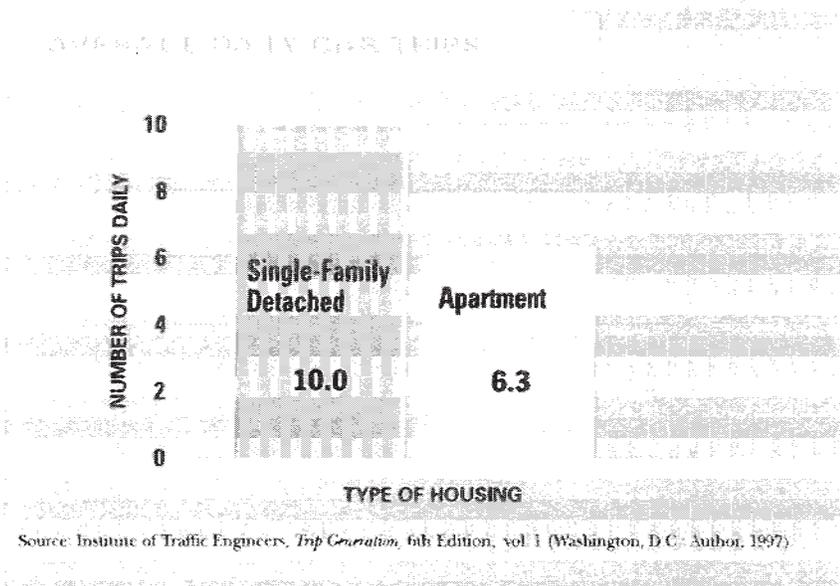
Southwest Station

The Southwest Metro Transit Commission is a small suburban bus system near Minneapolis that serves downtown Minneapolis and numerous other employment and recreation centers, including Minnesota Twins baseball games. The American Public Transportation Association calls it the “best small system in the country.” In an effort to capitalize and expand on the success of the system, the commission has encouraged transit-oriented development at its bus stops. In Eden Prairie, Minnesota, the commission completed a bus depot and five-story parking garage on 22 acres of excess right-of-way. In 2001, it started selling land around the transit complex for retail and residential development. Restaurants, shops, and more than 250 apartments, condominiums, and townhouses soon followed. The new development generated revenue for the commission, new public transit riders, affordable convenient housing, and a suburban lifestyle with the amenities usually afforded only to city dwellers.



The Southwest Metro Transit Commission in suburban Minneapolis runs an award-winning bus system and has encouraged higher-density development around transit stops, like this one at Southwest Station in Eden Prairie, Minnesota.

With a typical family now making more car trips for family, personal, social, and recreational reasons than for commuting to work,<sup>27</sup> reducing the number of noncommuting trips takes on greater importance in the battle to reduce traffic congestion and parking problems. A case study in Washington, D.C., found that workers in dense downtown Washington made 80 percent of their mid-day trips by foot while suburban workers made 67 percent of their mid-day trips by car.<sup>28</sup> Although a suburban office park would never reach the density levels of a downtown area, planners can still reduce the auto dependency of suburban office workers by using some of the same design techniques. Concentrating density around



suburban offices, allowing and encouraging retail and restaurants in and near the offices, and planning for pedestrian and bike access can all reduce the number of lunchtime car trips required by office workers.

Higher-density mixed-used developments also create efficiencies through shared parking. For example, office and residential uses require parking at almost exact opposite times. As residents leave for work, office workers return, and vice versa. In addition, structured parking becomes feasible only with higher-density developments.

Higher-density development also makes public transit more feasible. When a community that includes residences, shops, and offices reaches a certain threshold of density, public transit-shuttles, bus service, trams, or light rail becomes an option for residents. It is estimated that a minimum density of seven dwelling units per acre is needed to make local bus service feasible with an intermediate level of service.<sup>29</sup> Light rail needs a minimum density of nine dwelling units per acre to be feasible.<sup>30</sup> When a community can take advantage of these options and increase the transportation choices for residents, relief is greater as total car dependency is further broken. Such choices are impossible for low-density developments.

MYTH  
Higher-density development leads to higher crime rates.

# FACT

The crime rates at higher-density developments are not significantly different from those at lower-density developments.

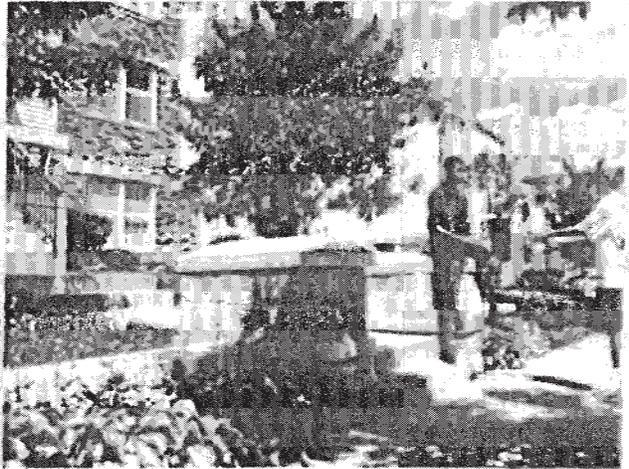


People sometimes associate density with crime, even though numerous studies show that no relationship exists between the two. A study in Irving, Texas, using geographic information systems and crime statistics, found no link between crime and density. In fact, it found that single-family neighborhoods are “not all associated with lower crime rates.”<sup>31</sup> Another study conducted by the University of Alaska found no relationship between housing density and crime in Anchorage.<sup>32</sup>

## PROFILE

### Westminster Place

Although today Westminster Place is a thriving, safe community in midtown St. Louis, it was not always the case. The area, approximately 90 acres, was well known by the St. Louis police department for its high rate of violent crime, which led to the area’s becoming blighted. McCormack Baron Salazar, a St. Louis-based developer, brought the community back through the addition of higher-density, mixed-income housing comprising affordable and market-rate units. The master plan included for-sale and rental housing, garden apartments, townhouses, single-family homes, and even an assisted living facility for seniors. A new community pool, a bustling retail center, and a magnet school are included as well. The new plan slowed traffic through the community, added landscaping and street and parking lot lighting, and new “eyes on the street,” making it more difficult for criminals to go unnoticed. The area blossomed into a place where people once again feel safe walking. The success of the community spurred the revitalization of surrounding areas.



Increasing the housing density, adding some market-rate housing, and developing a design that slowed traffic and added additional lighting changed Westminster Place from a crime-ridden neighborhood to a thriving, safe community.

PROFILE

East Village

East Village is a small urban revitalization project on the edge of downtown Minneapolis. Before the project was built, the neglected 2.9-acre site contained several deteriorating rental homes, old commercial buildings, and abandoned surface parking lots. The neighborhood wanted to improve the area and the image of one of the city's oldest neighborhoods, Elliot Park. The developers of the project, Central Community Housing Trust and East Village Housing Corporation, developed the new mixed-income housing and commercial community to encourage a sense of community and ownership. East Village now features community green space, pedestrian paths, and neighborhood businesses. Buildings surround the greenway that leads to Elliot Park, a city park with year-round activities and a community center. Brick, bay windows, and French balconies complement historic buildings in the area. In addition, all buildings have multiple entrances to encourage interaction among neighbors. An underground 350-space parking garage frees up space for landscaped areas. This once neglected area has won two awards for innovation and design and become an exceedingly successful vibrant and safe community.



CENTRAL COMMUNITY HOUSING TRUST

The additional "eyes on the street" created by the development of East Village in Minneapolis has led to a safer vibrant community.

Arizona researchers found that when police data are analyzed per unit, apartments actually create less demand for police services than a comparable number of single-family houses. In Tempe, Arizona, a random sample of 1,000 calls for service showed that 35 percent originated from single-family houses and just 21 percent came from apartments. Similarly, a random sample of 600 calls for service in Phoenix, Arizona, found that an apartment unit's demand for police services was less than half of the demand created by a single-family house.<sup>33</sup>

One reason for the misperception that crime and density are related could be that crime reports tend to characterize multifamily properties as a single "house" and may record every visit to an apartment community as happening at a single house. But a multifamily property with 250 units is more accurately defined as 250 houses. To truly compare crime rates between multifamily properties and single-family houses, the officer would have to count each household in the multifamily community as the equivalent of a separate single-family household. When they do so, many find what the previous studies prove: that crime rates between different housing types are comparable.

Higher-density developments can actually help reduce crime by increasing pedestrian activity and fostering a 24-hour community that puts more "eyes on the street"<sup>34</sup> at all times. Many residents say they chose higher-density housing specifically because they felt more secure there; they feel safer because there are more people coming and going, making it more difficult for criminals to act without being discovered. This factor could explain why a ULI study of different housing types in Greenwich, Connecticut, shows that higher-density housing is significantly less likely to be burglarized than single-family houses.<sup>35</sup> The relationships among design, management, and security became better understood in the past few decades with the publication of several seminal works, including *Defensible Space: Crime Prevention through Urban Design* by Oscar Newman<sup>36</sup> and *Fixing Broken Windows: Restoring Order and Reducing Crime in our Communities* by George Kelling and Catherine Coles.<sup>37</sup> Many new higher-density developments include better lighting plans and careful placement of buildings and landscaping to reduce opportunities for crime, contributing to a safer community.

With the emergence of better-quality designs, higher-density mixed-use development is an attractive and safe addition to a community, one that is increasingly attracting a professional constituency seeking safety features. In fact, the luxury segment is one of the fastest-growing components of the multifamily industry.<sup>38</sup>

# MYTH

Higher-density development is environmentally more destructive than lower-density development.

# FACT

Low-density development increases air and water pollution and destroys natural areas by paving and urbanizing greater swaths of land.

Low-density sprawl takes an enormous toll on our air, water, and land. The United States is now losing a staggering 2 million acres of land a year to haphazard, sprawling development.<sup>39</sup> More than 50 percent of Americans live in places where the air is unhealthy to breathe,<sup>40</sup> and childhood asthma and other respiratory diseases are on the rise.<sup>41</sup> Almost half the damage to our streams, lakes, and rivers is the result of polluted runoff from paved surfaces.<sup>42</sup>

It is inefficient land use, not economic growth, that accounts for the rapid loss of open space and farms. Since 1994, housing lots larger than ten acres have accounted for 55 percent of the land developed.<sup>43</sup> This loss of land often causes unexpected economic challenges for rural communities, where farmland, forests, ranchland, and open space tend to be the economic drivers that attract businesses, residents, and tourists. Low-density sprawl compromises the resources that are the core of the community's economy and character. The majority of American homeowners think it is important to stop these trends. In fact, 76 percent of local ballot initiatives related to land conservation passed in November 2004, making \$2.4 billion in funding available for protection of parks and open space.<sup>44</sup> But purchasing land is only part of the solution and not always an option for financially strapped governments.

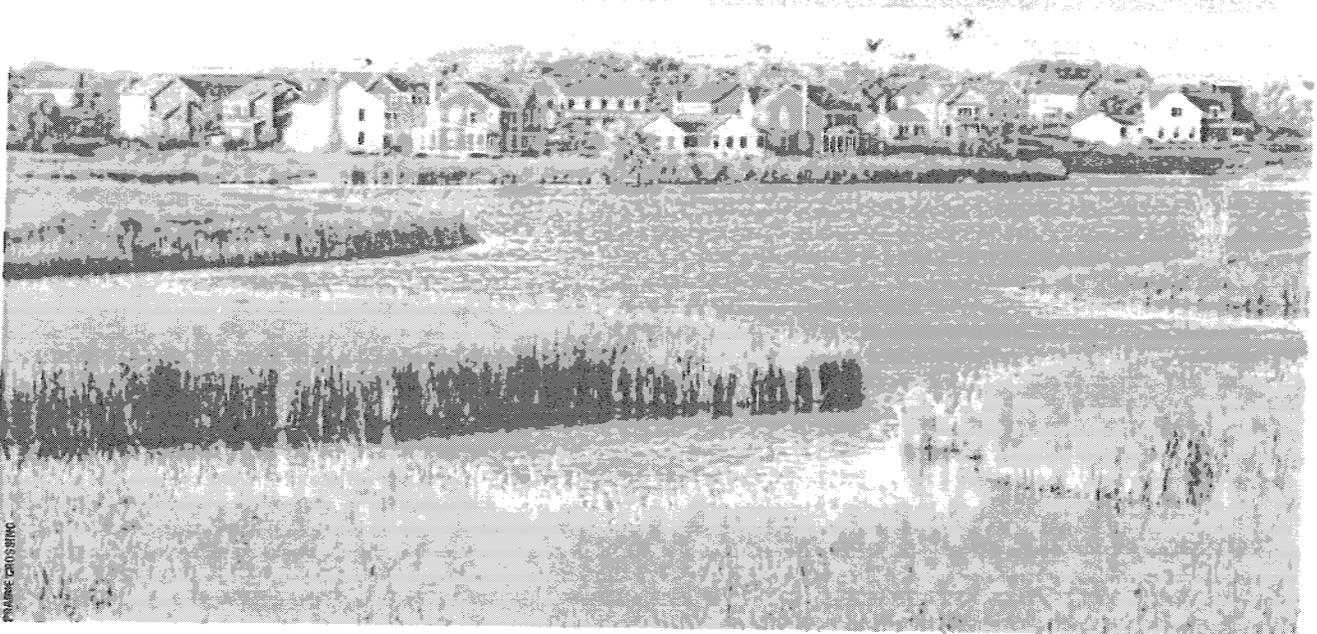
Higher-density development offers the best solution to managing growth and protecting clean air and clean water. Placing new development into already urbanized areas that are equipped with all the basic infrastructure like utility lines, police and fire protection, schools, and shops eliminates the financial and environmental costs of stretching those services farther and farther out from the core community. Compact urban design reduces driving and smog and preserves the natural areas that are assets of the community: watersheds, wetlands, working farms, open space, and wildlife corridors. It further minimizes impervious surface area, which causes erosion and polluted stormwater runoff. Two studies completed for the state of New Jersey confirm that compact development can achieve a 30 percent reduction in runoff and an 83 percent reduction in water consumption compared with conventional suburban development.<sup>45</sup>

PROFILE

**Prairie Crossing**

The developers of Prairie Crossing, George and Vicky Ranney, saved \$1 million in infrastructure costs through environmentally sensitive design. The 677-acre conservation community is located in Grayslake, Illinois, 40 miles northwest of Chicago and one hour south of Milwaukee. The community features 350 acres of open space, including 160 acres of restored prairie, 158 acres of active farmland, 13 acres of wetlands, a 22-acre lake, a village green, and several neighborhood parks. Houses are sited to protect natural features such as hedgerows, native habitat, and wetlands. Designed with colors and architecture inspired by the landscape, every home has a view of open space and direct access to ten miles of on-site walking and biking trails. Wide sidewalks, deep front porches, and rear garages encourage neighbors to meet. The homes were built with U.S. Department of Energy-approved green building techniques. As a result, they are 50 percent more energy efficient than other homes in the Chicago area, and they sell for a 33 percent sales premium. Station Village is the last phase of Prairie Crossing. When complete, it will include residential, retail, and office space, all within walking distance of two commuter train stations. Residents can ride Metra's North Line to Chicago's Union Station or the Central Line to downtown Chicago and O'Hare Airport.

More than half the land at Prairie Crossing was preserved as open space, and homes were built with approved green building techniques.



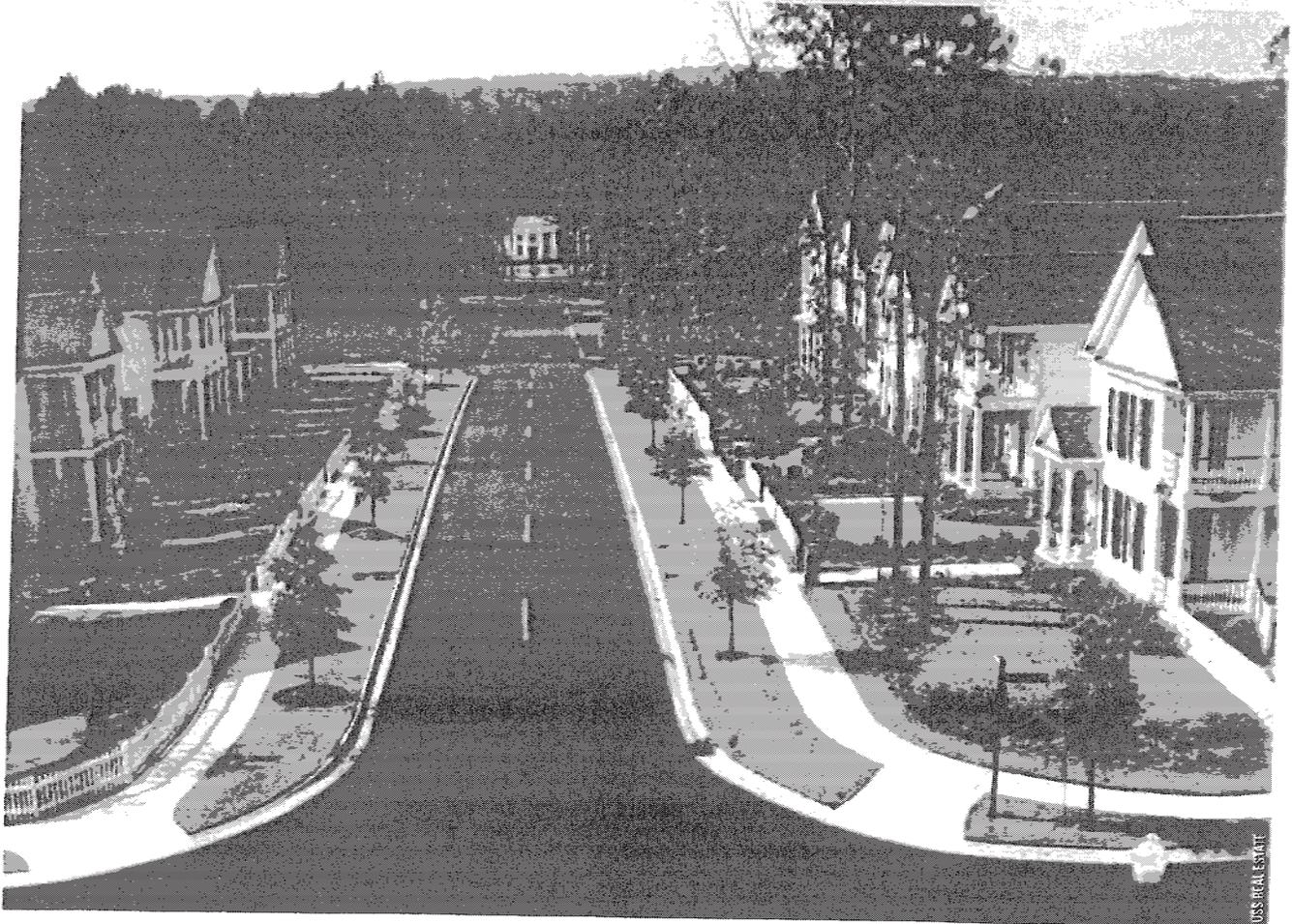
PRairie Crossing

PROFILE

### The Preserve

USS Real Estate originally held a 550-acre tract of land in Hoover, Alabama, but sold 250 acres to the city, intending to create the Moss Rock Nature Preserve. The 680 single-family homes, 50,000 square feet of retail, and 50,000 square feet of office space are concentrated on the remaining 311-acre site. Before development of the Preserve, Hoover was characterized by sprawling conventional development and lacked a town center. The Preserve's future town center is planned to include 34 live/work units, 14 retail units, and two restaurants; at the heart of the community is the village green, an impressive eight-acre park with a town hall, a fitness center, a junior olympic swimming pool, and a kiddie pool. Residents have access to 15 acres of parks and seven miles of trails that connect to award-winning Hoover schools and the newly created Moss Rock preserve.

Clustering development at the Preserve in Hoover Alabama, enabled the creation of the 250-acre Moss Rock Nature Preserve.



USS REAL ESTATE

Many communities employ techniques such as infill and brownfield development to transform unused, abandoned lots into vibrant, revenue-generating components of the community. Some create direct incentives for higher-density development. The city of Austin, Texas, for example, created a program that rewards developers for locating projects in the city's existing neighborhoods and downtown. Others award points for a variety of attributes, such as transit access, the redevelopment of empty lots, and an increase in pedestrian facilities. By employing standards for factors like open space, dense development, and impact on water quality, communities can facilitate good urban design that preserves natural resources.

Although a well-designed higher-density community offers residents a higher-quality environment, poorly planned sprawl does the opposite. Because low-density sprawl gobbles up so much land through large-lot zoning, it ends up destroying the very thing most people moved there for in the first place—the natural areas and farmland. It forces people to drive longer distances, increasing regional air quality problems. The average American man spends 81 minutes behind the wheel every day, while women average 63 minutes. And surveys show that the time spent driving has been consistently increasing every year.<sup>46</sup> The national road network, currently at 4 million miles according to the U.S. Department of Transportation, is still growing at an alarming rate, mainly for the purpose of connecting new low-density suburbs back to core communities. Along with the water and air pollution, construction of these highways perpetuates the cycle of sprawl, fragments wildlife habitats, and dries up a community's financial coffers.

Increasing density not only improves air and water quality and protects open space but also redirects investments to our existing towns and cities. It can revitalize existing communities and create more walkable neighborhoods with access to public transit and hiking and biking trails. Pedestrian-friendly higher-density developments offer general health benefits as well. Mixed land uses give people the option to walk and bike to work, shops, restaurants, and entertainment. The convenience of compact communities may help fight diseases related to obesity.<sup>47</sup> Higher-density communities are vital to preserving a healthy environment and fostering healthy lifestyles.

Higher-density development is unattractive and does not fit in a low-density community.

# FACT

Attractive, well-designed, and well-maintained higher-density development attracts good residents and tenants and fits into existing communities.

Higher-density development comes in many forms. Some of the most attractive well-planned modern development is built at a high density. Across America, appealing higher-density mixed-use town centers have been wildly popular with the public. Lushly landscaped boulevards, fountains, and showcase architecture have created a sense of place in areas previously known only for faceless, uninteresting low-density development. The enduring appeal

## PROFILE

### Post Riverside

Atlanta is often called the poster child for suburban sprawl. However, it is also the home of Post Riverside, a revolutionary new mixed-use pedestrian-oriented community developed by Atlanta-based Post Properties, Inc., and located on the banks of the Chattahoochee River between Atlanta's bustling Buckhead and Vinings communities. As is the trend nationally, 65 percent of all vehicle trips in Atlanta are to run errands, not to commute to work. With offices, shops, and restaurants within walking distance of the apartments, Post Riverside residents depend on autos much less than their neighbors in lower-density areas. In addition, the community is connected to Atlanta's MARTA subway system and the Cobb County transit system. This award-winning 85-acre mixed-use development includes 25,000 square feet of retail space, 225,000 square feet of office space, and 535 apartments, all designed around a gracious town square. For many people, this amenity-rich, low-maintenance lifestyle better suits their needs than a traditional single-family home in a low-density neighborhood.



Post Riverside in Atlanta demonstrates that higher-density development can be attractive and successful in a community known for lower-density development.

and desirability of older and more gracious higher-density neighborhoods—Georgetown in Washington, D.C., Beacon Hill and Back Bay in Boston, and Lincoln Park in Chicago—attest to the fact that some of the more desirable neighborhoods in America historically have been of higher density than that found in typical outer suburbs.

This return to the design principles of the past is at the core of the new urbanist movement that took hold in the 1990s. The movement grew as many people came to miss the sense of community that was created by the mixed-density and mixed-use communities of the past. They realized that low-density subdivisions isolated their owners not only from pedestrian access to shops and offices but also from their neighbors. The growing sense of social alienation, highlighted in books like Robert Putnam's *Bowling Alone*,<sup>48</sup> has led many back to the comfort of communities that are a reminder of the places where many of us grew up. These new communities combine the best design ideas of the past with the modern conveniences of today to provide residents with what has been missing from many sprawling areas—a sense of community.

Today's developers, architects, and planners know that to attract customers and to secure zoning approvals and community acceptance, they must produce attractive and innovative properties that complement their surroundings. Design professionals are driven to produce projects that meet users' demands, understand and respond to the context of a site, enhance its neighborhood, and are built to last.<sup>49</sup> In fact, attendance at a recent American Institute of Architects-sponsored conference on density far surpassed expectations, speaking to the interest among land use professionals in addressing the design issues associated with density.<sup>50</sup>

It is plausible that the high level of citizens' opposition to density may be based on an outdated notion of what higher-density development looks like. A University of North Carolina study revealed that when given a choice between two attractively designed communities, one higher density and the other low density, the majority preferred the higher-density option.<sup>51</sup> Other visual preference surveys confirm that there is an almost universal negative reaction to the visual appearance of commercial strip sprawl and an almost universal positive reaction to traditional town-like communities of the past, communities that almost invariably included a mix of densities and uses.<sup>52</sup>

PROFILE

The Plaza at the Arboretum

This award-winning mixed-use project in Santa Monica, California, developed by California-based Legacy Partners, achieves a density of 97.5 dwelling units per acre. The attractive seven-story building includes 10,000 square feet of retail space and 350 apartment units ranging from 612 to 1,555 square feet. The architecture firm Meeks and Partners used strong geometric forms to create a playful architectural character that fits nicely in the avant-garde Hollywood studio section of Santa Monica. The development includes a swimming pool, spa, fitness center, and clubhouse.



Higher-density developments like the Plaza at the Arboretum present opportunities to create outstanding award-winning architecture.

No one in suburban areas wants higher-density development.

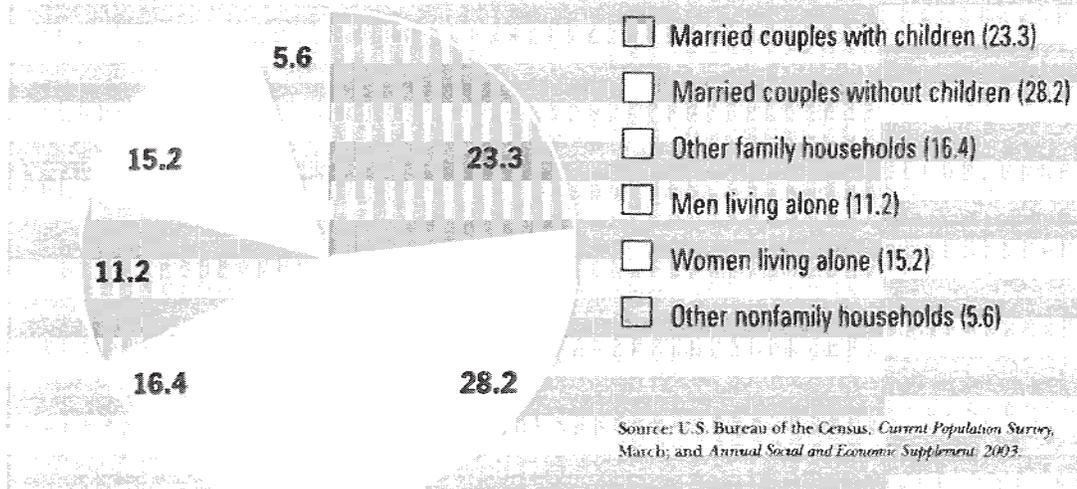
# FACT

Our population is changing and becoming increasingly diverse. Many of these households now prefer higher-density housing, even in suburban locations.

When many of us think of the American Dream, we envision married couples with children living in single-family detached houses in the suburbs. The notion is that the only people who want to live in higher-density areas are those who cannot afford a traditional house with a back yard or who want to live in the middle of the city. Both perceptions are flawed.

This country's population is changing, and so are its real estate preferences. These lifestyle changes have significant implications for suburban development. For the first time, there are more single-person households (26.4 percent) than married-

HOUSEHOLDS BY TYPE: 2003 (PERCENTAGE OF TOTAL)



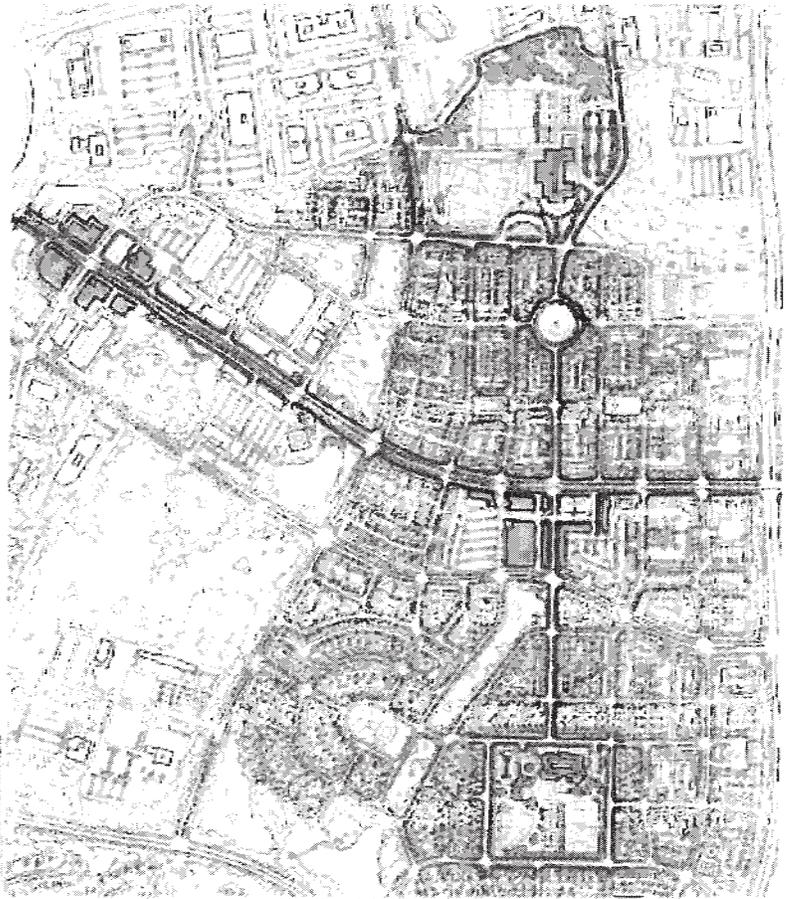
couple-with-children households (23.3 percent).<sup>53</sup> The groups growing the fastest, people in their mid-20s and empty nesters in their 50s, are the groups most likely to look for an alternative to low-density, single-family housing.<sup>54</sup>

A growing number of Americans are redefining their American Dream. They are seeking a more convenient and vibrant lifestyle. And while some seek this lifestyle in cities, many others seek the same lifestyle in the suburbs. According to a 2002 study by the National Association of Home Builders, more than half the renters questioned said they wanted to live in the suburbs.<sup>55</sup> Moreover, a national survey of homebuyers' community preferences found that nearly three-quarters of all

PROFILE

King Farm

This 430-acre community is characterized by the historic architecture of the region but offers an assortment of modern conveniences as well. Developed by King Farm Associates, LLC, King Farm is located in Rockville, Maryland, five miles from the Washington, D.C., beltway, 15 miles from downtown D.C., and walking distance from the Shady Grove Metro station. The neighborhood was designed for pedestrians, but the King Farm shuttle makes getting around even easier. The shuttle runs a complimentary route between the King Farm Village Center, the Metro station, and the Irvington Center, a 90-acre commercial complex next to the Metro. In addition, two types of public bus service are available at King Farm. At the Village Center, 120,000 square feet of retail space is within walking distance from both residential and commercial development. The center also includes 47 loft apartments and a one-acre village green. Watkins Pond and Baileys Common are King Farm's two residential villages. They offer single-family homes, townhouses, condominiums, and luxury apartments intertwined with natural areas. The center of Watkins Pond is a 12-acre city park with tennis and basketball courts, a soccer and softball field, two playgrounds, several picnic areas, benches, and paths.



TORTI GALLAS AND PARTNERS

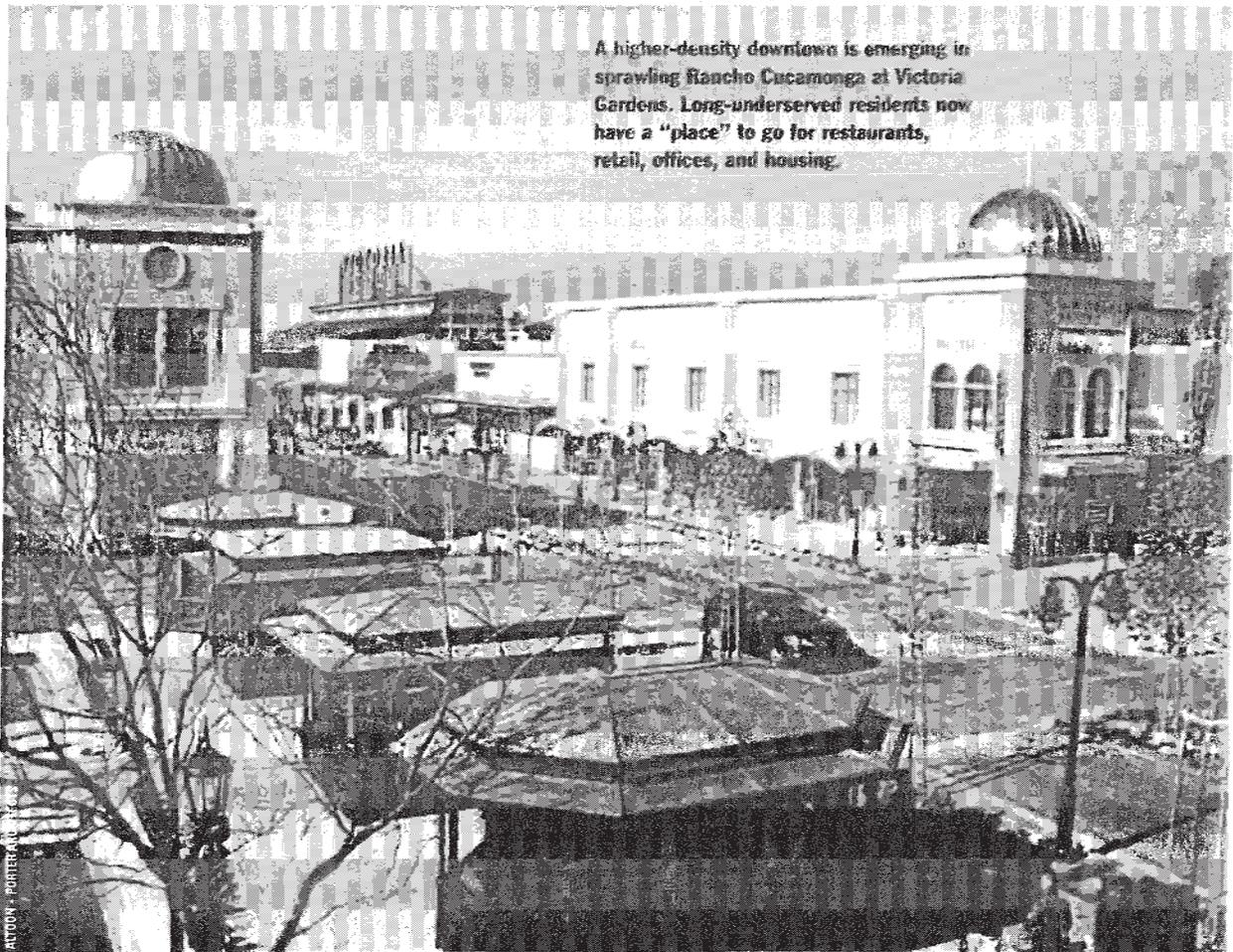
King Farm is a successful higher-density suburban community that integrates housing, retail shops, offices, and public transit.

PROFILE

### Victoria Gardens

The city of Rancho Cucamonga, located roughly 60 miles east of Los Angeles in California's Inland Empire, has a rich agricultural history and, more recently, a history of low-density sprawl with no real city center. This situation is changing, however, with the opening of the first phases of a huge new mixed-use development known as Victoria Gardens. The development, designed by LA.-based architects, Alton + Porter, and being developed jointly by California-based developers Forest City California and the Lewis Investment Company, will create a vibrant higher-density downtown where none previously existed. Rapidly growing Rancho Cucamonga has been traditionally underserved by restaurants and entertainment options. The long-awaited addition of a "place" in the city has been well received by residents. The 147-acre development will eventually contain 1.3 million square feet of commercial and community space, including retail, entertainment, office, and civic uses with a cultural center and a library. Twenty acres of housing on site will allow people to live within walking distance of all the amenities of Rancho Cucamonga's new downtown.

A higher-density downtown is emerging in sprawling Rancho Cucamonga at Victoria Gardens. Long-underserved residents now have a "place" to go for restaurants, retail, offices, and housing.



buyers prefer to live in a community where they can walk or bike to some destinations.<sup>56</sup> The 2001 American Housing Survey further reveals that respondents cited proximity to work more often than unit type as the leading factor in housing choice.<sup>57</sup> These surveys confirm that many people prefer the suburbs but want the amenities traditionally associated with cities, including living close to work.

With the continuing decentralization of cities and the rise of suburban communities with urban-like amenities, many people find that they can live and work in the suburbs with all the attributes of suburbia they desire without giving up walkability and convenience. A recent study confirms that in many regions, more office space is located in suburban locations than downtowns,<sup>58</sup> providing an opportunity for people to live near their jobs. Communities and developers that have recognized and responded to the dual trends of decentralized offices and a growing desire for a more convenient lifestyle have been rewarded. Well-placed mixed-use, higher-density developments in the suburbs are increasingly popular, creating a new sense of place.

Communities are being developed using the best concepts of traditional communities—smaller lots, a variety of housing types, front porches and sidewalks, shops and offices within walking distance, and public transit nearby. Communities like Celebration in Florida and King Farm in Maryland have been so popular with the homebuying public that past worries over whether the demand exists for them have been replaced by concerns about their rapid price appreciation, putting them out of the reach of all but the highest-income households. Today's real demographic and lifestyle changes are inspiring a return to traditional development styles that offer walkable, bikeable, and more dynamic communities that put residents closer to shops, offices, and parks.

MYTH

Higher-density housing is only for lower-income households.

FACT

People of all income groups choose higher-density housing.

**M**ultifamily housing is not the housing of last resort for households unable to afford a single-family house. Condominiums, for instance, are often the most sought after and highly appreciating real estate in many urban markets. The luxury segment of the apartment market is also rapidly expanding. Most people are surprised to learn that 41 percent of renters say they rent by choice and not out of necessity, and households making more than \$50,000 a year have been the fastest-growing segment of the rental market for the past three years.<sup>69</sup> Multifamily housing throughout the world has historically been the housing of choice by the wealthiest individuals because of the access and convenience it provides. From Manhattan to Miami to San Francisco, higher-density housing has been prized for the amenity-rich lifestyle it can provide.

Higher-density development can be a viable housing choice for all income groups and people in all phases of their lives. Many financially secure baby boomers, who have seen their children leave the nest, have chosen to leave behind the yard maintenance and repairs required of a single-family house for the more carefree and convenient lifestyle multifamily housing provides. Interestingly, their children, the echo boomers, are entering the age where many will likely live in multifamily housing. Just starting careers, many are looking for the flexibility of apartment living to follow job opportunities. Their grandparents, likely on a fixed income, may also prefer or need to live in multifamily housing as physical limitations may have made living in a single-family house too challenging.

Providing balanced housing options to people of all income groups is important to a region's economic vitality. The availability of affordable multifamily housing helps attract and retain the workers needed to keep any economy thriving. In many American towns and cities, rapidly rising house prices are forcing working families to live farther away from their jobs. In fact, the lack of affordable housing is mentioned as the number one problem facing working families today.<sup>60</sup>

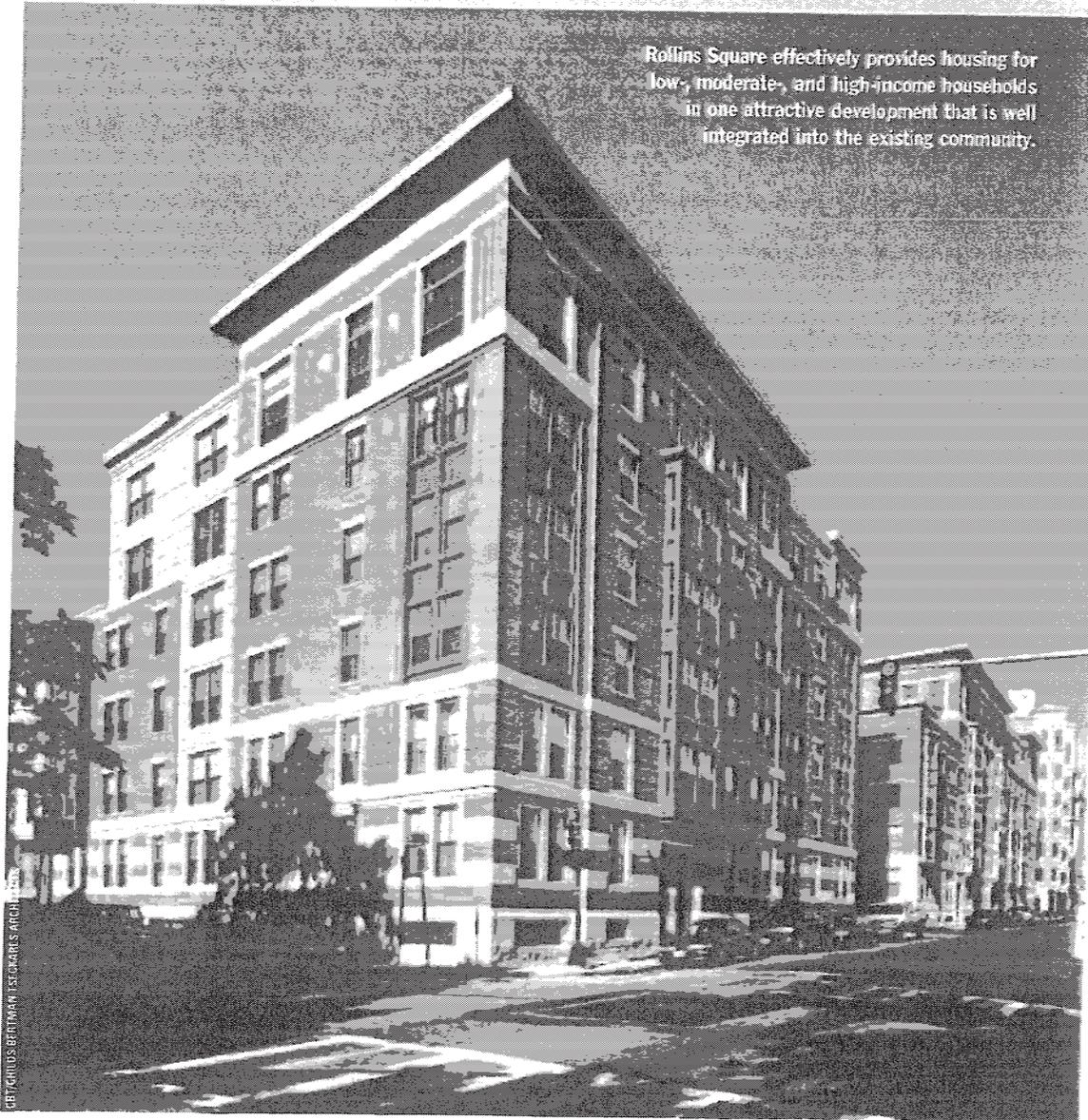
PROFILE

**Rollins Square**

Rollins Square, a mixed-use development in Boston's South End, is a truly mixed-income community that provides housing for a wide spectrum of people in all income brackets. Twenty percent of the overall units are reserved for people whose income is 30 to 60 percent of the Boston area median income (AMI), 40 percent are for-sale condominiums reserved for working households with incomes 80 to 120 percent of the AMI, and the remaining 40 percent are market-rate units sell-

ing for up to \$750,000. The residences occupy two city blocks and integrate seamlessly into the existing neighborhood. The varying heights and diverse exterior materials give the appearance that the development was constructed over time. Rollins Square was developed by the Planning Office for Urban Affairs, Inc., a nonprofit developer associated with the Archdiocese of Boston.

Rollins Square effectively provides housing for low-, moderate-, and high-income households in one attractive development that is well integrated into the existing community.



CETI/GRUBS, BERTRAM, FISCHEK & ARCHITECTS

PROFILE

I'On

I'On is a 244-acre master-planned community along the deep-water marshes of Hobcraw Creek in Mount Pleasant, South Carolina. Just six miles east of Charleston, the community features 700 single-family homes, community facilities, and a small-scale commercial area. Vince Graham, principal with the I'On Company, is developing six residential neighborhoods connected by narrow streets, pedestrian corridors, and community spaces. An I'On Guild member, one of 18 builders selected for experience, talent, and financial strength, builds each individual home. The architecture is inspired by classic Lowcountry style with large balconies, deep front porches, and tall windows on even taller homes. Homes now sell for \$685,000 to \$1.7 million. Community facilities include I'On Square, I'On Club, the Creek Club, and the Mount Pleasant Amphitheater. Residents also enjoy easy access to the Cooper and Wando rivers, the Charleston harbor, and the Atlantic Ocean. One neighborhood boat ramp and four community docks are available for crabbing and fishing. Two miles of walking trails are available for residents; a five-acre pond, the Rookery, is a protected nesting site for wading birds. In addition, the public and private schools in Mount Pleasant are some of the best in the area.



I'ON COMPANY

Some home prices in the well-planned higher-density community of I'On are approaching \$2 million. The traditional neighborhood design combined with the community amenities made possible by higher densities have made the community one of the most desirable in the Charleston area.

As the problem of affordability worsens, workers on the lower end of the salary scale may move to more affordable cities, leaving a labor shortage in their wake. Such shortages make a region less desirable as an employment center. According to PricewaterhouseCoopers, access to a large and diverse labor pool is the most important factor in making corporate decisions on locations.<sup>61</sup> Communities that do not provide housing for all income groups become less desirable corporate locations.

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## Higher-Density Development Myth and Fact

Richard Haughey

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- Higher-density development leads to higher crime rates.

- Higher-density development is environmentally more destructive than lower-density development.
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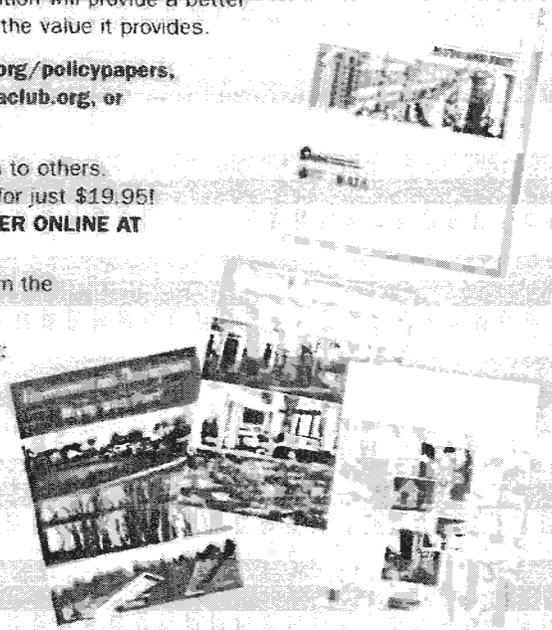
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