City of Norman, OK

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

Meeting Agenda

Tuesday, July 23, 2013

6:30 PM

Municipal Building Council Chambers

City Council

Mayor Cindy Rosenthal
Council Member Greg Heiple
Council Member Tom Kovach
Council Member Robert Castleberry
Council Member Greg Jungman
Council Member Lynne Miller
Council Member Jim Griffith
Council Member Stephen Holman
Council Member Chad Williams

1 **Roll Call**

2 **Pledge of Allegiance**

Minutes

3 GID-1314-12 CONSIDERATION OF THE MINUTES AS FOLLOWS:

NORMAN CHAMBER OF COMMERCE MEET AND GREET RECEPTION MINUTES OF JULY 8, 2013
CITY COUNCILCONFERENCE MINUTES OF JULY 9, 2013
CITY COUNCIL MINUTES OF JULY 9, 2013
NORMAN UTILITIES AUTHORITY MINUTES OF JULY 9, 2013
NORMAN MUNICIPAL AUTHORITY MINUTES OF JULY 9, 2013
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF JULY 9, 2013

Attachments: Chamber Reception Minutes July 8
July 9 Conference Minutes
July 9 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: _____

Proclamation

4 P-1314-2 PROCLAMATION NO. P-1314-2: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF AUGUST 11 THROUGH 17, 2013, AS NATIONAL HEALTH CARE CENTER WEEK IN THE CITY OF NORMAN.

Attachments: Text File Proclamation
National Health Care Center Week

ACTION NEEDED: Motion to acknowledge receipt of Proclamation No. P-1314-2 proclaiming the week of August 11 through 17, 2013, as National Health Care Center Week 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 42 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: _____

Ordinance

6 O-1213-56 CONSIDERATION OF ORDINANCE NO. O-1213-56 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE SOUTHWEST QUARTER OF SECTION NINE (9) OF TOWNSHIP EIGHT (8) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE EAST SIDE OF 12TH AVENUE S.E. APPROXIMATELY 620 FEET NORTH OF CEDAR LANE ROAD)

Attachments: Text File O-1213-56
O-1213-56
Location Map
Park 7 Rezone Staff Report
PUD Narrative 6-6-13
6-13-13 PC Minutes - R-1213-139 O-1213-56 PP-1213-19

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1213-56 upon First Reading by title.

ACTION TAKEN: _____

7 O-1314-5 CONSIDERATION OF ORDINANCE NO. O-1314-5 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTIONS 21-111 AND 21-201 OF CHAPTER 21 OF THE CODE OF THE CITY OF NORMAN TO AMEND THE FREQUENCY OF RECYCLING COLLECTION, THE TYPE OF RECYCLING CONTAINERS UTILIZED, AND THE MATERIALS TO BE RECYCLED; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Attachments: Text File O-1314-5

O-1314-5

O-1314-5 Annotated

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1314-5 upon First Reading by title.

*ACTION TAKEN:*_____

8 O-1314-6 CONSIDERATION OF ORDINANCE NO. O-1314-6 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER 20, SECTION 20-803, OF THE CODE OF THE CITY OF NORMAN TO AMEND AND CLARIFY THE LANGUAGE AS IT RELATES TO PARKING METER USAGE PAYMENT OPTIONS AND OPERATION TIMES; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Attachments: Text File O-1314-6

O-1314-6 Amending Meter Usage and Payment

O-1314-6 Amending Meter Usage and Payment-Anno2

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1314-6 upon First Reading by title.

*ACTION TAKEN:*_____

Report/Communication

9 RPT-1314-3 SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF JUNE 30, 2013, AND DIRECTING THE FILING THEREOF.

Attachments: Text File Finance Report

Finance Director's Investment Report June 2013

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1213-56 upon First Reading by title.

*ACTION TAKEN:*_____

10 RPT-1314-4 SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF JUNE, 2013, AND DIRECTING THE FILING THEREOF.

Attachments: Text File Monthly

Monthly Report June 2013

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

ACTION TAKEN: _____

11 RPT-1314-2 CONSIDERATION OF A RECOMMENDATION FROM THE REAPPORTIONMENT COMMISSION THAT THE CITY COUNCIL NOT ADJUST THE WARD BOUNDARIES AT THIS TIME.

Attachments: Text File Reapportionment

Memo Reapportionment

Ward Statistics 2013

Ward Map

7-8-13 Minutes

ACTION NEEDED: Motion to accept or reject the Reapportionment Commission recommendation that the City Council not adjust the ward boundaries at this time.

ACTION TAKEN: _____

Request for Payment

12 GID-1314-11 AUTHORIZATION TO PURCHASE ONE (1) FIRE APPARATUS FROM PIERCE MANUFACTURING THROUGH CONRAD FIRE EQUIPMENT IN THE AMOUNT OF $588,948 UTILIZING THE HOUSTON GALVESTON AREA CONTRACT (HGAC).

Attachments: Text File Fire Truck

Sky Boom Specs.pdf

ACTION NEEDED: Motion to approve or reject the purchase of one (1) fire apparatus from Pierce Manufacturing through Conrad Fire Equipment in the amount of $588,948 utilizing the Houston Galveston Area Contract.

ACTION TAKEN: _____

Easement

13 E-1314-3 EASEMENT NO. E-1314-3: CONSIDERATION OF ACCEPTANCE OF A PERMANENT EASEMENT FROM THE UNITED STATES POSTAL SERVICE IN THE AMOUNT OF $32,287 FOR THE HIGHWAY 9 UTILITY RELOCATION PROJECT.

Attachments: Text File Easement
E-1314-3
PR_USPS

ACTION NEEDED: Motion to accept or reject Easement No. E-1314-3; and, if accepted, direct the filing thereof with the Cleveland County Clerk and payment in the amount of $32,287 to United States Postal Service.

ACTION TAKEN: _____

Final Plat

14 FP-1213-2 CONSIDERATION OF A FINAL PLAT FOR EAGLECLIFF SOUTH ADDITION SECTION 4, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED 1/2 MILE SOUTH OF CEDAR LANE AND 1/4 MILE WEST OF 12TH AVENUE S.E.)

Attachments: Text File Final Plat Eagle Cliff South
Eaglecliff South 4 Location Map
Final Plat Eagle Cliff South
Eaglecliff South Plat Staff Report
Prelim Eaglecliff South
7-12-12 PC Minutes - Eagle Cliff South 4

ACTION NEEDED: Motion to approve or reject the final plat for Eaglecliff South Addition, Section 4; and, if approved, accept the public dedications contained therein, authorize the Mayor to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvement and receipt of a fee in the amount of ? in lieu of park land dedication requirements and $1,935.36 for traffic impact fees.

ACTION TAKEN: _____

15 FP-1213-21 CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR RED CANYON RANCH ADDITION, SECTION 4, A PLANNED UNIT DEVELOPMENT, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED 1/2 MILE WEST OF 12TH AVENUE N.E. AND 1/4 MILE NORTH OF EAST TECUMSEH ROAD)

Attachments: Text File Final Plat Red Canyon Ranch
RedCanyon4 Location
Final Plat Red Canyon 4
Red Canyon Staff Rpt
Prelim Red Canyon Ranch
12-13-12 PC Minutes - Red Canyon Section 4

ACTION NEEDED: Motion to approve or reject the final site development plan and final plat for Red Canyon Ranch Addition, Section 4, a Planned Unit Development; and, if approved, accept the public dedications contained within the plat, authorize the Mayor to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of a copy of a warranty deed for private park land, and direct the filing of the final site development plan and final plat.

ACTION TAKEN: _____

Permits

16 GID-1314-8 SUBMISSION OF SEWER LINE PERMIT NO. SL000014130438 ISSUED BY THE STATE OF OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ) FOR THE 2011 SEWER MAINTENANCE PROJECT.

Attachments: Text File ODEQ Permit
Agenda - DEQ Permit-SMP11
Agenda -DEQ Permit -SMP11-map

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

ACTION TAKEN: _____

Declare Surplus/Obsolete

17 GID-1314-10 DECLARATION OF SURPLUS AND/OR OBSOLETE EQUIPMENT AND MATERIALS AND AUTHORIZING THE SALE THEREOF.

Attachments: Inventory List

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

ACTION TAKEN: _____

Donation

18 GID-1314-9 CONSIDERATION OF THE ACCEPTANCE OF A DONATION OF ONE (1) JOHN DEERE GATOR WITH SKID UNIT VALUED AT $21,544.45 FROM FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION TO BE USED BY THE FIRE DEPARTMENT.

Attachments: Text File Donation
Norman FD- John Deere - donation information.pdf
Invoice for Skid Unit

ACTION NEEDED: Motion to accept or reject a donation of one (1) John Deere Gator with Skid Unit valued at $21,544.45 from Firehouse Subs Public Safety Founation to be used by the Fire Department.

ACTION TAKEN: _____

Limited License

19 LL-1314-1 LIMITED LICENSE NO. LL-1314-1: LIMITED LICENSE TO PLACE FOUR (4) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE FIREHOUSE ART CENTER FOR THE MIDSUMMER NIGHT'S FAIR TO BE HELD AUGUST 23 AND 24, 2013, AT LION'S PARK.

Attachments: Text File Limited License
Application Midsummer's Nights Fair
Midsummer Nights' Fair license

ACTION NEEDED: Motion to approve or reject Limited License No. LL-1314-1 to place four (4) ground banners within the public rights-of-way pursuant to a request from the Firehouse Art Center; and, if approved, authorize the issuance thereof.

ACTION TAKEN: _____

Special Claim

20 SC-1314-3 SPECIAL CLAIM NO. SC-1314-3: A CLAIM IN THE AMOUNT OF $2,349.43 SUBMITTED BY MIKE BIEHLER FOR DAMAGES TO HIS VEHICLE DUE TO AN ACCIDENT WITH A SANITATION TRUCK AT THE INTERSECTION OF JENKINS AVENUE AND LINDSEY STREET.

Attachments: Special Claim Biehler
Clerk Memo Biehler
Biehler Claim
Biehler Police Report
Biehler Title

ACTION NEEDED: Motion to approve or reject Special Claim No. SC-1314-3; and, if approved, direct payment in the amount of $2,349.43 contingent upon obtaining a Release and Covenant Not to Sue from Mike Biehler.

ACTION TAKEN: _____

21 SC-1314-4 SPECIAL CLAIM NO. SC-1314-4: A CLAIM IN THE AMOUNT OF $2,001.73 SUBMITTED BY ROBERT K. WATSON, JR., FOR DAMAGES TO HIS VEHICLE DUE TO UNSECURED TOOLS FALLING OUT OF A STREET MAINTENANCE VEHICLE ON WEST ROBINSON STREET.

Attachments: Text File Special Claim Watson
Clerk Memo Watson
Watson Claim
Watson Police Report
Watson Title

ACTION NEEDED: Motion to approve or reject Special Claim No. SC-1314-4; and, if approved, direct payment in the amount of $2,001.73 contingent upon obtaining a Release and Covenant Not to Sue from Robert K. Watson, Jr.

ACTION TAKEN: _____

Contract

22 K-0607-142 AMD 1

AMENDMENT NO. ONE TO CONTRACT NO. K-0607-142: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND SPRINT SPECTRUM REALTY COMPANY, L.P., TO ADD NEW COMMUNICATION EQUIPMENT LOCATED ON THE ROBINSON WATER TOWER LOCATED AT 453 WEST ROBINSON STREET AS PART OF THE EXISTING LEASE AGREEMENT AND INCREASING THE MONTHLY LEASE PAYMENT AMOUNT.

Attachments: Text File Robinson Water Tower
Robinson Tower Amendment 1
K-0607-142

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Amendment No. One to Contract No. K-0607-142 with Sprint Spectrum Realty Company, L.P.; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

23 K-1910-55E XP

AUTHORIZATION OF AN EXPENDITURE UNDER CONTRACT NO. K-0910-55 TO LEMKE LAND SURVEYING IN AN AMOUNT NOT-TO-EXCEED $69,415 TO PROVIDE SURVEYING AND DRAFTING SERVICES FOR THE FYE 13 SEWER MAINTENANCE PROJECT.

Attachments: Text File Expenditure Lemke
Agenda-SMP13 - Lemke $Prop
Agenda-SMP13 - Map

ACTION NEEDED: Motion to approve or reject an expenditure in an amount not-to-exceed $69,415 under Contract No. K-0910-55 with Lemke Land Surveying; and if approved, authorize the execution thereof.

ACTION TAKEN: _____

24 K-0910-185 AMD 3

AMENDMENT NO. THREE TO CONTRACT NO. K-0910-185: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) EXTENDING THE CONTRACT UNTIL JUNE 30, 2014, FOR THE CANADIAN RIVER WASTELOAD ALLOCATION STUDY.

Attachments: Text File Amd 1 K-0910-185
Amendment 1 K-0910-185

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Amendment No. Three to Contract No. K-0910-185 with ACOG extending the contract until June 30, 2014; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

25 K-1112-42 CO #1

CHANGE ORDER NO. ONE TO NO. CONTRACT K-1112-42: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND SHELL CONSTRUCTION COMPANY, INC., DECREASING THE CONTRACT BY $89,174.13 FOR A REVISED CONTRACT AMOUNT OF $493,087.87 FOR THE 2010 ROAD RECONSTRUCTION BOND PROJECTS AND FINAL ACCEPTANCE OF THE PROJECT.

Attachments: Text File K-1112-42 Final

K-1112-42 CHANGE ORDER ONE

K-1112-42-FINAL INVOICES PAID

ACTION NEEDED: Motion to approve or reject Change Order No.One to Contract No. K-1112-42 with Shell Construction Company, Inc., decreasing the contract amount by $89,174.13 for a revised contract amount of $493,087.87; and, if approved, authorize the execution of the contract, accept the project, and direct final payment in the amount of $36,558.66 to Shell Construction Company, Inc.

ACTION TAKEN: _____

26 K-1112-107 CO#2

CHANGE ORDER NO. TWO TO CONTRACT NO. K-1112-107: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND SUN CONSTRUCTION SERVICES, L.L.C., INCREASING THE CONTRACT BY $2,186.40 FOR A REVISED CONTRACT AMOUNT OF $244,133.40 FOR THE BUILDING "A" RENOVATION PROJECT, PHASE 1, AND FINAL ACCEPTANCE OF THE PROJECT.

Attachments: Text File K-1112-107 FINAL

Change Order 2 K-1112-107

ACTION NEEDED: Motion to approve or reject Change Order No. Two to Contract No. K-1112-107 with Sun Construction Services, L.L.C., increasing the contract amount by $2,186.40 for a revosed contract amount of $244,133.40 ; and, if approved, authorize the execution of the contract, accept the project, and direct final payment in the amount of $2,186.40 to Sun Construction Services, L.L.C.

ACTION TAKEN: _____

27 K-1213-47 CO#1

CHANGE ORDER NO. ONE TO CONTRACT NO. K-1213-47: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA AND SUN CONSTRUCTION SERVICES, L.L.C., INCREASING THE CONTRACT BY $1,308.60 FOR A REVISED CONTRACT AMOUNT OF $78,864.60 FOR THE BUILDING "A" RENOVATION PROJECT, PHASE 2, AND FINAL ACCEPTANCE OF THE PROJECT.

Attachments: Text File K-1213-47

Change Order No. 1-Phase 2.pdf

ACTION NEEDED: Motion to approve or reject Change Order No. One to Contract No. K-1213-47 with Sun Construction Services, L.L.C., increasing the contract amount by $1,308.60 for a revised contract amount of $78,864.60; and, if approved, authorize the execution of the contract, accept the project, and direct final payment in the amount of $1,308.60 to Sun Construction Services, L.L.C.

ACTION TAKEN: _____

28 K1213-65 CO #1

CHANGE ORDER NO. ONE TO CONTRACT NO. K-1213-65: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND CENTRAL CONTRACTING SERVICES, INC., DECREASING THE CONTRACT BY $11,300 FOR A REVISED CONTRACT AMOUNT OF $362,540 FOR THE APPLE CREEK WATER LINE PROJECT AND FINAL ACCEPTANCE OF THE PROJECT.

Attachments: Text File K-1213-65 Final
Change Order One K-1213-65
PO Apple Creek

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Change Order No. One to Contract No. K-1213-65 with Central Contracting Services, Inc., decreasing the contract amount by $11,300 for a revised contract of $362,540; and, if approved, authorize the execution of the contract, accept the project, and direct final payment in the amount of $18,127 to Central Contracting Services, Inc.

ACTION TAKEN: _____

29 K-1213-76 Final

CONSIDERATION OF FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT NO. K-1213-76 WITH STANDARD ROOFING COMPANY, INC., FOR THE FYE 2013 ROOF REPLACEMENT PROJECT FOR FIRE STATION NO. 6, FIRE STATION NO. 7 (TRUCK BAY), IRVING RECREATION CENTER (UPPER GYM), MUNICIPAL BUILDING A, SANTA FE DEPOT (FLAT PORTIONS), SOONER THEATRE, AND THE WATER RECLAMATION FACILITY MAIN CONTROL BUILDING (UPPER ROOF).

Attachments: Text File Final on Roofs
Before and After Roof Pictures
Standard Roofing PO

ACTION NEEDED: Acting as the City Council and the Norman Utilities Authority, motion to accept or reject the project; and, if accepted, direct final payment in the amount of $129,876 to Standard Roofing Company, Inc.

ACTION TAKEN: _____

30 K-1314-24

CONTRACT NO. K-1314-24: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CLEVELAND AREA RAPID TRANSIT (CART) IN THE AMOUNT OF $460,500 FOR TRANSPORTATION SERVICES THROUGH JUNE 30, 2014.

Attachments: Text File K-1314-24
K-1314-24
PR CART

ACTION NEEDED: Motion to approve or reject Contract No. K-1314-24 with CART in the amount of $460,500 through June 30, 2014; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

31 K-1314-25 CONTRACT NO. K-1314-25: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY, THE OKLAHOMA WATER RESOURCES BOARD AND THE UNITED STATES GEOLOGICAL SURVEY IN THE AMOUNT OF $5,900 FOR THE MUSTANG ROAD AND INTERSTATE 35 (I-35) GAUGING STATIONS ALONG THE SOUTH CANADIAN RIVER THROUGH JUNE 30, 2014.

Attachments: Text File K-1314-25

FYE14 USGS-OWRB Stream Monitoring Agreement

PR Water Resources

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Contract No. K-1314-25 with the Oklahoma Water Resources Board and the United States Geological Survey in the amount of $5,900 through June 30, 2014; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

32 K-1314-27 CONTRACT NO. K-1314-27: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE ALTERNATIVE DISPUTE RESOLUTION SYSTEM OF THE STATE OF OKLAHOMA TO PROVIDE A DISPUTE MEDIATION PROGRAM FOR THE CITY OF NORMAN THROUGH JUNE 30, 2014.

Attachments: Text File Dispute Mediation

FY14 Dispute Mediation Contract K-1314-27

ACTION NEEDED: Motion to approve or reject Contract No. K-1314-27 with the Alternative Dispute Resolution System of the State of Oklahoma through June 30, 2014; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

33 K-1314-30 CONTRACT NO. K-1314-30: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CENTER FOR CHILDREN AND FAMILIES, INC., IN THE AMOUNT OF $100,000 FOR USE IN THE NEIGHBORHOOD CENTERS PROGRAM.

Attachments: Text File CCFI

Fund Disbursement Agreement-Ctr for Child & Family FY14

ACTION NEEDED: Motion to approve or reject Contract No. K-1314-30 with Center for Children and Families, Inc., in the amount of $100,000; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

34 K-1314-32 CONTRACT NO. K-1314-32: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND FIREHOUSE ARTS CENTER IN THE AMOUNT OF $58,800 FOR OPERATION OF THE FIREHOUSE ARTS CENTER.

Attachments: Text File Firehouse

K-1314-32 Firehouse Art Center

ACTION NEEDED: Motion to approve or reject Contract No. K-1314-32 with Firehouse Art Center in the amount of $58,800; and, if approved, authorize the execution thereof.

*ACTION TAKEN:*_____

35 K-1314-33 CONTRACT NO. K-1314-33: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND AGING SERVICES, INC., IN THE AMOUNT OF $13,000 FOR OPERATION OF THE KIWANIS KRUISER.

Attachments: Text File Aging

K-1314-33 Aging Services

ACTION NEEDED: Motion to approve or reject Contract No. K-1314-33 with Aging Services, Inc., in the amount of $13,000; and, if approved, authorize the execution thereof.

*ACTION TAKEN:*_____

36 K-1314-35 CONTRACT NO. K-1314-35: A CONTRACT BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY AND DAVID P. LISLE AS PROFESSIONAL/MANAGER OF WESTWOOD GOLF COURSE

Attachments: Text File David Lisle

K-1314-37

ACTION NEEDED: Acting as the Norman Municipal Authority, motion to approve or reject Contract No. K-1314-35 with David Lisle; and, if approved, authorize the execution thereof.

*ACTION TAKEN:*_____

37 K-1314-36 CONTRACT NO. K-1314-36: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND COMMUNITY CHRISTIAN SCHOOL IN THE AMOUNT OF $4,207 PER YEAR FOR THE LEASE OF CITY RIGHT-OF-WAY LOCATED ALONG BROCE DRIVE.

Attachments: Text File K-1314-36

K-1314-36

Exhibit A K-1314-36

ACTION NEEDED: Motion to approve or reject Contract No. K-1314-36 with Community Christian School in the amount of $4,207 per year; and, if approved, authorize the execution thereof.

*ACTION TAKEN:*_____

Resolution

38 R-1314-12 RESOLUTION NO. R-1314-12: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DECLARING PROPERTY FROM THE ROBINSON STREET GRADE SEPARATION PROJECT AS SURPLUS PROPERTY.

Attachments: Text File R-1314-12
Resolution for Robinson Underpass
Exhibit 1 to R-1314-12
Attachment A.pdf
Attachment B.pdf
Attachment C.pdf

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-12.

ACTION TAKEN: _____

39 R-1314-14 RESOLUTION NO. R-1314-14: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $83,015 FROM THE NEIGHBORHOOD PARK LAND FUND BALANCE FOR IMPROVEMENTS TO SPRINGBROOK, CRESTLAND, AND ROTARY PARKS; AND APPROPRIATING $15,000 FROM THE CAPITAL FUND BALANCE FOR IMPROVEMENTS AT LITTLE AXE PARK.

Attachments: Text File R-1314-14
R-1314-14

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-14.

ACTION TAKEN: _____

40 R-1314-18 RESOLUTION NO. R-1314-18: RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING A BUSINESS PLAN FOR THE CITY PARKING SYSTEM AT THE GRAY STREET PARKING LOT.

Attachments: Text File Downtown Parking
Gray Street Resolution for Business Plan
Downtown Parking Lot - Management Business Plan

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-18.

ACTION TAKEN: _____

41 R-1314-19 RESOLUTION NO. R-1314-19: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING A BUSINESS PLAN FOR THE CITY PARKING SYSTEM ON CAMPUS CORNER.

Attachments: Text File R-1314-19
Resolution for Campus Corner Business Plan
Parking Management Plan Campus Corner
Parking Meter Locations Campus Corner

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-19.

ACTION TAKEN: _____

Settlement

42 **GID-1314-7** CONSIDERATION OF A RECOMMENDATION FROM THE CITY ATTORNEY THAT THE CITY COUNCIL APPROVE A SUBROGATION RECOVERY SETTLEMENT IN THE AMOUNT OF $2,950 IN STEPHENS V. BOWER, CLEVELAND COUNTY DISTRICT COURT CASE NO. CJ-2013-157 ARISING FROM EMPLOYER PAID EXPENSES IN THE CASE OF JERRY STEPHENS V. THE CITY OF NORMAN, WORKERS COMPENSATION COURT CASE WCC 2010-11353Q.

Attachments: Text File Settlement

ACTION NEEDED: Motion to approve or reject the City Attorney's recommendation; and, if approved, authorize the City Attorney's office to effectuate the settlement in the amount of $2,950.

ACTION TAKEN: _____

Non-Consent Items

43 **O-1213-52** CONSIDERATION OF ORDINANCE NO. O-1213-52 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 GRANT SPECIAL USE FOR OFF-STREET PARKING IN THE R-2, TWO FAMILY DWELLING DISTRICT, FOR LOTS 29, 30 AND 31, BLOCK 1, JOHNSON'S ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (739 COLLEGE AVENUE)

Attachments: Text File O-1213-52

O-1213-52

Location Map

Staff Report

Delta Gamma parking lot improvements final review

Delta Gamma Landscape Plan

Wall Details

Predevelopment Summary Alpha Iota

6-13-13 PC Minutes - O-1213-52

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-52 upon Second Reading section by section.

*ACTION TAKEN:*_____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-52 upon Final Reading as a whole.

*ACTION TAKEN:*_____

44 O-1213-53 CONSIDERATION OF ORDINANCE NO. O-1213-53 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING THE NORTH TWENTY (20) FEET OF THE EIGHTY (80) FOOT RIGHT-OF-WAY IN THE 200 BLOCK OF WEST COMANCHE STREET LOCATED IN NORMAN ORIGINAL TOWN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Attachments: O-1213-53 First Baptist Church ROW Closure
Location Map
Clerk Memo FBC
Petition to close with radius map
Staff Report - First Baptist ROW Closing
Comanche ROW Photo
6-13-13 PC Minutes - O-1213-53

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-53 upon Second Reading section by section.

*ACTION TAKEN:*_____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-53 upon Final Reading as a whole.

*ACTION TAKEN:*_____

45 R-1213-136 RESOLUTION NO. R-1213-136: 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-1213-13, SO AS TO PLACE LOTS 1, 2 AND 3, BLOCK 3, NORMAN ORIGINAL TOWN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE COMMERCIAL DESIGNATION AND REMOVE THE SAME FROM THE OFFICE DESIGNATION. (109 EAST TONHAWA STREET)

Attachments: Text File R-1314-136
R-1213-136
2025 Map
Staff Report
Predevelopment Tonhawa
6-13-13 PC Minutes - R-1213-136 O-1213-55

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1213-136, Land Use Plan Amendment No. LUP-1213-13; and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according thereto

ACTION TAKEN: _____

46 O-1213-55 CONSIDERATION OF ORDINANCE NO. O-1213-55 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 ALL OF LOTS 1, 2 AND 3, BLOCK 3, NORMAN ORIGINAL TOWN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-3, INTENSIVE COMMERCIAL DISTRICT, AND REMOVE SAME FROM THE I-1, LIGHT INDUSTRIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (109 EAST TONHAWA STREET)

Attachments: Text File O-1213-53
O-1213-55
Location Map
Staff Report
Rendering 109 E. Tonhawa
Site Plan 109 E. Tonhawa
6-13-13 PC Minutes

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-55 upon Second Reading section by section.

*ACTION TAKEN:*_____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-55 upon Final Reading as a whole.

*ACTION TAKEN:*_____

47 **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.

48 **Adjournment**

City of Norman, OK

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

Master

File Number: GID-1314-12

File ID:	GID-1314-12	**Type:**	Minutes	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 3	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**		**File Created:**	07/18/2013
File Name:	Minutes			**Final Action:**	

Title: CONSIDERATION OF THE MINUTES AS FOLLOWS:

NORMAN CHAMBER OF COMMERCE MEET AND GREET RECEPTION MINUTES OF JULY 8, 2013
CITY COUNCILCONFERENCE MINUTES OF JULY 9, 2013
CITY COUNCIL MINUTES OF JULY 9, 2013
NORMAN UTILITIES AUTHORITY MINUTES OF JULY 9, 2013
NORMAN MUNICIPAL AUTHORITY MINUTES OF JULY 9, 2013
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF JULY 9, 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: 07/23/2013

Agenda Number: 3

Attachments: Chamber Reception Minutes July 8, July 9
Conference Minutes, July 9 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-1314-12

NORMAN CHAMBER OF COMMERCE
CITY COUNCIL MEET AND GREET RECEPTION MINUTES
115 EAST GRAY STREET
4:30 P.M. TO 5:30 P.M.

July 8, 2013

The City Council of the City of Norman, Cleveland County, State of Oklahoma, attended a Norman Chamber of Commerce Meet and Greet Reception located at 115 East Gray Street at 4:30 p.m. on the 8th day of July, 2013, and notice of the reception was posted at the Municipal Building at 201 West Gray 48 hours prior to the event. The reception was held for Councilmembers and members of the Chamber of Commerce. Although this reception was not a regularly scheduled meeting of Council, a quorum of Council was present; therefore, a summary of the reception was recorded as required by the Open Meeting Act.

PRESENT:	Councilmembers Castleberry, Heiple, Holman, Jungman, Miller, Mayor Rosenthal
ABSENT:	Councilmembers Griffith, Kovach, and Williams

The reception adjourned at 5:30 p.m.

ATTEST:

_____
City Clerk

_____
Mayor Pro Tem

CITY COUNCIL CONFERENCE MINUTES

July 9, 2013

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a conference at 5:30 p.m. in the Municipal Building Conference Room on the 9th day of July, 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 24 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams and Mayor Rosenthal
ABSENT:	None

Item 1, being:

DISCUSSION REGARDING THE ANIMAL WELFARE CENTER RENOVATION PROJECT.

Major J.D. Younger, Norman Police Department, highlighted the history of the Norman Animal Welfare Center. He said the original Animal Shelter was built in 1973 and in 2003 the City added the Denise Miles Adoption Center. He said Council approved a feasibility study in 2008, which identified areas of concern related to animal holding capacity, disease control, and equipment. In November 2011, citizens voted to approve bonds in the amount of $3,035,000 for Animal Welfare Center improvements. In June 2012, Council approved a contract with Tevis Architecture Group for the design of the renovation and addition to the Animal Welfare Center.

Mr. Terry Tevis, Tevis Architecture Group, said Tevis Architecture Group worked with Staff and the Animal Welfare Oversight Committee to develop a comprehensive design for the new facility and presented the design to City Council on November 6, 2012. He said the overall design included criteria for additional capacity; improved conditions for better health of the animals; mechanical systems specific to each section of the building to maintain a sanitary environment for the animals; dedicated isolation rooms; a central cleaning system; and a multi-purpose room that could be used for community outreach space as well as dog training sessions, special events, and a triage center for mass infusion of animals during an emergency. He said the design allows the facility to remain in operation while the new portions are being constructed.

Mr. Tevis highlighted items included in the project's base bid that could be deleted to control costs. Those items include a cleaning system; energy recovery ventilators that pre-heat or cool incoming air; powered ultra-violet filtration units; Sally Port; multi-purpose room; and skylights.

Mr. Tevis highlighted items not included in the base bid, but that could be added. Those items include a cat porch; an emergency generator; synthetic turf system and play yards; sloped roof system; and resinous flooring. He said it was felt these features can be negotiated into the project, if desired.

Mr. Tevis said Staff, two members of the Animal Welfare Oversight Committee, and Tevis Architecture Group evaluated the bids to see which bid offered the best value and the highest ranking bidder was Cooley Construction. He said Cooley's base bid was $2,588,000, but Cooley notified Tevis Architecture Group that there were two errors in their bid; however, after recognizing and tabulating the errors, Cooley was still the lowest bidder and maintained the highest ranking.

Ms. Kathryn Walker, Assistant City Attorney, said Staff is recommending the bid be awarded to Cooley Construction and Contract No. K-1213-190 be approved in the amount of $2,624,000 that includes the base bid of $2,588,000, deletion of the energy recovery ventilators in the amount of $90,000 which was originally bid as $9,000 by Cooley in error, and the addition of resinous flooring in the amount of $45,000. She said the deletion of the ventilators and the addition of flooring was recommended by the Animal Welfare Oversight Committee. Councilmember Kovach asked if the energy recovery ventilators save energy thereby saving money in the long

run and Mr. Barrett Williamson, Barrett Williamson Architects, working in conjunction with Tevis, said the ventilators do provide a cost benefit, but payback is not seen for ten to twelve years. Mr. Tevis said there is also a maintenance factor and the ventilators have to be cleaned regularly and maintained to work properly. If they are neglected the facility could end up with a piece of equipment that does not offer any value back.

Councilmember Williams asked Mr. Tevis to explain the benefits of resinous flooring and asked what the previous type of flooring was considered. Mr. Tevis said the previous flooring was a sealed concrete surface that can serve the purpose needed; however, maintenance is a little higher. Councilmember Williams asked the difference in maintenance between resinous flooring and sealed concrete. Mr. Tevis said with sealed concrete you never get rid of that texture, it will always have a roughness, imperfections, and open joints plus the sealer wears off and needs to be replaced periodically. He said sealed concrete does not always look that clean either. He said resinous flooring is found in laboratories, kitchens, hospitals, etc., but is also used a lot in animal shelters. He said you simply have to wipe it down to keep it clean and it is far superior to sealed concrete in that there are no open joints where contamination can breed and spread.

Ms. Walker said because the bid was so close to the budgeted amount, Staff asked Tevis Architect Group to review the project and identify items that could be changed or altered without losing functionality or value, but lower construction costs. She said Change Order No. One to Contract No. K-1213-190 increasing the contract amount by $179,000 reflects the correction of bid mistakes as well as cost savings identified by Tevis. Mr. Tevis said value engineering is often done when bids exceed project budgets, but it is not a favorite topic among architects because they sometimes call it value removal. He said Tevis Architecture Group did not want to consider anything that would affect maintenance, atmosphere, or the environment that affects the building or occupants within the building. He said value engineering items identified included sign modifications; deleting some of the building canopies; modifying parking configuration by taking ancillary parking spaces out; modification to the types of doors, glass, and various plumbing pipes used for graywater; using alternate lighting options; and using substitute fencing materials. He said value engineering saved a total of $362,000.

Ms. Walker said at tonight's regular meeting Council will consider a revised contract in the amount of $2,803,000 that includes Change Order No. One. She said $2,631,180 is available in the Animal Welfare Project Construction account. She said a balance of $171,820 is needed and Staff is proposing that amount be appropriated from the Capital Fund Balance.

Councilmember Castleberry asked what the Capital Fund balance is and Mr. Steve Lewis, City Manager, said Staff anticipated additional costs for various projects and there is a balance of $1.8 million after this deduction. Councilmember Castleberry said in reality there should not be a balance in that fund and Mr. Lewis said the City tries to keep an 8% fund balance especially when they know of projects that will have additional costs.

Mayor Rosenthal thanked the Animal Welfare Oversight Committee, Tevis Architecture Group, and Staff for all their hard work on this project.

Items submitted for the record

1. PowerPoint presentation entitled, "Animal Welfare Center Renovation and Addition, K-1213-190," dated July 9, 2013

The meeting adjourned at 6:00 p.m.

ATTEST:

City Clerk

Mayor Pro Tem

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

July 9, 2013

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building on the 9th day of July, 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, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
ABSENT:	None

The Pledge of Allegiance was led by Mayor Rosenthal.

* * * * *

Item 3, being:

CONSIDERATION OF THE MINUTES AS FOLLOWS:

VOLUNTEER RECOGNITION RECEPTION MINUTES OF JULY 2, 2013
CITY COUNCIL MINUTES OF JULY 2, 2013
NORMAN UTILITIES AUTHORITY MINUTES OF JULY 2, 2013
NORMAN MUNICIPAL AUTHORITY MINUTES OF JULY 2, 2013
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF JULY 2, 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-1314-6 dated July 2, 2013, by Brenda Hall, City Clerk
2. Volunteer Recognition Reception minutes of July 2, 2013
3. City Council minutes of July 2, 2013
4. Norman Utilities Authority minutes of July 2, 2013
5. Norman Municipal Authority minutes of July 2, 2013
6. Norman Tax Increment Finance Authority minutes of July 2, 2013

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

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

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

* * * *

Item 4, being:

PROCLAMATION NO. P-1314-1: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE MONTH OF JULY, 2013, AS WATER'S WORTH IT™ MONTH IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-1314-1 proclaiming the month of July, 2013, as WATER'S WORTH IT™ Month in the City of Norman 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. P-1314-1 dated June 24, 2013, by Debra Smith, Environmental Services Coordinator
2. Proclamation No. P-1314-1

Item 4, continued:

Participants in discussion

1. Ms. Amanda Nairn, Chair, Environmental Control Advisory Board, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-1314-1 proclaiming the month of July, 2013, as WATER'S WORTH IT™ Month in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of Proclamation No. P-1314-1 proclaiming the month of July, 2013, as WATER'S WORTH IT™ Month in the City of Norman acknowledged; and the filing thereof was directed.

* * * * *

Item 5, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 6 through Item 44 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 44, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Item 6 through Item 44 were placed on the consent docket by unanimous vote.

* * * * *

Item 6, being:

CONSIDERATION OF ORDINANCE NO. O-1213-52 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR OFF-STREET PARKING IN THE R-2, TWO FAMILY DWELLING DISTRICT, FOR LOTS 29, 30 AND 31, BLOCK 1, JOHNSON'S ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (739 COLLEGE AVENUE)

Councilmember Kovach moved that Ordinance No. O-1213-52 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-1213-52 dated May 7, 2013, by Jane Hudson, Principal Planner
2. Ordinance No. O-1213-52
3. Location map
4. Staff Report dated June 13, 2013, recommending approval
5. Delta Gamma House Parking Lot Improvements, Final Review
6. Landscape plan
7. Wall details
8. City of Norman Predevelopment Summary Case No. PD 13-06 dated April 25, 2013, for Alpha Iota House Corporation of Delta Gamma located at 739 College
9. Pertinent excerpts from Planning Commission meeting of June 13, 2013

Item 6, continued:

and the question being upon the Introduction and adoption of Ordinance No. O-1213-52 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1213-52 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 7, being:

CONSIDERATION OF ORDINANCE NO. O-1213-53 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING THE NORTH TWENTY (20) FEET OF THE EIGHTY (80) FOOT RIGHT-OF-WAY IN THE 200 BLOCK OF WEST COMANCHE STREET LOCATED IN NORMAN ORIGINAL TOWN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1213-53 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-1213-53 dated May 7, 2013, by Ken Danner, Subdivision Manager
2. Ordinance No. O-1213-53
3. Location map
4. Memorandum dated April 23, 2013, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Rone Tromble, Administrative Technician IV; Ken Danner, Subdivision Manager; Ken Komiske, Director of Utilities; and Jane Hudson, Principal Planner
5. Petition to Close Right of Way dated April 23, 2013, from David T. Hopper, Attorney for First Baptist Church, to Brenda Hall, City Clerk with Exhibit A, Radius Map
6. Staff Report dated June 13, 2013, recommending approval
7. Aerial map
8. Pertinent excerpts from Planning Commission meeting of June 13, 2013

and the question being upon the Introduction and adoption of Ordinance No. O-1213-53 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1213-53 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 8, being:

CONSIDERATION OF ORDINANCE NO. O-1213-55 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 ALL OF LOTS 1, 2 AND 3, BLOCK 3, NORMAN ORIGINAL TOWN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-3, INTENSIVE COMMERCIAL DISTRICT, AND REMOVE SAME FROM THE I-1, LIGHT INDUSTRIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (109 EAST TONHAWA STREET)

Councilmember Kovach moved that Ordinance No. O-1213-55 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Item 8, continued:

Items submitted for the record
1. Text File No. O-1213-55 dated May 7, 2013, by Jane Hudson, Principal Planner
2. Ordinance No. O-1213-55
3. Location map
4. Staff Report dated June 13, 2013, recommending approval
5. Artist's rendering of proposed project
6. Site plan
7. Pertinent excerpts from Planning Commission meeting of June 13, 2013

and the question being upon the Introduction and adoption of Ordinance No. O-1213-55 upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1213-55 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 8A, being:

CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

NORMAN REGIONAL HOSPITAL AUTHORITY
TERM: 07-09-13 TO 10-31-14: DOUG CUBBERLEY, 717 GYRFALCON DRIVE

TREE BOARD
TERM 07-09-13 TO 05-14-16: DIANE VANLANDINGHAM, 426 WEST EUFAULA AVENUE
TERM: 05-14-13 TO 05-14-16: GREGORY HUFFMAN, 4517 STEEPLECHASE DRIVE
TERM: 05-14-13 TO 05-14-16: THERESA DICKSON, 1439 ALADDIN STREET

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-1314-4 dated July 5, 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, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

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

* * * * *

Item 9, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE CITY MANAGER'S CHANGE ORDER REPORT AND DIRECTING THE FILING THEREOF.

Councilmember Kovach moved receipt of the report 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-1213-60 dated May 21, 2013, by Brenda Hall, City Clerk
2. Resolution No. R-1112-55
3. Change Order No. One to Contract No. K-1213-186

Item 9, continued:

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

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

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

* * * * *

Item 10, being:

SUBMISSION OF A FINAL REPORT FROM THE NORMAN ELECTION COMMISSION FOR THE 2013 CITY COUNCIL ELECTION CYCLE.

Councilmember Kovach moved receipt of the report 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-1314-1 dated June 28, 2013, by Brenda Hall, City Clerk
2. Final Report of the Norman Election Commission, 2013 Municipal Election Cycle, dated July 1, 2013

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

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

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

* * * * *

Item 11, being:

CONSIDERATION OF AWARDING OF BID NO. 1213-80 TO JIM COOLEY CONSTRUCTION, INC., FOR THE NORMAN ANIMAL WELFARE IMPOUND FACILITY RENOVATION AND ADDITION PROJECT, ADOPTION OF RESOLUTION NO. R-1213-129, AND BUDGET APPROPRIATION.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of $2,624,000 be awarded to Jim Cooley Construction, Inc., as the lowest and best bidder meeting specifications; the Mayor be authorized to sign Contract No. K-1213-190, Change Order No. One increasing the contract amount by $179,000 for a revised contract amount of $2,803,000, Performance Bond No. B-1213-85, Statutory Bond No. B-1213-86, and Maintenance Bond No. MB-1213-73 contingent upon the City Attorney's approval; and Resolution No. R-1213-129 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1213-190 dated July 2, 2013, by Jim Maisano, Assistant Chief of Police
2. Bid tabulation dated April 29, 2013, for Norman Animal Welfare Impound Facility Renovation and Addition Project
3. Resolution No. R-1213-129

Item 11, continued:

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

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of $2,624,000 was awarded to Jim Cooley Construction, Inc., as the lowest and best bidder meeting specifications; the Mayor was authorized to sign Contract No. K-1213-190, Change Order No. One increasing the contract amount by $179,000 for a revised contract amount of $2,803,000, Performance Bond No. B-1213-85, Statutory Bond No. B-1213-86, and Maintenance Bond No. MB-1213-73 contingent upon the City Attorney's approval; and Resolution No. R-1213-129 was adopted.

* * * * *

Item 12, being:

CONSIDERATION OF AWARDING OF BID NO. 1213-86, APPROVAL OF CONTRACT NO. K-1213-195 WITH DOWNEY CONTRACTING, L.L.C., IN THE AMOUNT OF $1,325,500; PERFORMANCE BOND NO. B-1213-89; STATUTORY BOND NO. B-1213-90, MAINTENANCE BOND NO. MB-1213-82, AND RESOLUTION NO. R-1213-156 FOR THE REHABILITATION OF THE POLICE/FIRE INVESTIGATIONS FACILITY LOCATED AT 1507 WEST LINDSEY STREET.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of $1,325,500 be awarded to Downey Contracting, L.L.C., as the lowest and best bidder meeting specifications; Contract No. K-1213-195 and the performance, statutory, and maintenance bonds be approved; execution of the contract and bonds be authorized; the filing of the bonds be directed; and Resolution No. R-1213-156 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1213-195 dated June 20, 2013, by Linda Price, Revitalization Manager
2. Bid Record dated June 6, 2013, for Smalley Center Renovation
3. Contract No. K-1213-195
4. Performance Bond No. B-1213-89
5. Statutory Bond No. B-1213-90
6. Maintenance Bond No. MB-1213-82
7. Resolution No. R-1213-156

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

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of $1,325,500 was awarded to Downey Contracting, L.L.C., as the lowest and best bidder meeting specifications; Contract No. K-1213-195 and the performance, statutory, and maintenance bonds were approved; execution of the contract and bonds was authorized; the filing of the bonds was directed; and Resolution No. R-1213-156 was adopted.

* * * * *

Item 13, being:

CONSIDERATION OF AWARDING OF BID NO. 1213-87; CONTRACT NO. K-1213-196 WITH OPES, INC., IN THE AMOUNT OF $170,223.50; CHANGE ORDER NO. ONE INCREASING THE CONTRACT AMOUNT BY $24,776.50 FOR A REVISED CONTRACT AMOUNT OF $195,000; PERFORMANCE BOND NO. B-1213-91; STATUTORY BOND NO. B-1213-92; AND MAINTENANCE BOND NO. MB-1213-83 AND ADOPTION OF RESOLUTION NO. R-1213-123 FOR THE FYE 2014 CONCRETE PROJECTS.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid in the amount of $170,223.50 be awarded to OPES, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1213-196, Change Order No. One increasing the contract amount by $24,776.50 for a revised contract amount of $195,000, and the performance, statutory, and maintenance bonds be approved; execution of the contract and bonds be authorized; the filing of the bonds be directed; and Resolution No. R-1213-123 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1213-196 dated June 25, 2013, by Jack Burdett, Engineering Assistant with Table 1, FYE 2014 Concrete Projects, and Table 2, FYE 2014 Concrete Projects Budget
2. Bid List dated June 6, 2013, for FYE 2014 Concrete Projects
3. Contract No. K-1213-196
4. Change Order No. One to Contract No. K-1213-196
5. Performance Bond No. B-1213-91
6. Statutory Bond No. B-1213-92
7. Maintenance Bond No. MB-1213-83
8. Resolution No. R-1213-123
9. Purchase Requisition No. 0000219799 dated July 1, 2013, in the amount of $195,000 to OPES, Inc.

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

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

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid in the amount of $170,223.50 was awarded to OPES, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1213-196, Change Order No. One increasing the contract amount by $24,776.50 for a revised contract amount of $195,000, and the performance, statutory, and maintenance bonds were approved; execution of the contract and bonds was authorized; the filing of the bonds was directed; and Resolution No. R-1213-123 was adopted.

* * * * *

Item 14, being:

CONSIDERATION OF NORMAN RURAL CERTIFICATE OF SURVEY NO. COS-1213-7 FOR STELLA ACRES AND ACCEPTANCE OF EASEMENT NO. E-1314-1. (GENERALLY LOCATED AT THE SOUTHEAST CORNER OF 96TH AVENUE N.E. AND STELLA ROAD A/K/A S.E. 149TH STREET)

Councilmember Kovach moved that Norman Rural Certificate of Survey No. COS-1213-7 for Stella Acres be approved, Easement No. E-1314-1 be accepted, and the filing of the certificate of survey and easement with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. COS-1213-7 dated May 14, 2013, by Ken Danner, Subdivision Manager
2. Location map
3. Norman Rural Certificate of Survey No. COS-1213-7
4. Easement No. E-1314-1 with legal description
5. Staff Report dated June 13, 2013, recommending approval
6. Pertinent excerpts from Planning Commission minutes of June 13, 2013

Item 14, continued:

and the question being upon approving Norman Rural Certificate of Survey No. COS-1213-7 for Stella Acres and upon the subsequent acceptance and directive, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Norman Rural Certificate of Survey No. COS-1213-7 for Stella Acres approved; Easement No. E-1314-1 was accepted and the filing of the certificate of survey and easement with the Cleveland County Clerk was directed.

* * * * *

Item 15, being:

CONSIDERATION OF NORMAN RURAL CERTIFICATE OF SURVEY NO. COS-1213-8 FOR WELLS ESTATES (FORMERLY KNOWN AS TRACT 2 OF BONE ESTATES) AND ACCEPTANCE OF EASEMENT NO. E-1314-2. (GENERALLY LOCATED ON THE NORTH SIDE OF FRANKLIN ROAD APPROXIMATELY ONE-HALF MILE EAST OF 36TH AVENUE N.E.)

Councilmember Kovach moved that Norman Rural Certificate of Survey No. COS-1213-8 for Wells Estates be approved, Easement No. E-1314-2 be accepted and the filing of the certificate of survey and easement with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. COS-1213-8 dated May 14, 2013, by Ken Danner, Subdivision Manager
2. Location map
3. Norman Rural Certificate of Survey No. COS-1213-8
4. Easement No. E-1314-2 with Exhibit A, legal description
5. Staff Report dated June 13, 2013, recommending approval
6. Pertinent excerpts from Planning Commission minutes of June 13, 2013

and the question being upon approving Norman Rural Certificate of Survey No. COS-1213-8 for Wells Estates and upon the subsequent acceptance and directive, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Norman Rural Certificate of Survey No. COS-1213-8 for Wells Estates approved; Easement No. E-1314-2 was accepted and the filing of the certificate of survey and easement with the Cleveland County Clerk was directed.

* * * * *

Item 16, being:

SPECIAL CLAIM NO. SC-1314-1: A CLAIM IN THE AMOUNT OF $1,714.08 SUBMITTED BY SEAN WAUGH FOR DAMAGES TO HIS VEHICLE FROM ROAD MATERIAL DEBRIS FALLING THROUGH A HOLE IN THE BRIDGE DECK OF THE INDIAN HILLS ROAD BRIDGE OVER INTERSTATE 35.

Councilmember Kovach moved that Special Claim No. SC-1314-1 be approved and payment in the amount of $1,714.08 be directed contingent upon obtaining a Release and Covenant Not to Sue from Sean Waugh, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. SC-1314-1 dated June 26, 2013, by Jeanne Snider, Assistant City Attorney
2. Memorandum dated April 19, 2013, from Brenda Hall, City Clerk, to Shawn O'Leary, Director of Public Works, and Jeff Bryant, City Attorney
3. Special Claim No. SC-1314-1 filed April 19, 2013, submitted by Sean Waugh in the amount of $1,714.08
4. Preliminary estimate dated April 5, 2013, in the amount of $1,714.08 from Reynolds Ford, Inc.
5. State of Oklahoma Certificate of Title issued to Sean Waugh on February 10, 2011

Item 16, continued:

and the question being upon approving Special Claim No. SC-1314-1 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Special Claim No. SC-1314-1 approved; and payment in the amount of $1,714.08 was directed contingent upon obtaining a Release and Covenant Not to Sue from Sean Waugh.

* * * * *

Item 17, being:

SPECIAL CLAIM NO. SC-1314-2: A CLAIM IN THE AMOUNT OF $2,488.88 FROM CMR CLAIMS MANAGEMENT RESOURCES ON BEHALF OF OKLAHOMA GAS AND ELECTRIC COMPANY FOR DAMAGES INCURRED TO A PRIMARY LINE WHILE CITY EMPLOYEES WHERE INSTALLING A FENCE AT GRIFFIN PARK LOCATED AT 1001 EAST ROBINSON STREET.

Councilmember Kovach moved that Special Claim No. SC-1314-2 be approved and payment in the amount of $2,488.88 be directed contingent upon obtaining a Release and Covenant Not to Sue from CMR Claims Management Resources on behalf of Oklahoma Gas and Electric Company, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. SC-1314-1 dated June 26, 2013, by Jeanne Snider, Assistant City Attorney
2. Memorandum dated May 9, 2013, from Brenda Hall, City Clerk, to Jud Foster, Director of Parks and Recreation, and Jeff Bryant, City Attorney
3. Special Claim No. SC-1314-2 filed May 9, 2013, submitted by Holly Finley, CMR Claims Management Resources on behalf of Oklahoma Gas and Electric Company
4. Notice of Claim dated May 6, 2013, in the amount of $2,488.88 from Holly Finley, CMR Claims Department to City Clerk, City of Norman
5. Invoice for Claim No. 7924724 dated April 8, 2013, in the amount of $2,488.88 from Claims Management Resources to City of Norman

Participants in discussion
1. Mr. Roger Gallagher, 1522 East Boyd Street, asked questions

and the question being upon approving Special Claim No. SC-1314-2 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Special Claim No. SC-1314-2 approved; and payment in the amount of $2,488.88 was directed contingent upon obtaining a Release and Covenant Not to Sue from CMR Claims Management Resources on behalf of Oklahoma Gas and Electric Company.

* * * * *

Item 18, being:

AUTHORIZATION OF AN EXPENDITURE FOR WORK ORDER NO. EIGHT UNDER CONTRACT NO. K-0910-54 WITH GARVER, L.L.C., IN AN AMOUNT NOT-TO-EXCEED $48,487 TO PROVIDE RESIDENT ENGINEERING SERVICES FOR LEGACY TRAIL SOUTH EXTENSION PROJECT.

Councilmember Kovach moved that an expenditure in an amount not-to-exceed $48,487 under Contract No. K-0910-54 with Garver, L.L.C., be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-0910-54, Expenditure, dated June 26, 2013, by James Briggs, Park Planner
2. Work Order No. 8 from Garver, L.L.C., with Appendix B, Fee Estimate for Work Order No. 6 and Work Order No. 8.
3. Contract No. K-0910-54 with Hourly Rate Schedule
4. Location map

and the question being upon approving an expenditure in an amount not-to-exceed $48,487 under Contract No. K-0910-54 with Garver, L.L.C., and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmember Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and an expenditure in an amount not-to-exceed $48,487 under Contract No. K-0910-54 with Garver L.L.C. approved; and the execution thereof be authorized.

* * * * *

Item 19, being:

AMENDMENT NO. ONE TO CONTRACT NO. K-0506-71: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND SPRINT SPECTRUM REALTY COMPANY, L.P., TO MODIFY THE LOCATION OF COMMUNICATION EQUIPMENT ON THE BROOKHAVEN WATER TOWER LOCATED AT 4151 WEST ROBINSON STREET AS PART OF THE EXISTING LEASE AGREEMENT AND INCREASING THE MONTHLY LEASE PAYMENT AMOUNT.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Amendment No. One to Contract No. K-0506-71 with Sprint Spectrum Realty Company, L.P., be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Griffith;

Items submitted for the record
1. Text File No. K-0506-71, Amendment No. One, dated June 26, 2013, from Mark Daniels, Utilities Engineer
2. Amendment No. One to Contract No. K-0506-71 with Exhibit A-1, Overall Site Plan; Exhibit A-2, Equipment Site Plan; and Exhibit A-2, Site Elevation
3. Contract No. K-0506-71 with Exhibit A, Site Description

and the question being upon approving Amendment No. One to Contract No. K-0506-71 with Sprint Spectrum Realty Company, L.P., and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Trustees Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and Amendment No. One to Contract No. K-0506-71 with Sprint Spectrum Realty Company, L.P., approved; and the execution thereof was authorized.

* * * * *

Item 20, being:

AMENDMENT NO. ONE TO CONTRACT NO. K-0607-140: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND SPRINT REALTY COMPANY, L.P. TO PLACE NEW DIGITAL COMMUNICATIONS EQUIPMENT ON THE BOYD STREET WATER TOWER AT 2211 WEST BOYD STREET AS PART OF THE EXISTING LEASE AGREEMENT AND INCREASING THE MONTHLY LEASE PAYMENT AMOUNT.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Amendment No. One to Contract No. K-0607-140 with Sprint Spectrum Realty Company, L.P., be approved and the execution thereof be authorized, which motion was duly seconded by Trustee Griffith;

Items submitted for the record
1. Text File No. K-0607-140, Amendment No. One, dated June 26, 2013, by Mark Daniels, Utilities Engineer
2. Amendment No. One to Contract No. K-0607-140 with Exhibit A-1, Overall Site Plan; Exhibit A-2, Equipment Site Plan; and Exhibit A-2, Site Elevation
3. Contract No. K-0607-140 with Exhibit A, Site Description

and the question being upon approving Amendment No. One to Contract No. K-0607-140 with Sprint Spectrum Realty Company, L.P., and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Trustees Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Chairman Rosenthal
NAYES:	None

The Chairman declared the motion carried and Amendment No. One to Contract No. K-0607-140 with Sprint Spectrum Realty Company, L.P., approved; and the execution thereof was authorized.

* * * * *

Item 21, being:

CONTRACT NO. K-1213-122: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND BIG IRON ONLINE AUCTIONS TO PROVIDE AUCTIONEER SERVICES FOR THE CITY OF NORMAN AND PERFORMANCE BOND NO. B-1213-98.

Councilmember Kovach moved that Contract No. K-1213-122 with Big Iron Auctions and Performance Bond No. B-1213-98 be approved; the execution of the contract and performance bond be authorized, and the filing of the bond be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1213-122 dated March 19, 2013, by Fred Duke, Procurement Analyst
2. Bid Record dated December 18, 2012, for Auction Services
3. Contract No. K-1213-122
4. Performance Bond No. B-1213-98

Participants in discussion
1. Mr. Roger Gallagher, 1522 East Boyd Street, made comments

and the question being upon approving Contract No. K-1213-122 with Big Iron Auctions and Performance Bond No. B-1213-98 and upon the subsequent authorization and directive, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No. K-1213-122 with Big Iron Auctions and Performance Bond No. B-1213-98 approved; the execution of the contract and performance bond was authorized and the filing of the bond was directed.

* * * * *

Item 22, being:

CONTRACT NO. K-1213-191: AN ENCROACHMENT AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND SOUTHERN STAR CENTRAL PIPELINE, INC., TO ALLOW FOR ACCESS INTO A PRIVATE PIPELINE EASEMENT WHILE UTILITIES ARE BEING RELOCATED IN CONNECTION WITH THE CEDAR LANE WIDENING PROJECT.

Councilmember Kovach moved that Contract No. K-1213-191 with Southern Star Central Pipeline, Inc., be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1213-191 dated June 25, 2013, by Josh Malwick, Capital Projects Engineer
2. Contract No. K-1213-191
3. Location map

and the question being upon approving Contract No. K-1213-191 with Southern Star Central Pipeline, Inc., and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and K-1213-191 with Southern Star Central Pipeline, Inc., approved; and the execution thereof was authorized.

* * * * *

Item 23, being:

CONTRACT NO. K-1314-1: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE BOARD OF CLEVELAND COMMISSIONERS, CLEVELAND COUNTY, OKLAHOMA, FOR A COOPERATIVE INTERLOCAL AGREEMENT FOR THE MAINTENANCE, CONSTRUCTION, AND REPAIR OF SECTION LINE ROADS WITHIN THE CITY OF NORMAN THROUGH JUNE 30, 2014.

Councilmember Kovach moved that Contract No. K-1314-1 with the Board of Cleveland County Commissioners, Cleveland County, Oklahoma, through June 30, 2014, be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-1 dated June 18, 2013, by Greg Hall, Street Superintendent
2. Contract No. K-1314-1

and the question being upon approving Contract No. K-1314-1 with the Board of Cleveland County Commissioners, Cleveland County, Oklahoma, through June 30, 2014, and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No. K-1314-1 with the Board of Cleveland County Commissioners, Cleveland County, Oklahoma,, through June 30, 2014, approved; and the execution thereof was authorized.

* * * * *

Item 24, being:

CONTRACT NO. K-1314-2: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND UNITED STATES DEPARTMENT OF AGRICULTURE, ANIMAL AND PLANT INSPECTION SERVICES, WILDLIFE SERVICES IN THE AMOUNT OF $12,500 FOR THE CONTROL OF AQUATIC RODENTS THROUGH JUNE 30, 2014.

Councilmember Kovach moved that Contract No. K-1314-2 with the United States Department of Agriculture, Animal and Plant Health Inspection Services, and Wildlife Services in the amount of $12,500 through June 30, 2014, be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-2 dated June 4, 2013, by Greg Hall, Streets Superintendent
2. Contract No. K-1314-2
3. Purchase Requisition No. 0000219735 dated July 1, 2013, in the amount of $12,500 to the United States Department of Agriculture, Animal and Plant Health Inspection Services, and Wildlife Services

and the question being upon approving Contract No. K-1314-2 with the United States Department of Agriculture, Animal and Plant Health Inspection Services, and Wildlife Services in the amount of $12,500 through June 30, 2014, upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No. K-1314-2 with the United States Department of Agriculture, Animal and Plant Health Inspection Services, and Wildlife Services in the amount of $12,500 through June 30, 2014, approved; and the execution thereof was authorized.

* * * * *

Item 25, being:

CONTRACT NO. K-1314-3: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND INFRASTRUCTURE MANAGEMENT SERVICES, INC., (IMS) IN AN AMOUNT NOT-TO-EXCEED $48,839 TO DEVELOP A PAVEMENT MANAGEMENT PROGRAM FOR THE CITY OF NORMAN THROUGH JUNE 30, 2014.

Councilmember Kovach moved that Contract No. K-1314-3 with IMS in an amount not-to-exceed $48,839 through June 30, 2014, be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-3 dated June 3, 2013, by Greg Hall, Streets Superintendent
2. Contract No. K-1314-3 with Appendix "A", Project Outline
3. Letter dated May 22, 2013, from Donald L. Hardt, Manager of Client Services, IMS Infrastructure Management Services, to Robin Gonnerman, Pavement Maintenance Coordinator, City of Norman
4. Purchase Requisition No. 0000219733 dated July 1, 2013, in the amount of $48,839 to IMS

Participants in discussion
1. Mr. Shawn O'Leary, Director of Public Works
2. Ms. Jeanette Coker, 620 East Main Street, made comments
3. Mr. Bobby Stevens, Post Office Box 6226, asked questions

and the question being upon approving Contract No. K-1314-3 with IMS in an amount not-to-exceed $48,839 through June 30, 2014, and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No. K-1314-3 with IMS in an amount not-to-exceed $48,839 through June 30, 2014, approved; and the execution thereof was authorized.

* * * * *

Councilmember Jungman asked that he be allowed to abstain from voting on Item 26 through Item 41 due to a conflict of interest. Thereupon, Councilmember Kovach moved that Councilmember Jungman be allowed to abstain from voting on Item 26 through Item 41 due to a conflict of interest, which motion was duly seconded by Councilmember Griffith; and the question being upon allowing Councilmember Jungman to abstain from voting on Item 26 through Item 41 due to a conflict of interest, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Jungman

The Mayor declared the motion carried and Councilmember Jungman was allowed to abstain from voting on Item 26 and Item 41 due to a conflict of interest.

* * * * *

Item 26, being:

CONTRACT NO. K-1314-8: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND METROPOLITAN FAIR HOUSING COUNCIL, INC., IN THE AMOUNT OF $20,000 AS AGREED UPON UNDER THE 39TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME PARTNERSHIP PROGRAMS.

Councilmember Kovach moved that Contract No. K-1314-8 with Metropolitan Fair Housing Council, Inc., in the amount of $20,000 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-8 dated June 26, 2013, by Linda Price, Revitalization Manager
2. Contract No. K-1314-8
3. CDBG list of agency contracts
4. Purchase Requisition No. 0000219738 dated July 1, 2013, in the amount of $20,000 to Metropolitan Fair Housing Council, Inc.

Participants in discussion
1. Mr. Roger Gallagher, 1522 East Boyd Street, asked questions
2. Ms. Linda Price, Revitalization Manager

and the question being upon approving Contract No. K-1314-8 with Metropolitan Fair Housing Council, Inc., in the amount of $20,000 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Jungman

The Mayor declared the motion carried and Contract No. K-1314-8 with Metropolitan Fair Housing Council, Inc., in the amount of $20,000 approved; and the execution thereof was authorized.

* * * * *

Item 27, being:

CONTRACT NO. K-1314-9: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND COMMUNITY AFTER SCHOOL PROGRAM, INC., IN THE AMOUNT OF $3,500 AS AGREED UPON UNDER THE 39TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

Councilmember Kovach moved that Contract No. K-1314-9 with Community After School Program, Inc., in the amount of $3,500 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-9 dated June 27, 2013, by Linda Price, Revitalization Manager
2. Contract No. K-1314-9
3. CDBG list of agency contracts
4. Purchase Requisition No. 0000219719 dated July 1, 2013, in the amount of $3,500 to Community After School Program, Inc.

and the question being upon approving Contract No. K-1314-9 with Community After School Program, Inc., in the amount of $3,500 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Jungman

The Mayor declared the motion carried and Contract No K-1314-9 with Community After School Program, Inc., in the amount of $3,500 approved; and the execution thereof was authorized.

* * * * *

Item 28, being:

CONTRACT NO. K-1314-10: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND VARIETYCARE, INC., (FORMERLY HEALTH FOR FRIENDS) IN THE AMOUNT OF $16,416 AS AGREED UPON UNDER THE 39TH YEAR CDBG PROGRAM AND ADOPTION OF RESOLUTION NO. R-1314-8.

Councilmember Kovach moved that Contract No. K-1314-10 with Variety Care, Inc., in the amount of $16,416 be approved, the execution thereof be authorized, and Resolution No. R-1314-8 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-10 dated June 27, 2013, by Linda Price, Revitalization Manager
2. Contract No. K-1314-10
3. Resolution No. R-1314-8
4. CDBG list of agency contracts
5. Purchase Requisition No. 0000219720 dated July 1, 2013, in the amount of $16,416 to Variety Care, Inc.

and the question being upon approving Contract No. K-1314-10 with Variety Care, Inc., in the amount of $16,416 and upon the subsequent authorization and adoption, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Jungman

The Mayor declared the motion carried and Contract No. K-1314-10 with Variety Care, Inc., in the amount of $16,416 approved; the execution thereof was authorized and Resolution No. R-1314-8 was adopted.

* * * * *

Item 29, being:

CONTRACT NO. K-1314-11: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND PROGRESSIVE INDEPENDENCE, INC., IN THE AMOUNT OF $3,000 AS AGREED UPON UNDER THE 39TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND ADOPTION OF RESOLUTION NO. R-1314-9.

Councilmember Kovach moved that Contract No. K-1314-11 with Progressive Independence, Inc., in the amount of $3,000 be approved, the execution thereof be authorized, and Resolution No. R-1314-9 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-11 dated June 27, 2013, by Linda Price, Revitalization Manager
2. Contract No. K-1314-11
3. Resolution No. R-1314-9
4. CDBG list of agency contracts
5. Purchase Requisition No. 0000219721 dated July 1, 2013, in the amount of $3,000 to Progressive Independence, Inc.

and the question being upon approving Contract No. K-1314-11 with Progressive Independence, Inc., in the amount of $3,000 and upon the subsequent authorization and adoption, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Jungman

The Mayor declared the motion carried and Contract No. K-1314-11 with Progressive Independence, Inc., in the amount of $3,000 approved; execution thereof was authorized and Resolution No. R-1314-9 was adopted.

* * * * *

Item 30, being:

CONTRACT NO. K-1314-12: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND FOOD AND SHELTER, INC., IN THE AMOUNT OF $10,000 AS AGREED UPON UNDER THE 39TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

Councilmember Kovach moved that Contract No. K-1314-12 with Food and Shelter, Inc., in the amount of $10,000 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-12 dated June 27, 2013, by Linda Price, Revitalization Manager
2. Contract No. K-1314-12
3. CDBG list of agency contracts
4. Purchase Requisition No. 0000219723 dated July 1, 2013, in the amount of $10,000 to Food and Shelter for Friends

and the question being upon approving Contract No. K-1314-12 with Food and Shelter, Inc., in the amount of $10,000 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Jungman

The Mayor declared the motion carried and Contract No. K-1314-12 with Food and Shelter, Inc., in the amount of $10,000 approved; and the execution thereof was authorized.

* * * * *

Item 31, being:

CONTRACT NO. K-1314-13: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CLEVELAND AREA RAPID TRANSIT (CART) IN THE AMOUNT OF $25,000 AS AGREED UPON UNDER THE 39TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

Councilmember Kovach moved that Contract No. K-1314-13 with CART in the amount of $25,000 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-13 dated June 27, 2013, by Linda Price, Revitalization Manager
2. Contract No. K-1314-13
3. CDBG list of agency contracts
4. Purchase Requisition No. 0000219724 dated July 1, 2013, in the amount of $25,000 to CART

and the question being upon approving Contract No. K-1314-13 with CART in the amount of $25,000 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Jungman

The Mayor declared the motion carried and Contract No. K-1314-13 with CART in the amount of $25,000 approved; and the execution thereof was authorized.

* * * * *

Item 32, being:

CONTRACT NO. K-1314-14: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND AGING SERVICES OF CLEVELAND COUNTY, INC., IN THE AMOUNT OF $2,500 AS AGREED UPON UNDER THE 39TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

Councilmember Kovach moved that Contract No. K-1314-14 with Aging Services of Cleveland County, Inc., in the amount of $2,500 be approved and the execution be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-14 dated June 27, 2013, by Linda Price, Revitalization Manager
2. Contract No. K-1314-14
3. CDBG list of agency contracts
4. Purchase Requisition No. 0000219725 dated July 1, 2013, in the amount of $2,500 to Aging Services of Cleveland County, Inc.

and the question being upon approving Contract No. K-1314-14 with Aging Services of Cleveland County, Inc., in the amount of $2,500 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Jungman

The Mayor declared the motion carried and Contract No. K-1314-14 with Aging Services of Cleveland County, Inc., in the amount of $2,500 approved; and the execution thereof was authorized.

* * * * *

Item 33, being:

CONTRACT NO. K-1314-15: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND COMMUNITY SERVICES BUILDING, INC., IN THE AMOUNT OF $40,000 AS AGREED UPON UNDER THE 39TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND ADOPTION OF RESOLUTION NO. R-1314-10.

Councilmember Kovach moved that Contract No. K-1314-15 with Community Services Building, Inc., in the amount of $40,000 be approved, the execution thereof be authorized, and Resolution No. R-1314-10 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-15 dated June 27, 2013, by Linda Price, Revitalization Manager
2. Contract No. K-1314-15
3. Resolution No. R-1314-10
4. CDBG list of agency contracts
5. Purchase Requisition No. 0000219726 dated July 1, 2013, in the amount of $40,000 to Community Services Building, Inc.

and the question being upon approving Contract No. K-1314-15 with Community Services Building, Inc., in the amount of $40,000 and upon the subsequent authorization and adoption, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Jungman

The Mayor declared the motion carried and Contract No. K-1314-15 with Community Services Building, Inc., in the amount of $40,000 approved; the execution thereof was authorized, and Resolution No. R-1314-10 was adopted.

* * * * *

Item 34, being:

CONTRACT NO. K-1314-16: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND BETHESDA, INC., IN THE AMOUNT OF $5,000 AS AGREED UPON UNDER THE 39TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

Councilmember Kovach moved that Contract No. K-1314-16 with Bethesda, Inc., in the amount of $5,000 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-16 dated June 27, 2013, by Linda Price, Revitalization Manager
2. Contract No. K-1314-16
3. CDBG list of agency contracts
4. Purchase Requisition No. 0000219727 dated July 1, 2013, in the amount of $5,000 to Bethesda, Inc.

and the question being upon approving Contract No. K-1314-16 with Bethesda, Inc., in the amount of $5,000 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Jungman

The Mayor declared the motion carried and Contract No. K-1314-13 with Bethesda, Inc., in the amount of $5,000 approved; and the execution thereof was authorized.

* * * * *

Item 35, being:

CONTRACT NO. K-1314-17: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND MEALS ON WHEELS OF NORMAN, INC., IN THE AMOUNT OF $7,000 AS AGREED UPON UNDER THE 39TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

Councilmember Kovach moved that Contract No. K-1314-17 with Meals on Wheels of Norman, Inc., in the amount of $7,000 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-17 dated June 27, 2013, by Linda Price, Revitalization Manager
2. Contract No. K-1314-17
3. CDBG list of agency contracts
4. Purchase Requisition No. 0000219728 dated July 1, 2013, in the amount of $7,000 to Meals on Wheels of Norman, Inc.

and the question being upon approving Contract No. K-1314-17 with Meals on Wheels of Norman, Inc., in the amount of $7,000 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Jungman

The Mayor declared the motion carried and Contract No. K-1314-17 with Meals on Wheels of Norman, Inc., in the amount of $7,000 approved; and the execution thereof was authorized.

* * * * *

Item 36, being:

CONTRACT NO. K-1314-18: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THUNDERBIRD CLUBHOUSE BOARD, INC., IN THE AMOUNT OF $1,500 AS AGREED UPON UNDER THE 39TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

Councilmember Kovach moved that Contract No. K-1314-18 with Thunderbird Clubhouse Board, Inc., in the amount of $1,500 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-18 dated June 27, 2013, by Linda Price, Revitalization Manager
2. Contract No. K-1314-18
3. CDBG list of agency contracts
4. Purchase Requisition No. 0000219729 dated July 1, 2013, in the amount of $1,500 to Thunderbird Clubhouse Board, Inc.

and the question being upon approving Contract No. K-1314-18 with Thunderbird Clubhouse Board, Inc., in the amount of $1,500 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Jungman

The Mayor declared the motion carried and Contract No. K-1314-18 with Thunderbird Clubhouse Board, Inc., in the amount of $1,500 approved; and the execution thereof was authorized.

* * * * *

Item 37, being:

CONTRACT NO. K-1314-19: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND UNITED WAY OF NORMAN, INC., IN THE AMOUNT OF $2,500 AS AGREED UPON UNDER THE 39TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

Councilmember Kovach moved that Contract No. K-1314-19 with United Way of Norman, Inc., in the amount of $2,500 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-19 dated June 27, 2013, by Linda Price, Revitalization Manager
2. Contract No. K-1314-19
3. CDBG list of agency contracts
4. Purchase Requisition No. 0000219730 dated July 1, 2013, in the amount of $2,500 to United Way, Inc.

and the question being upon approving Contract No. K-1314-19 with United Way of Norman, Inc., in the amount of $2,500 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Jungman

The Mayor declared the motion carried and Contract No. K-1314-19 with United Way of Norman, Inc., in the amount of $2,500 approved; and the execution thereof was authorized.

* * * * *

Item 38, being:

CONTRACT NO. K-1314-20: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND AMONG FRIENDS ACTIVITY CENTER, INC., IN THE AMOUNT OF $1,500 AS AGREED UPON UNDER THE 39TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

Councilmember Kovach moved that Contract No. K-1314-20 with Among Friends Activity Center, Inc., in the amount of $1,500 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-20 dated June 27, 2013, by Linda Price, Revitalization Manager
2. Contract No. K-1314-20
3. CDBG list of agency contracts
4. Purchase Requisition No. 00002197131 dated July 1, 2013, in the amount of $1,500 to Among Friends Activity Center

and the question being upon approving Contract No. K-1314-20 with Among Friends Activity Center, Inc., in the amount of $1,500 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Jungman

The Mayor declared the motion carried and Contract No. K-1314-20 with Among Friends Activity Center, Inc., in the amount of $1,500 approved; and the execution thereof was authorized.

* * * * *

Item 39, being:

CONTRACT NO. K-1314-21: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CENTER FOR CHILDREN AND FAMILIES, INC., IN THE AMOUNT OF $2,500 AS AGREED UPON UNDER THE 39TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

Councilmember Kovach moved that Contract No. K-1314-21 with Center for Children and Families, Inc., in the amount of $2,500 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-21 dated June 27, 2013, by Linda Price, Revitalization Manager
2. Contract No. K-1314-21
3. CDBG list of agency contracts
4. Purchase Requisition No. 0000219734 dated July 1, 2013, in the amount of $2,500 to Center for Children and Families

and the question being upon approving Contract No. K-1314-21 with Center for Children and Families, Inc., in the amount of $2,500 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Jungman

The Mayor declared the motion carried and Contract No. K-1314-21 with Center for Children and Families, Inc., in the amount of $2,500 approved; and the execution thereof was authorized.

* * * * *

Item 40, being:

CONTRACT NO. K-1314-22: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND BRIDGES, INC., IN THE AMOUNT OF $1,000 AS AGREED UPON UNDER THE 39TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

Councilmember Kovach moved that Contract No. K-1314-22 with Bridges, Inc., in the amount of $1,000 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-22 dated June 27, 2013, by Linda Price, Revitalization Manager
2. Contract No. K-1314-22
3. CDBG list of agency contracts
4. Purchase Requisition No. 0000219732 dated July 1, 2013, in the amount of $1,000 to Bridges, Inc.

and the question being upon approving Contract No K-1314-22 with Bridges, Inc., in the amount of $1,000 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Jungman

The Mayor declared the motion carried and Contract No. K-1314-22 with Bridges, Inc., in the amount of $1,000 approved; and the execution thereof was authorized.

* * * * *

Item 41, being:

CONTRACT NO. K-1314-23: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND EAST MAIN PLACE, INC., IN THE AMOUNT OF $10,000 AS AGREED UPON UNDER THE 39TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.

Councilmember Kovach moved that Contract No. K-1314-23 with East Main Place, Inc., in the amount of $10,000 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-22 dated June 27, 2013, by Linda Price, Revitalization Manager
2. Contract No. K-1314-22
3. CDBG list of agency contracts
4. Purchase Requisition No. 0000219722 dated July 1, 2013, in the amount of $10,000 to East Main Place, Inc.

and the question being upon approving Contract No K-1314-23 with East Main Place, Inc., in the amount of $10,000 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None
ABSTAIN:	Councilmember Jungman

The Mayor declared the motion carried and Contract No. K-1314-23 with East Main Place, Inc., in the amount of $10,000 approved; and the execution thereof was authorized.

* * * * *

Item 42, being:

CONSIDERATION OF A RECOMMENDATION FROM THE CITY ATTORNEY THAT THE CITY COUNCIL APPROVE A SETTLEMENT OF JEFF WOODS VS. THE CITY OF NORMAN, CLEVELAND COUNTY DISTRICT COURT CASE NO. CJ-2001-1994, IN THE AMOUNT OF $10,000.

Councilmember Kovach moved that the City Attorney's recommendation be approved and the City Attorney's Office be authorized to effectuate the settlement in the amount of $10,000, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. GID-1314-3 dated June 19, 2013, by Rick Knighton, Assistant City Attorney

and the question being upon approving the City Attorney's recommendation and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the City Attorney's recommendation approved; and the City Attorney's Office was authorized to effectuate the settlement in the amount of $10,000.

* * * * *

Item 43, being:

CONSIDERATION OF THE CITY ATTORNEY'S RECOMMENDATION FOR APPROVAL OF A COURT ORDER IN THE AMOUNT OF $38,432.19 REGARDING JEREMY RANEY VS. THE CITY OF NORMAN, WORKERS' COMPENSATION COURT CASE NO. WCC-2013-00356 H.

Councilmember Kovach moved that the City Attorney's recommendation be approved, compliance with the Workers' Compensation Court Order be authorized, and payment of claims in the amount of $38,432.19 which will constitute judgment against the City of Norman be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. GID-1314-5 dated June 27, 2013, by Jeanne Snider, Assistant City Attorney, with Award Table
2. Workers' Compensation Court Order No. WCC 2013-00356H, filed June 25, 2013
3. Purchase Requisition No. 0000219522 dated June 27, 2013, in the amount of $18,088 to Jeremy Raney and Greg Barnard
4. Purchase Requisition No. 0000219526 dated June 27, 2013, in the amount of $742.90 to Workers' Compensation Administrative Tax Fund
5. Purchase Requisition No. 0000219530 dated June 27, 2013, in the amount of $278.59 to Special Occupational Health and Safety Fund
6. Purchase Requisition No. 0000219531 dated June 27, 2013, in the amount of $140 to Workers' Compensation Court
7. Purchase Requisition No. 0000219533 dated June 27, 2013, in the amount of $125.70 Cleveland County Court Clerk

and the question being upon approving the City Attorney's recommendation and upon the subsequent authorization and directive, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the City Attorney's recommendation approved; compliance with the Workers' Compensation Court Order was authorized and payment of claims in the amount of $38,432.19 which will constitute judgment against the City of Norman was directed.

* * * * *

Item 44, being:

RESOLUTION NO. R-1314-4: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ESTABLISHING THE NINE-ONE-ONE EMERGENCY TELEPHONE FEE RATE FOR CALENDAR YEAR 2014.

Councilmember Kovach moved that Resolution No. R-1314-4 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1314-4 dated June 24, 2013, by Brenda Hall, City Clerk
2. Memorandum dated June 4, 2013, from John G. Johnson, Executive Director, 9-1-1 Association of Central Oklahoma Governments, to City Council/Board of Trustees/City Clerks and City Managers
3. Resolution No. R-1314-4

Participants in discussion

1. Mr. Roger Gallagher, 1522 East Main Street, asked questions

and the question being upon adopting Resolution No. R-1314-4, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-1314-4 was adopted.

* * * * *

Item 45, being:

CONSIDERATION OF ORDINANCE NO. O-1213-50 UPON SECOND AND FINAL READING: 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.

Ordinance No. O-1213-50 having been Introduced and adopted upon First Reading by title in City Council's meeting of June 25, 2013, Councilmember Kovach moved that Ordinance No. O-1213-50 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-1213-50 dated May 7, 2013, by Ken Danner
2. Ordinance No. O-1213-50
3. Location map
4. Memorandum dated April 18, 2013, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Rone Tromble, Administrative Technician IV; Ken Danner, Subdivision Manager; Ken Komiske, Director of Utilities; and Jane Hudson, Principal Planner
5. Letter of request filed April 18, 2013, from R. Blaine Nice, Attorney/Agent, Fellers Snider, to Ms. Brenda Hall, City Clerk
6. Radius map
7. Staff Report dated June 13, 2013, recommending approval
8. Site plan
9. Pertinent excerpts from Planning Commission minutes of June 13, 2013

Participants in discussion
1. Ms. Blaine Nice, Fellers Snider, 100 N. Broadway, Suite 1700, Oklahoma City, attorney representing the applicant

and the question being upon adopting Ordinance No. O-1213-50 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1213-50 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1213-50 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-1213-50 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1213-50 was adopted upon Final Reading as a whole.

* * * * *

Item 46, being:

RESOLUTION NO. R-1213-134: 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-1213-11, SO AS TO PLACE LOT 2, BLOCK 1, NORTHRIDGE INDUSTRIAL PARK SECTION 4, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE OFFICE DESIGNATION AND REMOVE THE SAME FROM THE INDUSTRIAL DESIGNATION. (3530 MACDONNELL DRIVE)

Councilmember Kovach moved that Resolution No. R-1213-134, Land Use Plan Amendment No. LUP-1213-11, be adopted and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. R-1213-134 dated May 7, 2013, by Jane Hudson, Principal Planner
2. Resolution No. R-1213-134, Land Use Plan Amendment No. LUP-1213-11
3. Location map
4. Staff Report dated June 13, 2013, recommending approval
5. Predevelopment Summary Case No. PD 13-11 dated April 25, 2013, for Coysco for property located at 3530 MacDonnell Drive
6. Pertinent excerpts from Planning Commission minutes of June 13, 2013

Participants in discussion
1. Ms. Blaine Nice, Fellers Snider, 100 N. Broadway, Suite 1700, Oklahoma City, attorney representing the applicant
2. Ms. Susan Connors, Director of Planning and Community Development

and the question being upon adopting Resolution No. R-1213-134, Land Use Plan Amendment No. LUP-1213-11, and upon the subsequent amendment, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-1213-134, Land Use Plan Amendment No. LUP-1213-11, adopted; and the NORMAN 2025 Land Use and Transportation Plan was amended.

* * * * *

Item 47, being:

CONSIDERATION OF ORDINANCE NO. O-1213-51 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 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)

Ordinance No. O-1213-51 having been Introduced and adopted upon First Reading by title in City Council's meeting of June 25, 2013, Councilmember Kovach moved that Ordinance No. O-1213-51 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-1213-51 dated May 7, 2013, by Jane Hudson
2. Ordinance No. O-1213-51
3. Location map
4. Staff Report dated June 13, 2013, recommending approval
5. Site plan
6. Predevelopment Summary Case No. PD-13-11 dated April 25, 2013, for Coysco for property located at 3530 MacDonnell Drive

Item 47, continued:

and the question being upon adopting Ordinance No. O-1213-51 upon Second Reading section by section, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1213-51 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1213-51 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-1213-51 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-1213-51 was adopted upon Final Reading as a whole.

* * * * *

Mayor Rosenthal asked that Item 49 be considered before Item 48.

Item 49, being:

MISCELLANEOUS DISCUSSION

Item 25, Pavement Management Study. Mr. Bobby Stevens, Post Office Box 6226, said he was unclear if the funding for this item would be used to pay someone to look at the roads or repair the roads.

Mayor Rosenthal asked Mr. Shawn O'Leary, Director of Public Works, to explain the process to Mr. Stevens after the meeting.

*

Thanks to Councilmembers. Mr. Bobby Stevens, Post Office Box 6226, congratulated all new Councilmembers and thanked those who had been recognized for their service on July 2, 2013. He wished everyone the best of luck. He said he would be sending City Council some information in the future.

Councilmember Williams said he had been unable to attend the meeting on July 2nd and thanked Councilmembers Spaulding, Gallagher, and Lockett for their service. He welcomed the new Councilmembers and said he looked forward to working with them to move forward in a positive direction.

*

Animal Welfare Project. Mr. Roger Gallagher, 1522 East Boyd Street, commended everyone for bringing forward the Animal Welfare Renovation Project. He addressed some of the unforeseen issues that occurred increasing the cost of the project. He said this was one of the best community projects for the City.

Councilmember Heiple said a lot of money was spent on the Animal Welfare Project and he is proud of that. He said the community spoke up and it will be a spectacular center even though there were several people who had a problem with how much money was spent.

*

Gray Water. Mr. Roger Gallagher, 1522 East Boyd Street, said it would like to see the City to move forward on the gray water issue. He suggested that developers and builders offer to those buying a house an alternative cost to include a gray water system.

*

Miscellaneous Discussion, continued:

City Council Meetings. Councilmember Holman thanked everyone who attended tonight's meeting or watched it at home. He urged future attendance.

*

Water Wise. Councilmember Griffith said everyone should be "water wise" because water is the most precious commodity in this community. He encouraged citizens to consider using the "odd/even" watering concept. He said the drought is far from over and the residents of Norman should conserve water while we have it.

Councilmember Castleberry said he agreed with this and that he follows this advice.

Councilmember Miller said she is concerned that people think there is not a problem. She said it is wonderful to see Lake Thunderbird with more water but there is still a drought. She said the City should step up conservation education.

Mayor Rosenthal said she hoped Council would consider making the "odd/even" watering a permanent policy of the community.

*

Chamber of Commerce Reception. Councilmember Castleberry thanked the Chamber of Commerce for hosting the reception for new Councilmembers on Monday, July 8th. He said it was an informal "Meet and Greet" and he encouraged other organizations to invite Councilmembers to visit them. He said Council does a good job meeting with the people in their wards but this gives other people a chance to get to know them and obtain a better perspective of City government.

*

Citizen Involvement. Councilmember Miller said tonight, the Conference was full of people who care about animals in the community and we are so blessed to have so much citizen involvement. She said the City operates on a strict budget and the extras could not be done without all of the citizens that help out. She said Norman is lucky to have so many citizen volunteers.

*

Labor Negotiations. Councilmember Kovach said in a recent City Council forum, it was suggested that when Council meets in Executive Session to discuss labor issues that Council receive a presentation from the union representatives and all candidates were supportive of that. He said he would like Council to discuss it further.

*

Norman Convention and Visitors Bureau (NCVB). Councilmember Kovach said the City recently had an issue with the NCVB and their budget. He said more information was requested and had been received. He said there was a recent article in The Norman Transcript highlighting a rather inappropriate post on the NCVB Facebook page. He said it is important for organizations to understand that if they are getting public tax dollars they are scrutinized year round by the City Council.

*

Thanks to Citizens. Councilmember Heiple said he is profoundly humbled and thanked everyone for allowing him to serve. He said when he was campaigning, he would ask constituents "What is wrong with the City" and he received many types of answers and then he would ask "what would you like to see". He said most people had no answer to that. He suggested everyone have a proactive, positive response and not engage in conflict. He said it will take all types of personalities to make everything work smoothly because it is always a balancing act.

*

Thanks to Roger Gallagher. Councilmember Heiple thanked Roger Gallagher for being at the meeting tonight. He said he had been formidable and was a great opponent. He appreciated that he was still attending meetings and putting in his time. He looked forward to working with him.

*

Miscellaneous Discussion, continued:

Strategic Water Supply Plan Public Meeting. Mr. Steve Lewis, City Manager, announced the Strategic Water Supply Plan Public Meeting to be held on Tuesday, July 16th at 6:30 p.m., in City Council Chambers would provide citizens the opportunity to see the progress of options to help secure water resources into 2060. He said some of the demand projections, supply portfolios, and source options would be available for review.

*

Association of Central Oklahoma Governments (ACOG). Mr. Steve Lewis, City Manager, announced ACOG would be conducting a Commuter Corridor Meeting on Thursday, July 11th, from 6:30-8:30 p.m. in the Municipal Complex. He said Oklahoma City has been looking at commuter rail for the last few years and some of this work is leading to some corridor analysis. He said this group will primarily be looking at the South Corridor which is the area between Oklahoma City and Norman. He said other meetings will be held to discuss the segment between Oklahoma City and Edmond and the segment which is between Oklahoma City and Midwest City and Tinker.

Mayor Rosenthal said this meeting was a very important meeting. She said Councilmember Kovach had served on the Steering Committee of the Regional Transit Dialogue along with her and several citizens in Norman. She encouraged attendance.

*

Commending Norman Police Department. Mr. Steve Lewis, City Manager, said the Norman Police Department has been an accredited Police Department for a number of years through the State of Oklahoma. He said over the last couple of years, the Police Department has been pursuing accreditation for the Crime Laboratory and this accreditation has been received. He said in the past, certain types of procedures would have to be sent to the State Laboratories and now that accreditation has been received, staff will be able to perform those types of tests which will improve case processing capabilities and reduce processing time.

*

Sales Tax Collections. Mr. Steve Lewis, City Manager, said a sales tax check had been received which reflects transactions that occurred during the month of May. He said the 3.27% amount was not what had been anticipated and Staff would like to be up to the 4% threshold.

* * * * *

Item 48, being:

CONSIDERATION OF ADJOURNING INTO AN EXECUTIVE SESSION AS AUTHORIZED BY OKLAHOMA STATUTES, TITLE 25 § 307(B)(2) TO DISCUSS NEGOTIATIONS REGARDING EMPLOYEES AND REPRESENTATIVES OF EMPLOYEE GROUPS.

Councilmember Kovach moved that the City Council meeting be adjourned out of and an Executive Session be convened into in order to discuss negotiations regarding employees and representatives of employee groups, which motion was duly seconded by Councilmember Griffith; and the question being upon adjourning out of the City Council meeting and convening into an Executive Session in order to discuss negotiations regarding employees and representatives of employee groups, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the City Council meeting adjourned out of and an Executive Session was convened into in order to discuss negotiations regarding employees and representatives of employee groups.

The City Council adjourned into Executive Session at 7:45 p.m. Mr. Steve Lewis, City Manager; Ms. Kathryn Walker, Assistant City Attorney; Ms. Gala Hicks, Director of Human Resources, and Mr. Michael Bates, Labor Consultant, were in attendance at the Executive Session for discussion of negotiations regarding employees and representatives of employee groups.

Item 48, continued:

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

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Executive Session adjourned out of; and the Council meeting was reconvened at 9:44 p.m.

The Mayor said negotiations regarding employees and representatives of employee groups were discussed in Executive Session. No action was taken and no votes were cast.

* * * * *

ADJOURNMENT

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

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the meeting was adjourned at 9:53 p.m.

ATTEST:

City Clerk Mayor Pro Tem

City of Norman, OK

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

Master

File Number: P-1314-2

File ID:	P-1314-2	**Type:**	Proclamation	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 4	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**		**File Created:**	07/10/2013
File Name:	National Health Care Center Week			**Final Action:**	

Title: PROCLAMATION NO. P-1314-2: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF AUGUST 11 THROUGH 17, 2013, AS NATIONAL HEALTH CARE CENTER WEEK IN THE CITY OF NORMAN.

Notes: ACTION NEEDED: Motion to acknowledge receipt of Proclamation No. P-1314-2 proclaiming the week of August 11 through 17, 2013, as National Health Care Center Week in the City of Norman and direct the filing thereof.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 4

Attachments: National Health Care Center Week

Project Manager: Brenda Hall, City Clerk

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 P-1314-2

Proclamation

P-1314-2

A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING THE WEEK OF AUGUST 11 THROUGH 17, 2013, AS NATIONAL HEALTH CENTER WEEK IN THE CITY OF NORMAN.

§ 1. WHEREAS, health centers are located in medically underserved areas and have patient-majority boards, making each health center responsive to the needs of the individual community it serves; and

§ 2. WHEREAS, currently, there are more than 1,200 health centers nationwide serving as health homes for more than 22 million individuals at more than 9,000 locations across the country; and

§ 3. WHEREAS, health centers offer patient-focused, coordinated health care – preventive and primary care that families and individuals need, where and when they need it; and

§ 4. WHEREAS, health centers employ physicians, nurse practitioners, physician assistants, dentists, medical and dental assistants along with social workers, case managers, and community health workers as members of multi-disciplinary clinical teams designed to treat the whole patient, coordinating care and managing chronic disease, at the same time reducing unnecessary, avoidable and wasteful use of health resources; and

§ 5. WHEREAS, the health center model has proven to be an effective means of overcoming barriers to access for the medically underserved and in doing so, improving health care outcomes and reducing health care costs; and

§ 6. WHEREAS, Health for Friends served Norman as a community health center for more than 28 years before becoming affiliated with Variety Care, Oklahoma's largest community health center; and

§ 7. WHEREAS, National Health Center Week offers the opportunity to recognize America's health centers, their staff, board members, donors, supporters and partner organizations and all those responsible for the continued success and growth of the program since its creation almost 50 years ago, transforming care in local communities by delivering comprehensive, high quality, cost effective, and accessible health care.

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

§ 8. Do hereby proclaim the week of August 11 through 17, 2013, as National Health Care Center Week in the City of Norman and encourage everyone in Norman to visit and learn more about Variety Care and celebrate the important partnership between America's Health Centers and the communities they serve.

PASSED AND APPROVED this 23rd day of July, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: O-1213-56

File ID:	O-1213-56	**Type:**	Zoning Ordinance	**Status:**	Consent Item
Version:	2	**Reference:**	Item No. 6	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	05/13/2013
File Name:	Park 7 Group Rezone			**Final Action:**	

Title: CONSIDERATION OF ORDINANCE NO. O-1213-56 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE SOUTHWEST QUARTER OF SECTION NINE (9) OF TOWNSHIP EIGHT (8) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE EAST SIDE OF 12TH AVENUE S.E. APPROXIMATELY 620 FEET NORTH OF CEDAR LANE ROAD)

Notes: ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1213-56 upon First Reading by title.

ACTION TAKEN:_____

Agenda Date: 07/23/2013

Agenda Number: 6

Attachments: Text Fil2 O-1213-56, O-1213-56, Location Map, Park 7 Rezone Staff Report, PUD Narrative 6-6-13, 6-13-13 PC Minutes - R-1213-139 O-1213-56 PP-1213-19

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	06/13/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	07/09/2013		Pass

Action Text: A motion was made by Commissioner Boeck, seconded by Commissioner McCarty, that this Zoning Ordinance be Recommended for Adoption at a subsequent City Council Meeting to the City Council , due back on 7/9/2013. The motion carried by the following vote:

Text of Legislative File O-1213-56

Body

BACKGROUND: The applicant has submitted a request to rezone an undeveloped tract of land from A-2, Rural Agricultural District, to PUD, Planned Unit Development, for a student housing project. The land under review was set aside on the 2025 Land Use and Transportation Plan as Low Density Residential; this proposal will designate the property as Medium Density Residential. The development will consist of 304 units with 950 bedrooms for a student housing development.

ANALYSIS: The particulars of this PUD include:

1. USE As proposed, the project will be a student housing development focusing on the University of Oklahoma students as their residents. The project will consist of 304 units, 950 bedrooms, with associated amenities of a pool, theatre and clubhouse.

2. DESIGN: One entrance to the subdivision is proposed from 12th Avenue SE. The proposal is for three-story buildings to be constructed on this site. The landscaping shall be provided in conformity to the City of Norman Landscape Ordinance. The developer reserves the right to gate the community and agrees that if gated it will be designed to City standards.

2. OPEN SPACE: There are open space and green space areas located throughout the development. The open space area totals 50%.

3. PARKING: The parking is distributed throughout the development, in number of spaces that meet the City requirements. The PUD states 1,097 parking spaces will be provided. This equals approximately 3.6 parking spaces per dwelling unit.

4. LIGHTING: The lighting proposed for the site shall be installed in conformance with the City of Norman Commercial Outdoor Lighting Standards.

5. SIGNAGE: All signage shall be in conformance with the City of Norman's Sign Code. The additional comment in the PUD stated "signs may be lit and landscaped with appropriate vegetation and planter boxes designed so as not to interfere with traffic sight lines."

6. FENCING: There are several homes to the south of this development. These homes face Cedar Lane Road. There is a great deal of agricultural land between this proposed development and those single-family homes; however, the applicant has agreed to fence the south side of this development to screen those single-family homes from this development.

ISSUES:

- **OIL WELL** There is an existing well site and tank battery located on this tract of land. The site development plan has been redesigned to meet the building setback requirements for those areas and all City oil and gas well regulations.

OTHER AGENCY COMMENTS:

- **PARKS BOARD** The developer has proposed fee-in-lieu for parkland. At their meeting on June 6, 2013, by a vote of 9-0, the Board of Parks Commissioners recommended fee-in-lieu of park land dedication.

- **PUBLIC WORKS** A Traffic Impact Study was submitted and reviewed by staff. Detention will be provided for storm water run-off. Water and sanitary sewer is available to the property. Interior sanitary sewer is private. Interior water lines will be installed per City standards to serve for fire protection.

STAFF RECOMMENDATION: The recent development in this area, the Campus Crest Grove PUD student housing development directly to the north of this proposed development and another multi-family development at Cedar Lane Road and 24th Avenue SE have created higher density developments. This proposed PUD provides adequate design regulations and zoning requirements for a multi-family development.

Staff recommends approval of Ordinance No. O-1213-56.

At their meeting of June 13, 2013, the Planning Commission, by a vote of 5-0, recommended adoption of this ordinance.

O-1213-56

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE SOUTHWEST QUARTER OF SECTION NINE (9) OF TOWNSHIP EIGHT (8) NORTH, RANGE TWO (2) WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT, AND REMOVE SAME FROM THE A-2, RURAL AGRICULTURAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (Generally located on the east side of 12th Avenue S.E. approximately 620 feet north of Cedar Lane Road)

§ 1. WHEREAS, Park 7 Group has made application to have the same placed in the PUD, Planned Unit Development District, and to have the same removed from the A-2, Rural Agricultural District; and

§ 2. WHEREAS, said application has been referred to the Planning Commission of said City and said body has, after conducting a public hearing as required by law, considered the same and recommended that the same should not be granted and an ordinance not 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 PUD, Planned Unit Development District, and to remove the same from the A-2, Rural Agricultural District, to wit:

A tract of land lying in the Southwest Quarter of Section 9, Township 8 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma, and being more particularly described as follows:
BEGINNING at the Southwest corner of the filed final plat of CAMPUS CREST ADDITION (as filed in Book 23 of Plats, Page 35);
THENCE North 89°23'29" East along the South line of said final plat a distance of 1926.51 feet;
THENCE South 27°35'51" East a distance of 776.57 feet;
THENCE South 89°23'29" West a distance of 2289.36 feet;
THENCE North 00°15'19" West a distance of 692.07 feet to the POINT OF BEGINNING.

Said tract of land containing 1,458,682 square feet or 33.50 acres, more or less.

§ 5. Further, pursuant to the provisions of Section 22:434.1 of the Code of the City of Norman, as amended, the following condition is hereby attached to the zoning of the tract:

a. The site shall be developed in accordance with the PUD Narrative as revised and resubmitted 6 June 2013 and the Site Development Plan contained therein and supporting documentation submitted by the applicant, and made a part hereof, and reviewed by the Planning Commission 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.

_____
(Mayor)

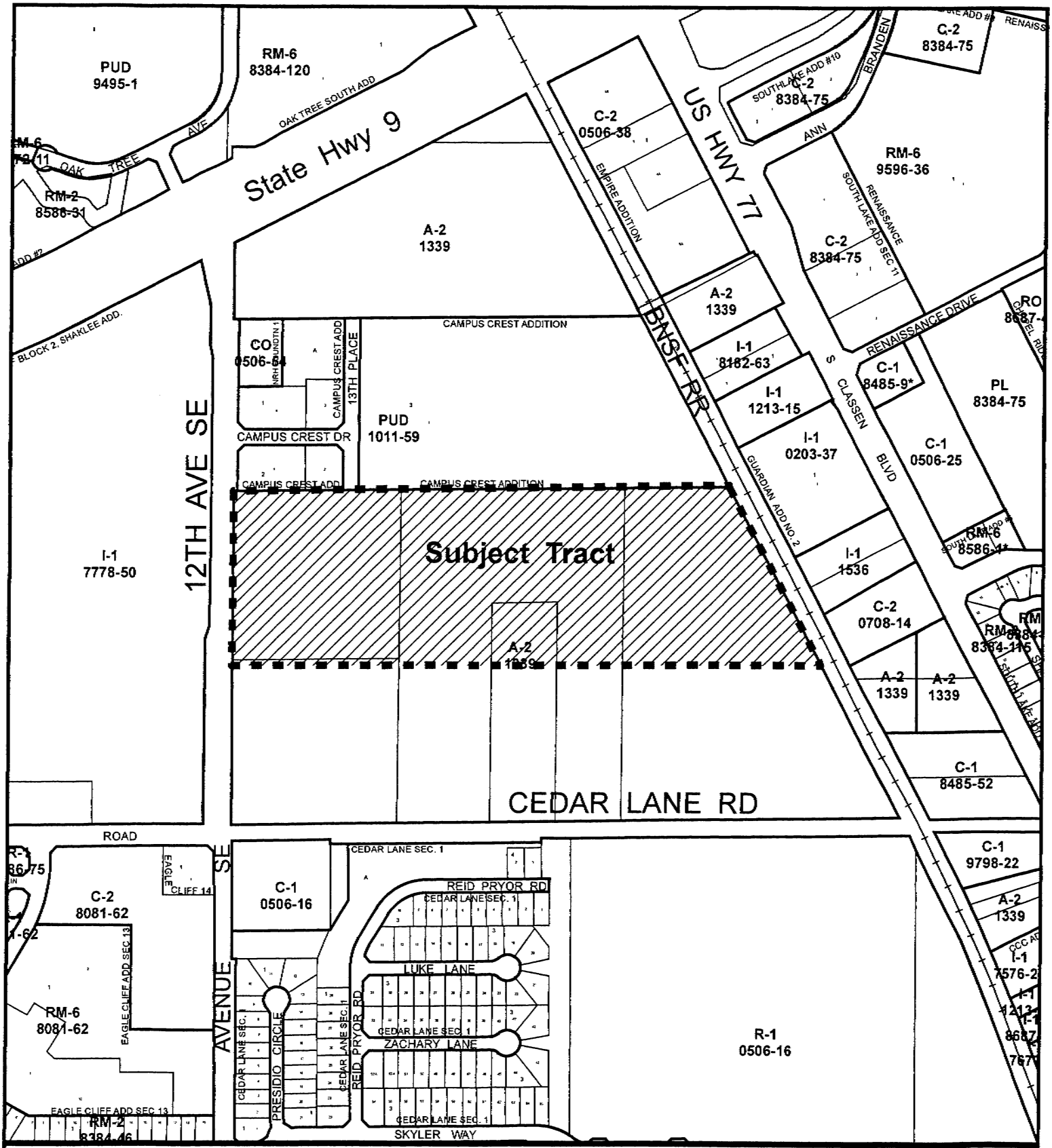
ATTEST:

_____
(City Clerk)

NOT ADOPTED this _____day of

_____, 2013.

_____
(Mayor)



Location Map

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

N W E S

April 10, 2013

0 250 500 Ft.

Subject Tract

Zoning

6-3

G:\ArcGIS10 MapTemplates\8x11_LocationMapArcMap10.mxd

ORDINANCE NO. O-1213-56 ITEM NO. 13b

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Park 7 Group
REQUESTED ACTION	Rezoning to PUD, Planned Unit Development District
EXISTING ZONING	A-2, Rural Agricultural District
SURROUNDING ZONING	North: PUD, Multi-Family Planned Unit Development East: I-1, Light Industrial District & C-2, General Commercial District South: A-2, Rural Agricultural District West: I-1, Light Industrial District
LOCATION	Property generally located on the east side of 12th Avenue S.E. approximately 620 feet north of Cedar Lane Road
SIZE	32.97 acres
PURPOSE	Student Housing
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Multi-Family East: Industrial, Commercial & Burlington Northern Railroad South: Residential West: Industrial

SYNOPSIS: The applicant has submitted a request to rezone an undeveloped tract of land from A-2, Rural Agricultural District to PUD, Planned Unit Development for a student housing project. The land under review was set aside on the 2025 Plan as Low Density Residential; this proposal will designate the property as Medium Density Residential. The development will consist of 304 units with 950 bedrooms for a student housing development.

ANALYSIS: The particulars of this PUD include:

1. USE As proposed, the project will be a student housing development focusing on the University of Oklahoma students for their residents. The project will consist of 304 units, 950 bedrooms, with associated amenities of a pool and clubhouse.

2. DESIGN: One entrance to the subdivision is proposed from 12th Avenue SE. There will be three-story buildings developed on this site. The landscaping shall be provided in conformity to the City of Norman Landscape Ordinance. The developer reserves the right to gate the community and agrees that if gated it will be designed to City standards.

2. OPEN SPACE: There are open space and green space areas located throughout the development. The open space area totals 50%.

3. PARKING: The parking is distributed throughout the development, in number of spaces that meet the City requirements. The PUD states 1,097 parking spaces will be provided. This equals out to approximately 3.6 parking spaces per dwelling unit.

4. LIGHTING: The lighting proposed for the site shall be installed in conformance with the City of Norman Commercial Outdoor Lighting Standards.

5. SIGNAGE: All signage shall be in conformance with the City of Norman's sign codes. The additional comment in the PUD stated "signs may be lit and landscaped with appropriate vegetation and planter boxes designed so as not to interfere with traffic sight lines."

6. FENCING: There are several homes to the south of this development. These homes face Cedar Lane Road. There is a great deal of agricultural land between this development and the single-family homes; however, the applicant has agreed to fence the south side of this development to screen those single-family homes from this development.

ISSUES:

- **OIL WELL** There is an existing well site and tank battery located on this tract of land. The site development plan has been redesigned to meet the building setback requirements for those areas and all City oil and gas well regulations.

OTHER AGENCY COMMENTS:

- **PARK BOARD** The developer has proposed fee-in-lieu for parkland. However, this application is moving forward without Parks Board decision as they meet after the printing of the Planning Commission Agenda. Staff will provide additional information at the Planning Commission meeting.

- **PUBLIC WORKS** A Traffic Impact Study was submitted and reviewed by staff. Detention will be provided for storm water run-off. Water and sanitary sewer is

available to the property. Interior sanitary sewer is private. Interior water lines will be installed per City standards to serve for fire protection.

STAFF RECOMMENDATION: The recent development is this area, the Campus Crest Grove PUD student housing development directly to the north of this proposed development and another multi-family development at Cedar Lane Road and 24th Avenue SE have created several higher density developments. This proposed PUD provides adequate regulations and zoning requirements for a multi-family development.

Staff recommends approval of Ordinance 1213-56.

PARK7 GROUP ADDITION

NORMAN, OKLAHOMA

OWNER: PARK7 GROUP

APPLICATION FOR 2025 PLAN CHANGE
PLANNED UNIT DEVELOPMENT
PRELIMINARY PLAT

Originally submitted on 13 May 2013
Revised 6 June 2013

PREPARED BY:

THE RIEGER LAW GROUP
Attn: Sean Paul Rieger
S.P. Rieger, PLLC
136 Thompson Drive
Norman, Oklahoma 73069-5245

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I. INTRODUCTION

This PARK7 GROUP ADDITION project (the "**Addition**") is proposed as a Planned Unit Development and Preliminary Plat of roughly 32.97 acres, in Ward 7 of the City of Norman (see attached **EXHIBIT A**). The Addition lies on the east side of 12th Avenue Southeast, between State Highway 9 and East Cedar lane Road, in Norman, Oklahoma. The Addition will provide the development of multifamily, medium density residential units. The project is primarily focused upon campus student housing, catering to students at the University of Oklahoma.

The Developer, Park7 Group is an integrated real estate development, construction and management organization, focusing exclusively on student housing. Park7 is a national student housing developer, headquartered in New York, NY.

II. PROPERTY DESCRIPTON/GENERAL SITE CONDITIONS

A. Location

The Addition lies on the east side of 12th Avenue Southeast, between State Highway 9 and East Cedar lane Road, in Norman, Oklahoma.

B. Existing Land Use and Zoning

The Subject Property is currently 2025 Planned for Low Density Residential and is currently zoned A-2, Rural Agricultural District. The Property is currently undeveloped raw land, with 12th Avenue Southeast abutting the Property to the west, with Astellas I-1 zoned property across 12th Ave. To the immediate north is a very similar student housing abutting the Property, in the Campus Crest Grove PUD Addition. To the east is the BNSF railroad and commercial and industrial uses beyond the railroad. To the south is more A-2 Rural Agricultural raw land, with a few older single family homes, and then Cedar Lane further south. No buildings or habitable structures exist within the Property being proposed under this PUD.

C. Elevation and Topography

The site is generally flat with very low slope topography. No portion of the site is in the FEMA 100-year flood plain.

D. Drainage

A Drainage Impact Analysis has been prepared to illustrate the detention requirements that are required and the solutions planned.

E. Utility Services

Many of the required utility systems for the project (including water, sewer, gas, telephone and electric) are currently located adjacent to, or in very near proximity to, the boundaries of the Property. Many of the services exist along the 12th Avenue Southeast arterial.

F. Fire Protection Services

Fire Protection services will be provided by the City of Norman Fire Department and by Owner as required by building codes.

G. Traffic Circulation and Access

Primary vehicular access to the site will be provided by way of the 12th Avenue Southeast arterial, which borders the Property. The drives and access corridors within the Property will be private.

III. DEVELOPMENT PLAN AND DESIGN CONCEPT

The Addition is planned to accommodate medium density residential uses. The Exhibits attached hereto, and as submitted by the project Engineer, SMC Consulting Engineers, are incorporated herein by reference and further depict the development criteria.

A. Medium Density Residential District

The proposed improvements in the PUD are as planned on the attached Preliminary Site Development Plan, **EXHIBIT B** hereto.

1. Uses; Design

The purpose for the PUD is to extend the RM-6, Medium Density Apartment District, zoning provision and apply its provisions from the City of Norman zoning code, unless as amended herein (to the extent of any contradiction between the provisions of this PUD and the proposed designs and exhibits submitted with this PUD and the City Zoning Ordinance, this PUD and its proposed designs and exhibits as submitted shall control):

a. The proposed intensity of uses shall be approved as put forth on attached **EXHIBIT C**.
b. Height: Structures may not exceed three stories, or forty (40) feet, whichever is greater.
c. Density: The Addition may be developed to a density of up to a maximum of 950 bedrooms on the 32.97 acre site, which calculates to

28.8 bedrooms per acre (the project is currently shown as planned with 904 bedrooms – the 950 amount is intended to provide some flexibility in final design work). The actual unit count may vary so long as the total bedroom count does not exceed the maximum 950 bedrooms. Currently, as submitted, the project plans approximately 304 residential units over 32.97 acres, which is a planned density of 9.22 units per acre. However, the units per acre may increase if the Developer desires to construct smaller units with fewer bedrooms than what is currently proposed. In so doing, the Developer would increase the number of units, and thus increase the density of units per acre, but it would not increase the density of bedrooms per acre.

d. Impervious Area: the total amount of impervious area, including all building footprints and paved areas shall not cover more than sixty five (65) percent of lot area, or as necessary to accommodate the proposed Preliminary Site Development Plan as submitted herewith, whichever is greater.
e. Accessory Buildings: Accessory buildings such as, but not limited to, a common area clubhouse and related uses are allowed and may contain uses consistent with, but not limited to, office, fitness, residents' movie theater, game room, library, lounge, meeting room, swimming pool and accessory buildings, model unit, maintenance and equipment rooms, etc. Accessory buildings not exceed the height of the principal residential buildings and shall be in harmony with the adjacent buildings.
f. Athletic and recreational courts, sidewalks, and other site plan amenities and facilities are allowed as support uses within the residential district.
g. All other minimum building setbacks shall be maintained as per the City Council approved Preliminary Site Development Plan, which is attached herewith and as shown on **EXHIBIT B.**

2. Parking

Parking may be accommodated by way of common area parking lots within the district, and/or by way of parallel parking along the private streets within this residential area. The areas allowing parallel parking will provide a 20' (twenty-foot) clear aisle for emergency vehicles. The Applicant is providing substantial parking far in excess of the City of Norman requirements. Parking is shown as providing roughly 1,097 spaces for the 304 units, resulting in 3.6 spaces per unit.

3. Dumpster and Trash Enclosures

A trash compactor and its enclosure may be located on site to facilitate resident trash removal. Any dumpster enclosure will be built of materials to be compatible with the building exteriors in the Addition. Location of

dumpsters and compacters will be as approved by the City of Norman Sanitation department. Dumpsters will be built to city standards.

B. Miscellaneous Development Criteria

1. Site Plan and Final Plat

The preliminary site development plan for the medium density residential areas currently submitted with this PUD shall be incorporated herein as an integral part of the PUD and the development of the property shall be substantially constructed as presented thereon, although the PUD may be further refined once final site development plans are submitted with final plat, subject to City Staff approval.

2. Open Space

Open space and green space areas are located throughout the Addition. Within the area of the Addition, open green space totals are as submitted by the civil engineer SMC Consulting Engineers and will be inserted as **EXHIBIT D**.

3. Signage

All signage shall be in conformance with the City of Norman's sign codes, as amended from time to time, and comply with applicable district regulations.

Signs may be lit and landscaped with appropriate vegetation and planter boxes designed so as not to interfere with traffic sight lines.

4. Fencing

Fencing may be constructed at all perimeter areas of the Addition, and within the Addition, per the Developer's discretion. Construction material may be of masonry, pre-cast concrete, metal/iron, or wood, or any combination thereof, and other materials as compatible with the building structures. Fencing will constructed along the south boundary of the development to adequately screen the existing single family homes to the south and provide privacy to those homes.

5. Traffic access/circulation/parking and sidewalks

The access to the PUD will be from 12th Avenue Southeast. Developer reserves the option to provide gated access at 12th Avenue Southeast, subject to any such gated entry being designed per the City of Norman standards as required for emergency vehicle access and adequate traffic

control. Landscape buffers will accommodate all City of Norman traffic division sight triangle requirements. All internal drives and streets will be private and will have adequate circulation provided for the fire department and City Waste Management Services.

All interior sidewalks will be at least four feet (4') wide and provide adequate access to the buildings along with all project amenities. A five-foot wide City sidewalk will be provided generally along 12th Avenue Southeast as it abuts the Addition, constructed to City of Norman Standards.

6. Lighting

All exterior lighting shall be installed in conformance with the City of Norman commercial outdoor lighting standards, as amended from time to time.

7. Landscaping

Landscaping shall be provided in conformity to City of Norman ordinances.

8. Public Parkland

The Developer proposes fee in lieu of as the public park land solution. The residents of the Addition will have ample recreational opportunities and amenities within the gated Addition. Consequently, fee in lieu of will provide an opportunity for the City to apply additional funds to other area parks.

9. Oil Well accommodations

The Developer has been in contact with and working with the oil and gas operator on the site. The Developer proposes to accommodate the oil and gas operations as shown on attached **EXHIBIT E**.

10. Phased Development

The project may be developed in two or more phases to allow for market absorption. The phasing will occur from west to east across the development, with the frontage on 12th to be the first stage.

EXHIBIT A

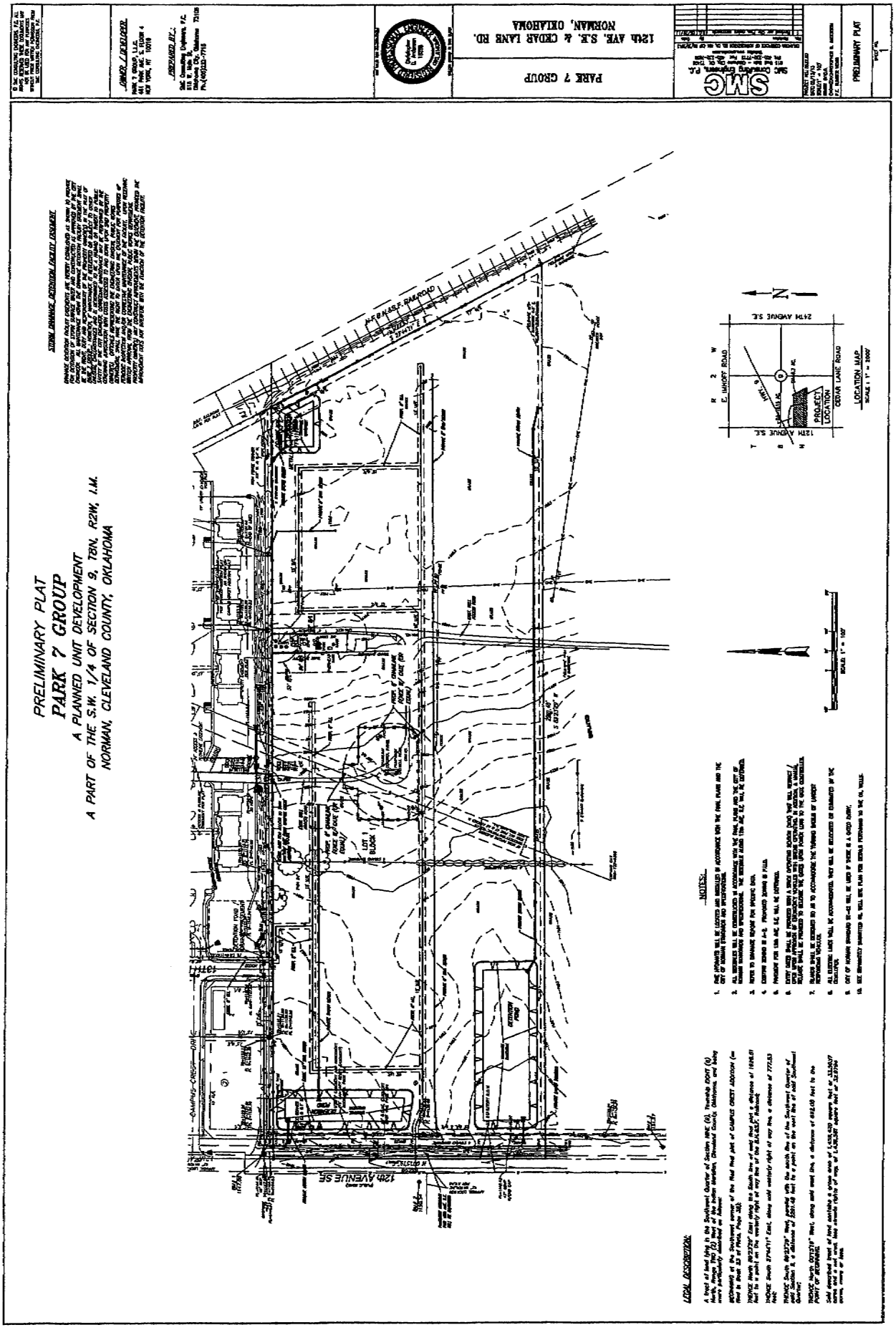

PRELIMINARY PLAT
PARK 7 GROUP
A PLANNED UNIT DEVELOPMENT
A PART OF THE S.W. 1/4 OF SECTION 9, T8N, R2W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA
PARK 7 GROUP
12th AVE. S.E. & CEDAR LANE RD.
NORMAN, OKLAHOMA
PRELIMINARY PLAT
LOCATION MAP
12th AVENUE S.E.
24TH AVENUE S.E.
CEDAR LANE ROAD
PROJECT LOCATION
NOTES:
LEGAL DESCRIPTION:

EXHIBIT B

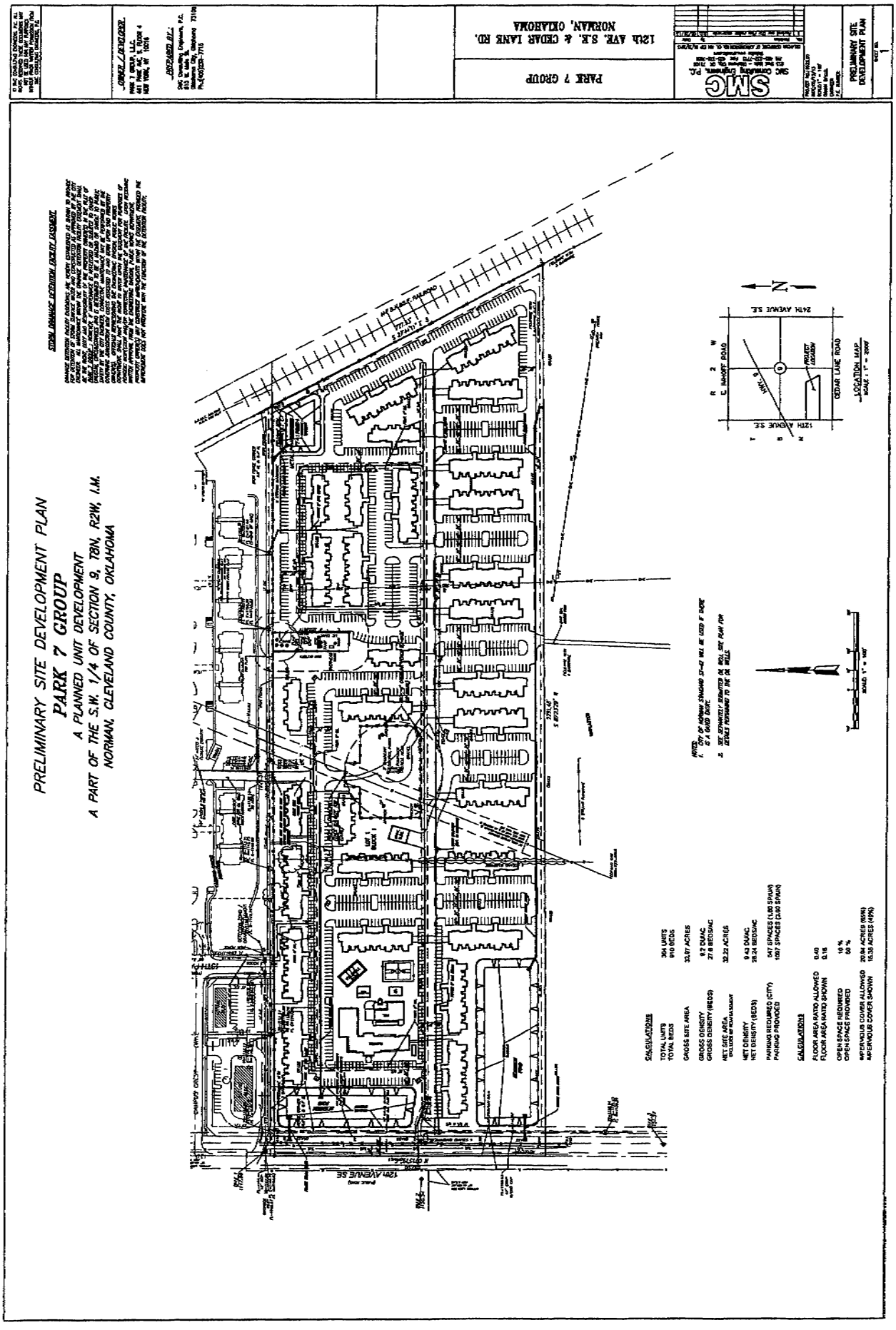

PRELIMINARY SITE DEVELOPMENT PLAN
PARK 7 GROUP
A PLANNED UNIT DEVELOPMENT
A PART OF THE S.W. 1/4 OF SECTION 9, T8N, R2W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA
PARK 7 GROUP
12th AVE. S.E. & CEDAR LANE RD.
NORMAN, OKLAHOMA
SMC
PRELIMINARY SITE DEVELOPMENT PLAN
12th AVENUE SE
24TH AVENUE S.E.
CEDAR LANE ROAD
LOCATION MAP

EXHIBIT C

Calculations of Intensity of Uses

CALCULATIONS

TOTAL UNITS	304	UNITS
TOTAL BEDS	910	BEDS
GROSS SITE AREA	32.97	ACRES
GROSS DENSITY	9.2	DU/AC
GROSS DENSITY (BEDS)	27.6	BEDS/AC
NET SITE AREA EXCLUDES 50' ROW EASEMENT	32.22	ACRES
NET DENSITY	9.43	DU/AC
NET DENSITY (BEDS)	28.24	BEDS/AC
PARKING REQUIRED (CITY)	547	SPACES (1.80 SP/UN)
PARKING PROVIDED	1097	SPACES (3.60 SP/UN)

CALCULATIONS

FLOOR AREA RATIO ALLOWED	0.40	
FLOOR AREA RATIO SHOWN	0.16	
OPEN SPACE REQUIRED	10	%
OPEN SPACE PROVIDED	50	%
IMPERVIOUS COVER ALLOWED	20.94	ACRES (65%)
IMPERVIOUS COVER SHOWN	15.36	ACRES (49%)

PARK 7 GROUP
OPEN SPACE EXHIBIT
MAY 13, 2013

AREA = 32.68 ACRES

OPEN SPACE = 17.06 ACRES

OVER 50%

SCALE: 1" = 225'

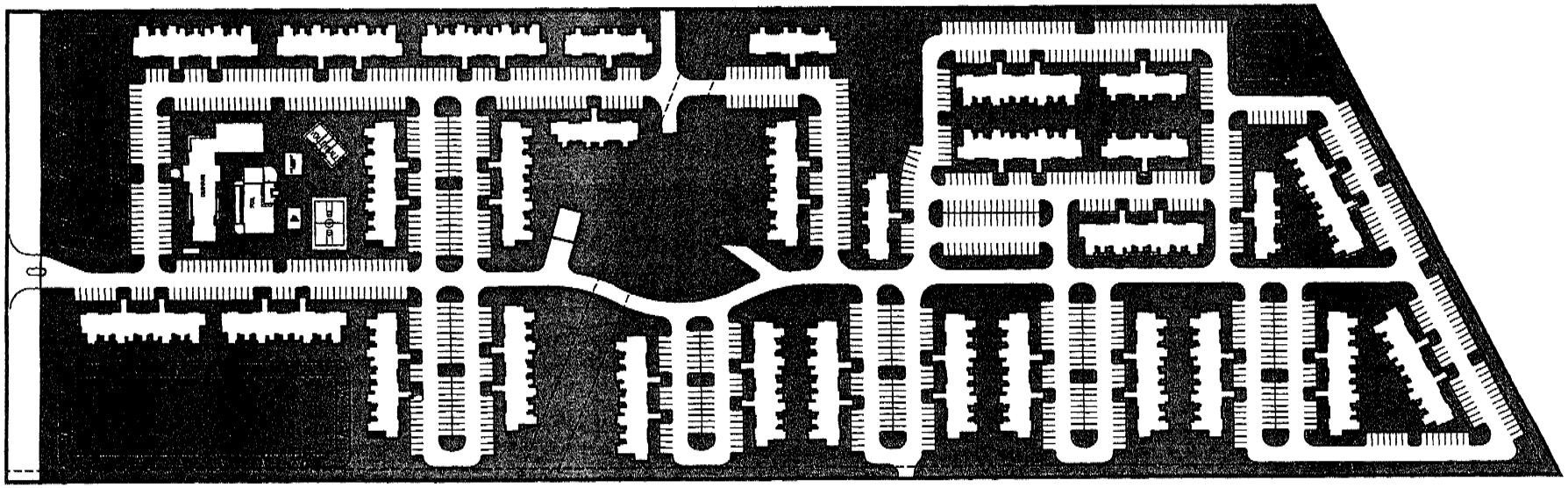
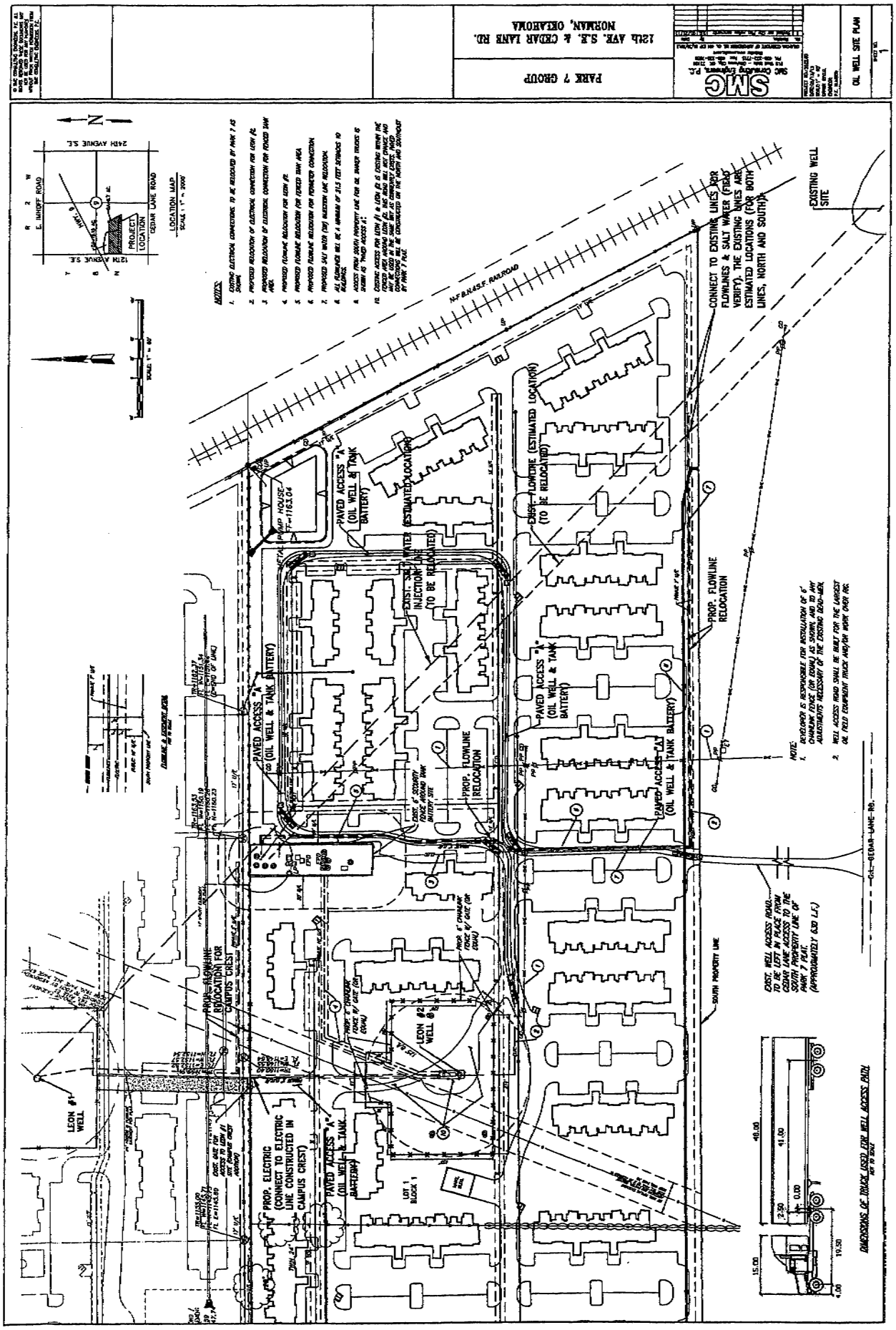


EXHIBIT D

EXHIBIT E



PARK 7 GROUP
12th AVE. S.E. & CEDAR LANE RD.
NORMAN, OKLAHOMA
SMC
OIL WELL SITE PLAN
LOCATION MAP
PROJECT LOCATION
CEDAR LANE ROAD
24TH AVENUE S.E.
12TH AVENUE S.E.
E. IMHOFF ROAD
N-F B.N.&S.F. RAILROAD
EXISTING WELL SITE
CONNECT TO EXISTING LINES FOR FLOWLINES & SALT WATER (FIELD VERIFY). THE EXISTING LINES ARE ESTIMATED LOCATIONS (FOR BOTH LINES, NORTH AND SOUTH)
PAVED ACCESS "A" (OIL WELL & TANK BATTERY)
EXIST. SALT WATER INJECTION LINE (TO BE RELOCATED)
EXIST. FLOWLINE (ESTIMATED LOCATION) (TO BE RELOCATED)
PROP. FLOWLINE RELOCATION
PROP. FLOWLINE RELOCATION FOR CAMPUS CREST
PROP. ELECTRIC (CONNECT TO ELECTRIC LINE CONSTRUCTED IN CAMPUS CREST)
LEON #1 WELL
LEON #2 WELL
LOT 1 BLOCK 1
SOUTH PROPERTY LINE
CEDAR LANE RD.
EXIST. WELL ACCESS ROAD TO BE LEFT IN PLACE FROM CEDAR LANE ACCESS TO THE SOUTH PROPERTY LINE OF PARK 7 PLAT. (APPROXIMATELY 630 L.F.)
DIMENSIONS OF TRUCK USED FOR WELL ACCESS PATH

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

JUNE 13, 2013

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 13th day of June 2013. 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 Tom Knotts called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

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

A quorum was present.

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

* * *

Item No. 13, being:
RESOLUTION NO. R-1213-139 – PARK 7 GROUP REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-1213-14) FROM LOW DENSITY RESIDENTIAL DESIGNATION TO MEDIUM DENSITY RESIDENTIAL DESIGNATION FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 12TH AVENUE S.E. APPROXIMATELY 620 FEET NORTH OF CEDAR LANE ROAD.

ITEMS SUBMITTED FOR THE RECORD:
1. 2025 Map
2. Staff Report
3. Pre-Development Summary

and
ORDINANCE NO. O-1213-56 – PARK 7 GROUP REQUESTS REZONING FROM A-2, RURAL AGRICULTURAL DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT, FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 12TH AVENUE S.E. APPROXIMATELY 620 FEET NORTH OF CEDAR LANE ROAD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. PUD Narrative & Exhibits

and
PP-1213-19 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY PARK 7 GROUP (SMC CONSULTING ENGINEERS, P.C.) FOR PARK 7 GROUP ADDITION, A PLANNED UNIT DEVELOPMENT FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 12TH AVENUE S.E. APPROXIMATELY 620 FEET NORTH OF CEDAR LANE ROAD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Preliminary Site Development Plan
6. Oil Well Site Plan
7. Request for Variance for Construction of a Cul-de-sac
8. Exhibit A

PRESENTATION BY STAFF:
1. Jane Hudson – The application is for Park 7 Development. They're requesting a Land Use and Transportation Plan amendment from Low-Density Residential to Medium-Density Residential Designation. Here's the existing land use and transportation plan designation for the area currently. We've got industrial to the west. Under construction right now, a medium density residential apartment complex with some additional office to the north. Then we've got the low density residential area to the south. Across the railroad tracks, more industrial uses with some commercial as well. If approved, it would grow the medium density residential into this tract. The rezoning is from A-2 to Planned Unit Development for multi-family use. Again, the current zoning is a low-density residential; it's currently A-2 – it's agricultural, actually, with industrial to the west and the Planned Unit Development for multi-family to the north, and again the industrial on the east side and the commercial. Existing land use – we've got some single-family homes that will be south of this development, which are on Cedar Lane Road, and some more single family homes that are going in on the south side of Cedar Lane, and the multi-family on the north side. This is a photo of the site looking from 12th to the east. This is Astellas on the west side, heavily buffered with trees. This is on the west side looking north slightly; you can see the access to Highway 9 at the stop light. This is another shot of the site. There are some oil tankers and oil well on that site. Some of that stuff will have to be buffered and some of it may even be relocated – I'm not sure at this point. That's the site looking to the east. Again, there's the south – you can

see the single-family homes in the distance. This is another shot just to show you a photo of the multi-family that is being built on the north side. Staff received no protests for this. We feel like it's an appropriate location for another multi-family use since there's one to the north. Staff supports the recommendation for Resolution No. R-1213-139 and Ordinance No. O-1213-56. The applicant's representative is here with a presentation and will be available for questions as well.

2. Mr. Boeck – What kind of street improvements are they doing? Usually with a development you have to widen lanes or put in curb and gutter. Ms. Hudson – I can't speak to that. I'm not sure if they are deferring it.

PRESENTATION BY THE APPLICANT:

1. Sean Rieger, 136 Thompson Drive, representing the applicant – I tend to be a little superstitious, so when you rattled off the 13s, I hadn't thought about that, but hopefully it will not affect us tonight. I will answer your question, Commissioner Boeck, with Tom McCaleb here after I get through showing you about the project. It is an important question because of the project happening on 12th and Cedar Lane. Let me take you through what the project is. Park 7 Group. This is, as Jane showed you, she showed you the location. Just to reiterate, what we're basically doing is mimicking the 2025 immediately to the north of us; we're simply doing the same thing that's immediately to the north of us and extending it just a little bit south. And the same thing here, zoning would be doing the same thing that's immediately to the north of us and extending it south. There's the filed preliminary plat. It is one lot. It has the option to be a gated community. One lot developments like these are actually good for the City because it's the developer that maintains everything within them. You're not maintaining the streets and the roads and the drives; it's the developer that maintains all of that going forward. That's the filed preliminary site plan. I have a better view of that here as we go through it. That's a view just of the area with this put on top of the aerial, and that's the Campus Crest development to the north of it. This is the site plan for this project, and to talk you through it a little bit, it's about a 33 acre site. 12th Avenue right over here on the left. The entry is, more or less, in the middle of the development. You see detention basins on each side of the entry and, basically, arranged along the spine. You see the spine going right through the site. The main feature piece at the entry point is a clubhouse – really quite a striking clubhouse. I'll show you that in just a moment. That's where most of the activity will happen for the residents as they come together in this space and enjoy each other's company. The residential dwelling units then are arrayed around that large spine. It's important to note that they are orienting all their buildings so the views happening east and west, so in anticipation of future development to the south these buildings do not look south into the area; rather they look east and west as they're oriented along the south space here. Significant green space left, and they have green spaces in between each of the buildings again for the residences. It equates to about 52 percent of open space across this development. It has a wide variety of units within the development. They've planned to do it in two phases, probably about 77 percent of the units will be built initially and left with about 23 percent to build later. Again, a wide variety of uses, all the way from studio spaces to five-bedroom townhomes, and everything in between. This complex has many different options to offer for the students that come. It is focused on students. It is student housing. Of course, legally we do not just say that we can only rent to students, but that is the primary focus of the project, and that's who it will be oriented towards, just like Campus Crest, which is right here. Campus Crest orients toward students as well. The location – you see all of the student housing – much of it in this area – continuing to be that case. The distance is really very close – about two miles if you head up that way to the Lloyd Noble CART loop, and about 2.7 miles to the stadium, and that's actual travel distance, not as the crows fly.

Developer profile, just a quick viewpoint on this. This developer is a large, national developer. Since 1998 they've done over 7,500 units in 13 states. They are here tonight all the way from Manhattan, New York. They had trouble getting here today; thankfully they made it through their weather on the east side of the country and they got here just a short time ago.

But they are a build and hold philosophy. The own, manage, develop and construct their units across the country.

This is the clubhouse as you would see it from 12th Avenue – really quite a striking feature – a modern piece. That would be the entry building off of 12th Avenue. This is the back side of it – a resort style pool. You see the seating at the pool, fountains around the pool. Within this clubhouse – this is when you think back to college and you think I didn't quite live like this, but this is how they're doing it nowadays and you see a 24/7 access fitness center, resort style pool and spa, yoga studio, computer lab, cyber café, computer room and study center, stand-up tanning beds, game room, poker tables – not house money; we do not sponsor wagering here, but they will have that – movie theater, golf simulator. You name it, they will have it on this site. This is really quite an impressive development that will be there for the students. Site amenities, again, in this main area around the clubhouse and the resort style pool – basketball court, sand volleyball court, extensive bike racks. We anticipate significant biking from this area, particularly with the 12th Avenue and Cedar Lane bike lanes that are going to be put into the area, and biking up to the OU campus. But shuttle service is provided. This developer provides shuttle service to the campus for their residents, so that's not necessarily a need, but we think it could be something they do quite a bit of. There's a typical elevation of one of the units. You see different articulations and colors and materials. Unit amenities – I'm going to kind of breeze through these, but really fairly high-end things – hardwood style floors, stainless steel appliances. This is clearly marketing to the high end of students and with all the amenities I think they'll probably get them on this site. Get you a quick view. Again many different schemes within the site. This is just one of many different arrangements they offer. This is the 3-bedroom flat. Each bedroom – fairly large bedrooms. You see the size of that bed. Large walk-in closets. Each bedroom having its own restroom – bathroom. Fairly significant improvements.

This one comes to you as clean as they get. There is no protests, broad support, staff support, Parks Board unanimous approval. Pre-Development two neighbors showed up; both were in support. There are no protests. Greenbelt Commission was positive; they liked the open space within this and the arrangement of it. And, with that, the developer is here. The engineer is here, and the traffic person is here as well. I will ask Tom to come up and answer the question about the road construction. There has been quite a bit of discussion with him and staff on that point.

2. Tom McCaleb, engineer for the applicant – This project does have those requirements, Mr. Boeck. The previous project – the one north, Campus Crest – when we did that one, that was in the interim time. The City was contemplating having a real project there, so the staff asked us to defer those paving costs, which Campus Crest did. So they've given the check to the City. The staff is again asking us to defer these costs the same way we did Campus Crest. If you read the staff report, and I'm sure you have, the City has asked us to do a TIA. We did one – Traffic Impact Analysis – to review traffic. In that, we determined that a left turn lane will be added, and we're going to defer that cost, add it to the City costs to that project. In addition, there's an interim situation that we want to take care of now. Interim means right now, after we build the thing, and before the City starts their project. We're not sure how those days will comingle, but we anticipate that we may be in operation prior to that City project happening. So we have an interim situation that we're going to accommodate and the developer will take care of the interim situation by restriping 12th to Highway No. 9, doing a lane there – striping a lane on No. 9 access, and fixing the red light so it will accommodate both those lanes. So that is expended from this developer. Hope that answers your question.

AUDIENCE PARTICIPATION:
None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Dave Boeck moved to recommend adoption of Resolution No. R-1213-139, Ordinance No. O-1213-56, and PP-1213-19, the Preliminary Plat for PARK 7 GROUP ADDITION, A Planned Unit Development, with a variance in the requirement for the construction of a cul-de-sac terminating 13th Place, to City Council. Curtis McCarty seconded the motion.

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

YEAS	Curtis McCarty, Cindy Gordon, Dave Boeck, Sandy Bahan, Tom Knotts
NAYS	None
ABSENT	Jim Gasaway, Roberta Pailes, Andy Sherrer, Chris Lewis

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1213-139, Ordinance No. O-1213-56, and PP-1213-19, the Preliminary Plat for PARK 7 GROUP ADDITION, A Planned Unit Development, with a variance in the requirement for the construction of a cul-de-sac terminating 13th Place, to City Council, passed by a vote of 5-0.

* * *

RECESS
7:37 to 7:46 p.m.

* * *

City of Norman, OK

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

Master

File Number: O-1314-5

File ID:	O-1314-5	**Type:**	Ordinance	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 7	**In Control:**	City Council
Department:	Utilities Department	**Cost:**		**File Created:**	07/16/2013
File Name:	Amending Recycling Service Provisions			**Final Action:**	

Title: CONSIDERATION OF ORDINANCE NO. O-1213-5 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTIONS 21-111 AND 21-201 OF CHAPTER 21 OF THE CODE OF THE CITY OF NORMAN TO AMEND THE FREQUENCY OF RECYCLING COLLECTION, THE TYPE OF RECYCLING CONTAINERS UTILIZED, AND THE MATERIALS TO BE RECYCLED; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Notes: ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1314-5 upon First Reading by title.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 7

Attachments: Text File O-1314-5, O-1314-5, O-1314-5 Annotated

Project Manager: Ken Komiske, Director of Utilities

Entered by: kathryn.walker@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File O-1314-5

body

BACKGROUND: The City began offering curbside recycling service after Norman voters approved an additional mandatory $3 rate for the new service in 2007. The initial contract (K-0708-101; approved October 23, 2007) for the service was with Waste Management of Oklahoma and included weekly pickup of an eighteen (18) gallon bin of recyclables from single-family dwellings in urban Norman only. Recyclables under the contract with Waste Management include newsprint, magazines, office and mixed paper, phonebooks, soda bottles, aluminum, steel and tin cans, glass bottles, and #1-7 plastics. Cardboard products, including corrugated cardboard, chipboard, and boxboard are not acceptable recyclables under the 2007 contract with Waste Management. Under the 2007 contract, recyclables were to be separated into two streams by the Contractor as the recyclables were collected at the curb ("dual-stream").

After the citizen's voted to approve the monthly rate for this service, Council approved several ordinance amendments that set forth how the service would be implemented. The original contract for curbside recycling has expired and the City approved a new contract with Allied Waste Services in March 2013. Service under the new contract will begin August 5, 2013.

The new contract calls for the use of a 95-gallon polycart. Materials that can be recycled under this Contract include the items our customers are able to recycle at the curbside now (aluminum, steel and tin cans, newspaper and newspaper inserts, magazines, catalogs, all junk mail and envelopes, office and school paper, phone books, glass bottles and jars, plastic milk jugs, and plastics labeled No. 1 through No. 7) as well as cardboard, cereal and cracker type boxes, paper milk cartons and plastic bags. Because of the container size, the recyclables will be collected every other week on the same day as regular trash service. Recyclables will no longer be sorted because of a new Materials Recovery Facility (MRF) available in the area for single-stream recycling. Ordinance No. O-1314-5 updates the relevant provisions of the City Code to be consistent with the contract with Allied Waste.

DISCUSSION: Ordinance No. O-1314-5 updates all references in Section 21-111 and 21-201 of the City Code to refer to a 95-gallon container for recycling instead of an 18-gallon container. Additionally, it clarifies that recycling collection will occur every other week instead of weekly. Finally, it updates the service provisions regarding what materials can be recycled in the provided container.

RECOMMENDATION: Staff recommends approval of Ordinance No. O-1314-5 upon Second Reading.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTIONS 21-111 AND 21-201 OF CHAPTER 21 OF THE CODE OF THE CITY OF NORMAN TO AMEND THE FREQUENCY OF RECYCLING COLLECTION, THE TYPE OF RECYCLING CONTAINERS UTILIZED, AND THE MATERIALS TO BE RECYCLED; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That Section 21-111 of Chapter 21 of the Code of the City of Norman shall be amended to read as follows:

* * *

(d) For one (1) 95-gallon container supplied by the City or their designated recycling contractor, for recyclable materials, per residential unit:

(1) A "Residential Unit" is a residential dwelling, mobile home or condominium within the urban area of the City of Norman, occupied by a person or group of persons comprising not more than four (4) families. A condominium dwelling, whether of single or multi-level construction, consisting of not more than four (4) units, shall be treated as a Residential Unit, except that each single-family dwelling within any such Residential Unit shall be billed separately as a residential Unit in the amount of three dollars ($3.00) per month.

(2) Curbside recycling shall be provided for all urban residential customers at an additional cost of three dollars ($3.00) per month.

(3) Residential and mobile home users under section (1) above, who are low income as defined by Section 8 of the Housing Act of 1937, amended by the Housing and Community Development Act of 1974, as annually adjusted, two dollars and forty cents ($2.40) per month.

(4) A Residential Unit under section (1) above, desiring more than one (1) 95-gallon recyclable materials container supplied by the City or their designated recycling contractor, will be charged an additional monthly administrative fee for each additional cart. The administrative fee will be on file in the City Clerk's office.

§ 2. That Section 21-201 of Chapter 21 of the Code of the City of Norman shall be amended to read as follows:

* * *

Recyclable materials:

(a) *Recyclable materials* means items of refuse designated by the City or the City's designated recycling contractor to be part of an authorized recycling program and which are intended for transportation, processing, and re-manufacturing or reuse, including aluminum, steel and tin cans; newspaper and newspaper inserts; magazines and catalogs; all junk mail and envelopes; cardboard; office and school paper (all colors); phone books; cereal and cracker type boxes, brown paper sacks and bags; glass bottles and jars; plastics labeled Nos. 1 through Nos. 7; plastic milk jugs; paper milk cartons; and plastic bags.

(b) All owners, occupants, or other persons in charge of any residential premises within the urban area of the City of Norman shall place all materials to be recycled in recycling containers supplied by City or the City's designated recycling contractor. Additional containers are available for an additional cost to the Residential Unit.

(c) All supplied containers used for holding recyclable materials shall be maintained in good condition by the user.

(d) Recyclable material, which shall be placed in the recycling container, will be collected one (1) time every other week. The recycling container shall be placed no more than two (2) feet from the curbside, or alleyside, unless a curb does not exist, then no more than two (2) feet from the line where the street surface begins. Recyclable materials may also be placed in the drive approach no more than two (2) feet from the line where the street surface begins. In all cases, the recycling container shall be placed as to provide clearance of at least two (2) feet on either side of the cart. Recycling containers should not be combined with any solid waste or yard waste. The location of the recycling container must be clearly visible and outside any yard fencing. A waiver of this requirement may be obtained from the Director of Utilities upon proof of physical disability which prevents all persons at the residence from taking recyclable materials to the curb.

(e) Recycling containers and/or paper bags or sacks must be placed within two feet (2') of the curb no earlier than 12:00 p.m. the day prior to collection and the recycling container(s) must be removed from the curbside, and placed at the house side, no later than 12:00 p.m. the day following collection. This requirement shall not apply to residents with alley service nor rural estate customers. Failure to comply with this provision shall result in a ten dollar ($10.00) administrative fee, to be assessed as set forth in Section 21-107(i).

(f) Proof that a recyclable material container was not removed as required by subsection (e) shall constitute a rebuttable presumption that the utility account holder was the person who failed to comply with subsection (e).

§ 3. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this _____ day

of _____, 2013.

_____
Cindy Rosenthal, Mayor

ATTEST:

_____
Brenda Hall, City Clerk

NOT ADOPTED this _____ day

of _____, 2013.

_____
Cindy Rosenthal, Mayor

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTIONS 21-111 AND 21-201 OF CHAPTER 21 OF THE CODE OF THE CITY OF NORMAN TO AMEND THE FREQUENCY OF RECYCLING COLLECTION, THE TYPE OF RECYCLING CONTAINERS UTILIZED, AND THE MATERIALS TO BE RECYCLED; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That Section 21-111 of Chapter 21 of the Code of the City of Norman shall be amended to read as follows:

* * *

(d) For one (1) 95-gallon ~~18-gallon~~ container supplied by the City or their designated recycling contractor, for recyclable materials, per residential unit:

(1) A "Residential Unit" is a residential dwelling, mobile home or condominium within the urban area of the City of Norman, occupied by a person or group of persons comprising not more than four (4) families. A condominium dwelling, whether of single or multi-level construction, consisting of not more than four (4) units, shall be treated as a Residential Unit, except that each single-family dwelling within any such Residential Unit shall be billed separately as a residential Unit in the amount of three dollars ($3.00) per month.

(2) Curbside recycling shall be provided ~~weekly~~ for all urban residential customers at an additional cost of three dollars ($3.00) per month.

(3) Residential and mobile home users under section (1) above, who are low income as defined by Section 8 of the Housing Act of 1937, amended by the Housing and Community Development Act of 1974, as annually adjusted, two dollars and forty cents ($2.40) per month.

(4) A Residential Unit under section (1) above, desiring more than one (1) 95-gallon ~~eighteen-gallon~~ recyclable materials container supplied by the City or their designated recycling contractor, will be charged an additional monthly administrative fee for each additional cart. The administrative fee will be on file in the City Clerk's office.

§ 2. That Section 21-201 of Chapter 21 of the Code of the City of Norman shall be amended to read as follows:

* * *

Recyclable materials:

(a) *Recyclable materials* ~~means materials, as designated herein, that would otherwise become solid waste than can be source separated, collected, processed, and returned to the economic stream in the form of raw materials or products. Recyclable materials shall include: aluminum cans, newsprint (including glossy colored inserts), magazines, HDPE #2 milk containers and PETE #1 soda bottles, steel cans, tin cans, HDPE #2 colored plastics, glass, and junk mail, but shall specifically exclude old corrugated cardboard (OCC)~~ means items of refuse designated by the City or the City's designated recycling contractor to be part of an authorized recycling program and which are intended for transportation, processing, and re-manufacturing or reuse, including aluminum, steel and tin cans; newspaper and newspaper inserts; magazines and catalogs; all junk mail and envelopes; cardboard; office and school paper (all colors); phone books; cereal and cracker type boxes, brown paper sacks and bags; glass bottles and jars; plastics labeled Nos. 1 through Nos. 7; plastic milk jugs; paper milk cartons; and plastic bags.

(b) All owners, occupants, or other persons in charge of any residential premises within the urban area of the City of Norman shall place all materials to be recycled in recycling containers supplied by City or the City's designated recycling contractor.~~, with the exception of bagged paper which is to be placed into paper bags or sacks.~~ Additional containers are available for an additional cost to the Residential Unit.

(c) All supplied containers used for holding recyclable materials shall be maintained in good condition by the user.

(d) Recyclable material, which shall be placed in the recycling container, will be collected one (1) time every other ~~per~~ week. The recycling container~~, as well as bagged paper placed into paper bags or sacks, and placed to the side of the recycling container,~~ shall be placed no more than two (2) feet from the curbside, or alleyside, unless a curb does not exist, then no more than two (2) feet from the line where the street surface begins. Recyclable materials may also be placed in the drive approach no more than two (2) feet from the line where the street surface begins. In all cases, the recycling container shall be placed as to provide clearance of at least two (2) feet on either side of the cart. Recycling containers should not be combined with any solid waste or yard waste. The location of the recycling container must be clearly visible and outside any yard fencing. A waiver of this requirement may be obtained from the Director of Utilities upon proof of physical disability which prevents all persons at the residence from taking recyclable materials to the curb.

(e) Recycling containers and/or paper bags or sacks must be placed within two feet (2') of the curb no earlier than 12:00 p.m. the day prior to collection and the recycling container(s) must be removed from the curbside, and placed at the house side, no later than 12:00 p.m. the day following collection. This requirement shall not apply to residents with alley service nor rural estate customers. Failure to comply with this provision shall result in a ten dollar ($10.00) administrative fee, to be assessed as set forth in Section 21-107(i).

(f) Proof that a recyclable material container was not removed as required by subsection (e) shall constitute a rebuttable presumption that the utility account holder was the person who failed to comply with subsection (e).

§ 3. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance, except that the effective date provision shall not be severable from the operative provisions of the ordinance.

ADOPTED this _____ day

of _____, 2013.

_____
Cindy Rosenthal, Mayor

NOT ADOPTED this _____ day

of _____, 2013.

_____
Cindy Rosenthal, Mayor

ATTEST:

_____
Brenda Hall, City Clerk

City of Norman, OK

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

Master

File Number: O-1314-6

File ID:	O-1314-6	**Type:**	Ordinance	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 8	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	07/15/2013
File Name:	Ordinance Change for Parking Meter Use			**Final Action:**	

Title: CONSIDERATION OF ORDINANCE NO. O-1314-6 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER 20, SECTION 20-803, OF THE CODE OF THE CITY OF NORMAN TO AMEND AND CLARIFY THE LANGUAGE AS IT RELATES TO PARKING METER USAGE PAYMENT OPTIONS AND OPERATION TIMES; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Notes: ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1314-6 upon First Reading by title.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 8

Attachments: Text File O-1314-6, O-1314-6 Amending Meter Usage and Payment, O-1314-6 Amending Meter Usage and Payment-Anno2

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:

Text of Legislative File O-1314-6

Body

BACKGROUND: The City of Norman currently, under Chapter 20, Section 20-803, defines the matter in which customers must complete transactions at each of the parking meters operated by the City of Norman. The section also defines the times during which customers are required to make payments in order to legally park in metered spaces.

DISCUSSION: The recent installation of modern parking meters in the Downtown Parking Lot and in the Campus Corner Area, along with the adoption of business plans for the operation of the new parking management systems, requires certain updates to the current ordinance. The subject ordinance amendment addresses changes to the method of payment and the times during which payment at the meters is required.

The current ordinance only recognizes the use of coins as an acceptable payment method. An amendment is

needed to recognize the use of tokens, credit cards, smart cards and cell phones, as acceptable payment method options. Additionally, the current ordinance establishes customer meter payment requirements from Monday to Saturday, between 8:00 am and 6:00 pm, except on Holidays. The proposed ordinance amendment allows the City Manager, or his designee, to set the hours of operation administratively.

STAFF RECOMMENDATION: In order to resolve the discrepancy between the language of the Code of Ordinances and the adopted parking Management business plans for the Downtown Parking Lot and the Campus Corner area as it relates to parking meter usage, the Public Works Department recommends adoption of Ordinance O-1314-6 so as to allow additional parking meter payment options and extension of meter operation times.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING ARTICLE VIII, CHAPTER 20 OF THE CODE OF THE CITY OF NORMAN BY AMENDING SECTION 20-803 WHICH CLARIFIES TIMES FOR ENFORCEMENT OF METERS AND METHODS OF PAYMENT FOR METERS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That Section 20-803 of Article VIII of Chapter 20 of the Code of the City of Norman shall be amended as follows:

Sec. 20-803. Parking meter usage.

(a) A person shall only use a metered space according to the directions on the parking meter and posted City signs, including the insertion of necessary payment in the parking meter for any desired period of time. Parking meter rates and times shall be established administratively by the City Manager or his designee.

(b) No person shall deposit or cause to be deposited in any parking meters any method of payment, including coins other than those of the United States, other than those approved methods of payment as indicated by the directions on the meters.

* * *

§ 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.

_____

Cindy Rosenthal, Mayor

NOT ADOPTED this _____ day

of _____, 2013.

_____

Cindy Rosenthal, Mayor

ATTEST:

_____

Brenda Hall, City Clerk

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING ARTICLE VIII, CHAPTER 20 OF THE CODE OF THE CITY OF NORMAN BY AMENDING SECTION 20-803 WHICH CLARIFIES TIMES FOR ENFORCEMENT OF METERS AND METHODS OF PAYMENT FOR METERS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That Section 20-803 of Article VIII of Chapter 20 of the Code of the City of Norman shall be amended as follows:

Sec. 20-803. Parking meter usage.

(a) ~~No~~ A person shall only use a metered space ~~between the hours of 8:00 a.m. and 6:00 p.m. on other than Sundays and holidays, unless otherwise marked by the parking meter card or by posted~~ according to the directions on the parking meter and posted City signs, ~~without inserting~~ the insertion of necessary ~~coins~~ payment in the parking meter for any desired period of time. Parking meter rates and times shall be established administratively by the City Manager or his designee.

(b) No person shall deposit or cause to be deposited in any parking meters any method of payment, including coins other than those of the United States, other than those approved methods of payment ~~and~~ as indicated by the directions on the meters.

* * *

§ 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.

_____

Cindy Rosenthal, Mayor

NOT ADOPTED this _____ day

of _____, 2013.

_____

Cindy Rosenthal, Mayor

ATTEST:

_____

Brenda Hall, City Clerk

City of Norman, OK

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

Master

File Number: RPT-1314-3

File ID:	RPT-1314-3	**Type:**	Communication or Report	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 9	**In Control:**	City Council
Department:	Finance Department	**Cost:**		**File Created:**	07/09/2013
File Name:	Finance Director's Report June 2013			**Final Action:**	

Title: SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF JUNE 30, 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: 07/23/2013

Agenda Number: 9

Attachments: Text File Finance Report, Finance Director's Investment Report June 2013

Project Manager: Anthony Francisco, Director of Finance

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 RPT-1314-3

DATE: 02-Jul-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

	MONTHLY COMPARISON				ANNUAL COMPARISON			
FUND	MONTHLY BUDGETED INTEREST EARNINGS FYE13	MONTHLY INTEREST EARNINGS June 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	$1,342	-84.36%	3.34%	$103,000	$14,721	-85.71%	1.94%
NET REVENUE STABILIZATION	N/A	$484	100.00%	1.20%	N/A	$7,469	100.00%	0.98%
PUBLIC SAFETY SALES TAX FUND	N/A	$3,622	100.00%	9.00%	N/A	$54,672	100.00%	7.19%
ROOM TAX FUND	$250	$136	-45.54%	0.34%	$3,000	$1,233	-58.90%	0.16%
CAPITAL PROJECTS FUND	$12,500	$7,996	-36.03%	19.87%	$150,000	$327,978	118.65%	43.13%
SINKING FUND	$2,083	$2,906	39.49%	7.22%	$25,000	$28,628	14.51%	3.76%
G.O. BOND FUND	$167	$0	-100.00%	0.00%	$2,000	$479	-76.03%	0.06%
WESTWOOD FUND	$625	$50	-91.92%	0.13%	$7,500	$5,012	-33.17%	0.66%
WATER FUND	$10,000	$6,036	-39.64%	15.00%	$120,000	$99,272	-17.27%	13.05%
WASTEWATER FUND	$8,333	$3,169	-61.97%	7.88%	$100,000	$48,118	-51.88%	6.33%
DEVELOPMENT EXCISE	$16,667	$4,640	-72.16%	11.53%	$200,000	$72,653	-63.67%	9.55%
SEWER SALES TAX	$5,000	$2,295	-54.11%	5.70%	$60,000	$38,073	-36.55%	5.01%
SANITATION FUND	$2,500	$2,056	-17.75%	5.11%	$30,000	$25,514	-14.95%	3.36%
PARKLAND FUND	$1,250	$379	-69.72%	0.94%	$15,000	$6,073	-59.52%	0.80%
RISK MANAGEMENT FUND	N/A	$377	100.00%	0.94%	N/A	$5,939	100.00%	0.78%
TRUST & AGENCY FUNDS	N/A	$2	100.00%	0.00%	N/A	$29	100.00%	0.00%
TAX INCREMENT DISTRICT	$1,701	$3,764	121.29%	9.36%	$20,415	$11,901	100.00%	1.57%
SPECIAL GRANTS FUND	N/A	$578	100.00%	1.44%	N/A	$6,700	100.00%	0.88%
CLEET FUND	N/A	$8	100.00%	0.02%	N/A	$130	100.00%	0.02%
HOUSING	N/A	$0	100.00%	0.00%	N/A		100.00%	0.00%
SITE IMPROVEMENT FUND	N/A	$15	100.00%	0.04%	N/A	$229	100.00%	0.03%
ARTERIAL ROAD FUND	N/A	$168	100.00%	0.42%	N/A	$2,479	100.00%	0.33%
SEIZURES	$42	$209	401.65%	0.52%	$500	$3,125	524.92%	0.41%
	$69,701	$40,231	-42.28%	100.00%	$836,415	760,426	-9.09%	100.00%

City funds are invested in interest bearing accounts and investment securities, as directed by the City's Investment Policy. Rates of return on these investments relate directly to current Treasury and Money Market rates. Total funds on deposit of $172.91 million as of 06/30/13 are represented by working capital cash balances of all City funds of approximately $ 84.81 million, outstanding encumbrances of $37.06 million, General Obligation Bond proceeds of $35.93 million, NUA revenue bond proceeds of $8.15 million, NMA bond proceeds of $797 thousand, and UNP TIF reserve amounts of $6.16 million.

INVESTMENT BY TYPE

June 30, 2013

LIST BY TYPE	SEC. NO.	PURCHASED	MATURITY	YIELD	EARNED INTEREST	COST	MARKET
**Checking							
BANK OF AMERICA	GEN'L DEP.			0.25%	$40.68	$247,542.70	$247,542.70
BANK OF OKLAHOMA	GEN'L DEP.			0.15%	$2,598.77	$43,877,011.92	$43,877,011.92
BANK OF OKLAHOMA	WARRANTS PAYABLE					($2,517,757.49)	($2,517,757.49)
BANK OF OKLAHOMA	PAYROLL					($2,451,030.77)	($2,451,030.77)
BANK OF OKLAHOMA	COURT BOND REFUNDS					$202,646.26	$202,646.26
BANK OF OKLAHOMA	INSURANCE CLAIMS					($671,586.19)	($671,586.19)
BANK OF OKLAHOMA	LOCK BOX					$0.00	$0.00
BANK OF OKLAHOMA	FLEXIBLE SPENDING					$4,083.75	$4,083.75
**Subtotal					$2,639.45	$38,690,910.18	$38,690,910.18
**Money Market							
BANCFIRST-NUA	MONEY MKT.			0.01%	$2.95	$732,371.89	$732,371.89
BANCFIRST-NMA Sanitat.	MONEY MKT.			0.01%	$2.77	$397,413.88	$397,413.88
BANCFIRST-NMA Golf	MONEY MKT.			0.01%	$1.19	$399,983.27	$399,983.27
BANCFIRST-NUA Water	MONEY MKT.			0.01%	$39.41	$7,416,870.42	$7,416,870.42
BANK OF OKLAHOMA UNP TIF	MONEY MKT.			0.01%	$44.27	$5,746,649.63	$5,746,649.63
REPUBLIC BANK UNP TIF	MONEY MKT.			0.30%	$100.84	$409,063.73	$409,063.73
FIRST FIDELITY	MONEY MKT.			0.25%	$49.29	$0.00	$0.00
BANK OF OKLAHOMA	MONEY MKT.			0.15%	$2.31	$28,104.59	$28,104.59
BANK OF OKLAHOMA	MONEY MKT.			0.15%	$32.48	$305,700.30	$305,700.30
BANK OF OKLAHOMA-Clean Wtr	MONEY MKT.			0.15%	$0.26	$104.27	$104.27
BANK OF OKLAHOMA- 2008A	MONEY MKT.			0.15%	$48.42	$586,511.86	$586,511.86
BANK OF OKLAHOMA-2008B	MONEY MKT.			0.15%	$60.49	$736,044.96	$736,044.96
BANK OF OKLAHOMA-2012A	MONEY MKT.			0.15%	$22.92	$278,914.87	$278,914.87
BANK OF OKLAHOMA-2012B	MONEY MKT.			0.15%	$1,147.65	$13,791,761.39	$13,791,761.39
BANK OF OKLAHOMA-2012C	MONEY MKT.			0.15%	$226.70	$2,740,501.78	$2,740,501.78
BANK OF OKLAHOMA-2012D	MONEY MKT.			0.15%	$690.78	$17,801,213.59	$17,801,213.59
**Subtotal					$2,472.73	$51,371,210.43	$51,371,210.43
**Sweep/Overnight							
JP MORGAN	SHORT TERM			0.00%	$0.00	$813,061.02	$813,061.02
**Certificate of Deposit							
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
**Subtotal					$291.46	$750,000.00	$750,000.00
**U.S. Treasury Securities/Agency Securities							
FHLB	3133XYHD0	07/22/10	06/14/13	1.05%	1,573.72		
FFCB	31331KET3	05/20/11	09/23/13	0.80%	3,339.46	5,000,000.00	$5,009,650.00
FHLB	313376UFO	03/30/12	01/29/14	0.38%	2,111.69	7,500,000.00	$7,508,025.00
FAMCA	31315PSG5	09/29/11	03/14/14	1.50%	951.79	2,000,000.00	$2,017,880.00
US T-Note	912828KV1	06/30/11	05/31/14	0.76%	2,299.34	3,500,000.00	$3,566,045.00
FHLB	313379SK6	08/31/12	07/02/14	0.40%	1,123.21	4,500,000.00	$4,508,055.00
FNMA	31398A3G5	08/31/11	09/08/14	1.50%	1,345.11	3,000,000.00	$3,038,370.00
FFCB	3133EC5G5	11/29/12	11/26/14	0.25%	572.48	2,500,000.00	$2,497,100.00
FNMA	3136FPEW3	03/30/12	12/16/14	1.50%	476.67	1,000,000.00	$1,016,240.00
US T-Note	912828SK7	03/28/13	03/15/15	0.25%	1,357.51	6,500,000.00	$6,507,345.00
FFCB	3133EANJ3	05/31/12	05/01/15	0.50%	2,248.29	5,500,000.00	$5,505,390.00
FHLB	3133XWNB1	08/30/12	06/12/15	2.70%	1,154.23	3,170,000.00	$3,322,413.60
FNMA	3135G0LN1	05/31/12	07/02/15	0.50%	2,660.24	5,500,000.00	$5,507,590.00
FNMA	3136FPAB3	11/30/11	08/18/15	0.96%	2,077.50	2,500,000.00	$2,578,350.00
FNMA	31398A3T7	11/30/11	09/21/15	1.00%	1,729.16	2,000,000.00	$2,065,660.00
FHLB	3133796P9	04/30/12	10/30/15	0.60%	1,822.92	3,500,000.00	$3,507,000.00
FHLB	3133724Y7	04/27/12	12/23/15	1.90%	1,742.57	3,000,000.00	$3,102,990.00
US T-Note	912833KG4	06/27/13	02/15/16	0.61%	99.69	2,000,000.00	$1,969,400.00
FHLB	313771AA5	03/28/13	06/13/16	0.52%	1,316.83	2,500,000.00	$2,836,950.00
FNMA	3135G0ES8	05/31/12	11/15/16	1.30%	3,014.82	4,250,000.00	$4,307,545.00
FNMA	31359M2D4	12/24/12	12/15/16	4.88%	1,450.78	2,800,000.00	$3,167,500.00
FFCB	3133ECFN9	06/27/13	02/21/17	1.11%	136.67	2,000,000.00	$1,977,020.00
FFCB	3133ECT79	06/27/13	03/01/17	1.10%	222.22	2,000,000.00	$1,991,200.00
**Subtotal					34,826.90	76,220,000.00	$77,507,718.60
TOTAL					40,230.54	167,845,181.63	$169,132,900.23

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-1314-4

File ID:	RPT-1314-4	**Type:**	Communication or Report	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 10	**In Control:**	City Council
Department:	City Manager Department	**Cost:**		**File Created:**	07/09/2013
File Name:	Monthly Dept Report			**Final Action:**	

Title: SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF JUNE, 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: 07/23/2013

Agenda Number: 10

Attachments: Text File Monthly, Monthly Report June 2013

Project Manager: Carol Coles, Administratiive 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-1314-4

City of Norman, OK

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

Master

File Number: RPT-1314-2

File ID:	RPT-1314-2	**Type:**	Communication or Report	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 11	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	07/09/2013
File Name:	Reapportionment Commission Report			**Final Action:**	
Title:	CONSIDERATION OF A RECOMMENDATION FROM THE REAPPORTIONMENT COMMISSION THAT THE CITY COUNCIL NOT ADJUST THE WARD BOUNDARIES AT THIS TIME.				

Notes: ACTION NEEDED: Motion to accept or reject the Reapportionment Commission recommendation that the City Council not adjust the ward boundaries at this time.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 11

Attachments: Text File Reapportionment, Memo Reapportionment, Ward Statistics 2013, Ward Map, 7-8-13 Minutes

Project Manager: Joyce Green, GIS Services Manager

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File RPT-1314-2

Body

BACKGROUND: Norman's Charter requires that the Reapportionment Commission meet annually to review population estimates, and make a recommendation to the City Council whether to begin the process of adjusting Norman's ward boundaries.

DISCUSSION: At their required annual meeting on July 8, 2013, the Reapportionment Commission convened and elected officers. After reviewing population estimates prepared by staff, the Commission recommended that no changes be made to the Ward boundaries because the population figures look good as they currently stand. A copy of the minutes of the meeting is attached.

RECOMMENDATION: By unanimous vote, the Reapportionment Commission recommends that no reapportionment of the City's Ward system take place at this time.

office memorandum

DATE: June 27, 2013

TO: Chairman and Members,
Norman Reapportionment Commission

FROM: Joyce Green
Manager, GIS Division

SUBJECT: Annual Meeting of the Reapportionment Commission

Attached is the agenda for your annual meeting, which will occur on **Monday, July 8, 2013.** The meeting will be held in Conference Room D, Building A, 201 West Gray Street, at 7:30 PM. Also included with this memorandum are copies of the minutes of your last meeting of July 9, 2012, which will need to be approved.

Attached you will find a data sheet that shows the change in the overall range from the mean ward population since the wards were drawn last year. The overall range from the mean ward population is 1510 or 10.55%, The estimate was calculated using Certificates of Occupancy issued by the Development Services Division between January 1 and December 31, 2012.

At the annual meeting, you will determine if it is necessary to reapportion this year. If you decide that reapportionment is required, you will determine the steps that will be taken to apportion the City of Norman's population equally among the City Council Wards. Staff will be available at the meeting to provide technical support in this endeavor and answer any questions the Commissioners may have about growth and development in the community.

Please contact the Planning Department at 366-5433 if you will be unable to attend this meeting, or if you have additional questions.

JG:rnt

Attachments

Statistics for 2013 Reapportionment Commission Review of City Council Wards

Ward	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*Total*
Population on December 31, 2012	**13,908**	**14,343**	**14,162**	**14,531**	**15,121**	**14,981**	**13,611**	**13,869**	**114,526**
Deviation from Mean	-407	28	-153	216	806	666	-704	-446	
Percent Deviation from Mean	**-2.84%**	**0.20%**	**-1.07%**	**1.51%**	**5.63%**	**4.65%**	**-4.92%**	**-3.12%**	
Mean Ward Population : 14,317					**Total range from mean as percentage:**				**10.55%**

Ward	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*Total*
Population on December 31, 2011	**13,831**	**14,348**	**14,125**	**14,505**	**14,516**	**14,541**	**13,514**	**13,779**	**113,159**
Deviation from Mean	-314	203	-20	360	371	396	-631	-366	
Percent Deviation from Mean	**-2.22%**	**1.44%**	**-0.14%**	**2.55%**	**2.62%**	**2.80%**	**-4.46%**	**-2.59%**	
Mean Ward Population : 14,145					**Total range from mean as percentage:**				**7.26%**

Ward	*1*	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*Total*
Population on December 31, 2010	**13,765**	**14,288**	**14,093**	**14,523**	**14,425**	**14,082**	**13,498**	**13,710**	**112,384**
Deviation from Mean	-283	240	45	475	377	34	-550	-338	
Percent Deviation from Mean	**-2.01%**	**1.71%**	**0.32%**	**3.38%**	**2.68%**	**0.24%**	**-3.92%**	**-2.41%**	
Mean Ward Population : 14,048					**Total range from mean as percentage:**				**7.30%**

Ward	1	2	3	4	5	6	7	8	Total
Census 2010 Population (April 1, 2010)	**13,730**	**14,288**	**14,066**	**14,499**	**13,540**	**13,727**	**13,454**	**13,621**	**110,925**
Deviation from Mean	-136	422	200	633	-326	-139	-412	-245	
Percent Deviation from Mean	**-0.98%**	**3.04%**	**1.44%**	**4.57%**	**-2.35%**	**-1.00%**	**-2.97%**	**-1.77%**	
Mean Ward Population : 13,866					**Total range from mean as percentage:**				**7.54%**

NORMAN REAPPORTIONMENT COMMISSION

MINUTES

July 8, 2013

The Reapportionment Commission of the City of Norman, Cleveland County, State of Oklahoma met in Annual Session in Conference Room D of Building A of the Norman Municipal Building at 201 West Gray Street on Monday, July 8, 2013, at 7:30 p.m., and notice and agenda of the meeting were posted at the Norman Municipal Building, 201 West Gray at least 24 hours prior to the beginning of the meeting and at http://www.normanok.gov/content/board-agendas.

Item No. 1, being:
CALL TO ORDER

Chair Lea Greenleaf called the meeting to order at 7:36 p.m.

* * *

Item No. 2, being:
ROLL CALL

MEMBERS PRESENT	David Morgan Phoebe Schmitz Lea Greenleaf Ted Metscher Cheryl Clayton Karl Jahnke
MEMBERS ABSENT	James Sheffield Jonathan Leavey Chadwick Cox

A quorum was present.

STAFF PRESENT	Susan Connors, Director Roné Tromble, Administrative Technician

* * *

Item No. 3, being:
ELECTION OF OFFICERS

Chair Greenleaf asked for nominations for the position of Chair.

David Morgan nominated Cheryl Clayton for election to the position of Chair. Phoebe Schmitz seconded the nomination. There were no further nominations.

Chair Greenleaf asked for nominations for the position of Vice-Chair.

David Morgan nominated Ted Metscher for election to the position of Vice-Chair. Cheryl Clayton seconded the nomination. There were no further nominations.

Chair Greenleaf asked for nominations for the position of Secretary.

David Morgan nominated Chadwick Cox for election to the position of Secretary. Ted Metscher seconded the nomination. There were no further nominations.

The slate of officers was elected by a unanimous vote.

Chair Greenleaf turned control of the meeting over to new Chair Clayton.

* * *

Item No. 4, being:
APPROVAL OF THE MINUTES OF THE JULY 9, 2012 MEETING

Lea Greenleaf moved to approve the minutes of the July 9, 2012 meeting, as submitted. Karl Jahnke seconded the motion. There being no further discussion, the motion to approve the minutes of the July 9, 2012 meeting, as submitted, was adopted by a unanimous vote.

* * *

Item No. 5, being:
DISCUSSION OF ANNUAL POPULATION FIGURES AND THEIR EFFECT ON THE CITY'S WARD SYSTEM.

ITEMS SUBMITTED FOR THE RECORD

1. Staff Memo
2. Statistics for 2013 Reapportionment Commission Review of City Council Wards
3. City of Norman Council Wards map

DISCUSSION BY THE COMMISSION

Mr. Morgan noted there is a 10.55% deviation between wards, which is considerably higher than last year. He asked how the numbers would compare to past years when a change was recommended. Ms. Clayton commented that in the past the deviation has been as high as 23%. Ten percent is kind of a rule of thumb. The City Council does not like to make changes in the wards, so in the past the Commission has waited until a change really needs to be made. There were no changes made from 2005 to 2011. During that time, the Commission made recommendations for changes but the Council did not adopt them. Ms. Schmitz noted that in 2010 the deviation was over 27%. Ms. Connors added that the City Council knows they have to look at this differently at the time of the census than during the intervening years.

Ms. Connors asked what happened in 2005 that a change was made. Ms. Clayton responded that the change was made in 2004. In 2003, Hall Parks was annexed. In 2004, the deviation was 15.98%, so it was adjusted and went down to 10.87% in 2005. In 2006, it was 16.96%; 2007 – 19.1%; 2008 – 19.9%, and it went up higher from there. In 2010 the Council elected not to adopt the Commission's recommendation for ward adjustments because the census was coming up.

Mr. Greenleaf commented that at the time of the census the Cleveland County Election Board was also doing new precinct assignments, so it fell into line to make a change in 2011 because the precinct lines were going to change whether the ward boundaries changed or not. He does not think we will be able to go as long without a change as the period from 2005 to 2011.

David Morgan moved that the Reapportionment Commission recommend to the City Council that no changes be made to the Ward boundaries. Karl Jahnke seconded the motion. There being no further discussion, the motion was adopted by a unanimous vote.

Ms. Connors noted that there is potential for development to happen along Indian Hills Road in Ward 8. Ms. Clayton commented that growth in any of the wards, other than Ward 5 and Ward 6, would help the deviation. Ms. Connors added that housing on OU property is not counted.

* * *

Item No. 6, being:
MISCELLANEOUS DISCUSSION
None

* * *

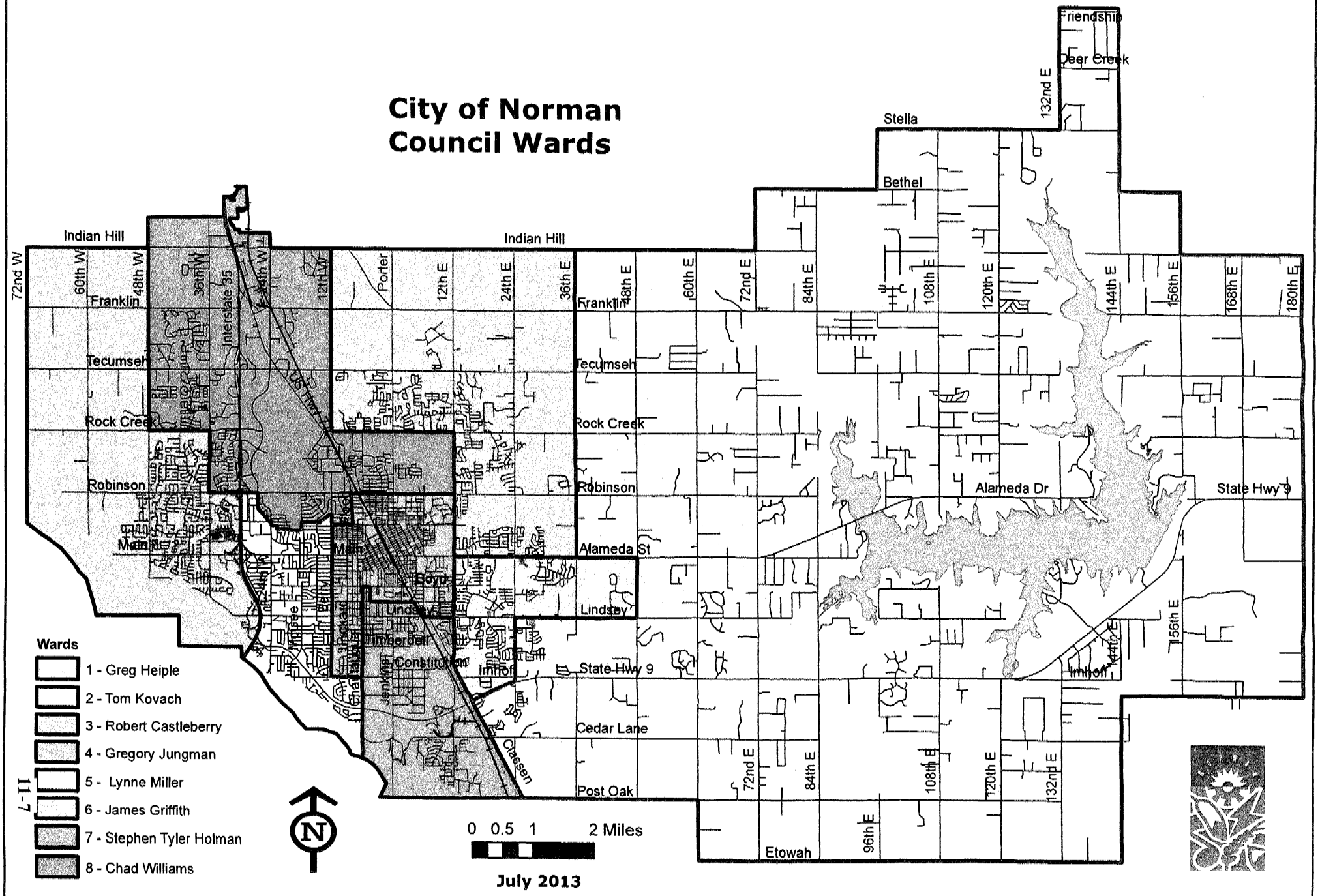
Item No. 7, being:
ADJOURNMENT

David Morgan moved for adjournment. Ted Metscher seconded the motion. There being no further discussion and no objection, the meeting adjourned at 7:53 p.m.

Passed and approved this _____ day of July, 2014.

_____
Norman Reapportionment Commission

City of Norman
Council Wards



City of Norman, OK

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

Master

File Number: GID-1314-11

File ID:	GID-1314-11	**Type:**	Authorization for Purchase	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 12	**In Control:**	City Council
Department:	Fire Department	**Cost:**	$588,948.00	**File Created:**	07/11/2013
File Name:	Aerial Truck Purchase-2014			**Final Action:**	

Title: AUTHORIZATION TO PURCHASE ONE (1) FIRE APPARATUS FROM PIERCE MANUFACTURING THROUGH CONRAD FIRE EQUIPMENT IN THE AMOUNT OF $588,948 UTILIZING THE HOUSTON GALVESTON AREA CONTRACT (HGAC).

Notes: ACTION NEEDED: Motion to approve or reject the purchase of one (1) fire apparatus from Pierce Manufacturing through Conrad Fire Equipment in the amount of $588,948 utilizing the Houston Galveston Area Contract.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 12

Attachments: Text File Fire Truck, Sky Boom Specs.pdf

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:

Text of Legislative File GID-1314-11

Body

BACKGROUND: The fiscal year 2013-2014 (FYE 14) budget includes funds to purchase this replacement fire apparatus from Public Safety Sales Tax proceeds. This apparatus is identical to one approved for purchase by the City Council on June 25, 2013 at the same price and will be placed in service at Fire Station #4 upon delivery.

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 apparatus budgeted for FYE 14 from Pierce Manufacturing through Conrad Fire Equipment utilizing the HGAC. Cost of the apparatus is $588,948.

Funds for this purchase are available in the FYE 14 Budget in Public Safety Sales Tax, Fire Suppression, Fire Trucks (015-6543-422.50-05).

RECOMMENDATION: Staff recommends that City Council authorize the purchase of the fire apparatus from Pierce Manufacturing through Conrad Fire Equipment utilizing the HGAC in the amount of $588,948.

Proposal Option List

6/20/2013

Customer:	Norman	**Bid Number:**	245
Representative	Martin, Sammy	**Job Number:**	
Organization:	Conrad Fire Equipment	**Bid Date:**	05-14-2012
Requirements Manager:		**Stock Number:**	
Description:	Sky Boom 55 Foot	**DBVersion:**	02.00.0396.0000
Body:	Aerial, Sky-Boom 61'/55', Alum Body		
Chassis:	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) Qty, - 02 Fill in Blank - (4)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	0597596		Velocity Chassis, Aerials, 31K Single Axle (Med Block), 2010	1
19	0000110		Wheelbase Wheelbase - 211.5	1
20	0000070		GVW Rating GVW rating - 56,300	1
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 Qty, Tire Pressure Ind - 6	1
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 Qty, Pair - 01	1
43	0544806		Mounting Brackets, Chocks, SAC-44-E, Folding, Horizontal Location, Wheel chock - Front of Rear Wheels on Drivers Side	1

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	1
			Location, Air Coupling(s) - a) DS Step Well	
			Qty, Air Coupling (s) - 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	1
			Switch, Engine Brake - e) ISC/ISM/ISL9/ISX Hi Med Lo	
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	1
			Trans, ratio - 3000 EVS, 5Spd	
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	1
			Text, Row One - NORMAN	
			Text, Row Two - FIRE	
			Text, Row Three - DEPARTMENT	
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	1
			Grating, Bumper extension - Grating, Rubber	
			Capacity, Bumper Tray - 09) 150' of 1.50"	
80	0072354		Cover, Alum Treadplate, (notched), Hose Tray, D-Ring	1
			Location - center	
			Qty, Hose Tray Covers - 1	
			Stay arm, Tray Cover - b) Pneumatic Stay Arm	
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	1
			Finish, Arm Cover - Chrome	
			Finish, Mirror Head - Chrome	
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 determened	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, Whelen 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	1
			Color, Dome, Rear Warning - b)both domes red	
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	1
			Activation, Traffic Dir L - e)with emergency master	
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	1
			Generator Interlocks - Parking Brake	
311	0006645		Location, Hydraulic Generator Above Pump	1
			Location, Generator - dunnage area above pump	
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	1
			Location, CB Panel - drivers side front compartment upper	
318	0056604		Pump, Thru-Pump, For Hydraulic Driven Generators	1
319	0066622		Receptacle, 20A 120V 3 Prong SB Dup, Generator Ext	3
			Location, Receptacles - front bulkheads officers and passenger side one on rear officers side	
			Qty, Receptacles - 03	
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	1
			Paint, Color - red	
324	0526894		Indicator, Extension, Vinyl, Sky-Boom	1
			Color - 2) red	
325	0592991		Steps, Folding, Two, Aerial Device, Trident	1
			Coating, Step - black	
326	0056911		Control Station, Rear, Direct Hydraulic, Sky-Boom (std)	1
327	0199153		Stabilizers, One Set, Sky-Boom, Composite Stabilizer Pads	1
			Material, Stabilizer Pad - Composite	
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)	1
			Location, Sw, Arl DC Lts - i) 4 locations	
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	2
			Qty, - 02	
338	0690481		Lights, Truck-lite 44308C, LED Grommet Mt, Stabilizer Scene, IPOS	2
			Qty, - 02	
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	1
			Qty, Bag Nuts and Bolts - 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, Transmisson 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/Velocity 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

City of Norman, OK

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

Master

File Number: E-1314-3

File ID:	E-1314-3	**Type:**	Easement	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 13	**In Control:**	City Council
Department:	Utilities Department	**Cost:**	$32,287.00	**File Created:**	07/03/2013
File Name:	Easement for Highway 9 Utility Relocation - USPS			**Final Action:**	

Title: EASEMENT NO. E-1314-3: CONSIDERATION OF ACCEPTANCE OF A PERMANENT EASEMENT FROM THE UNITED STATES POSTAL SERVICE IN THE AMOUNT OF $32,287 FOR THE HIGHWAY 9 UTILITY RELOCATION PROJECT.

Notes: ACTION NEEDED: Motion to accept or reject Easement No. E-1314-3; and, if accepted, direct the filing thereof with the Cleveland County Clerk and payment in the amount of $32,287 to United States Postal Service.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 13

Attachments: Text File Easement, E-1314-3, PR USPS

Project Manager: Jim Speck, Capital Projects Engineer

Entered by: jim.speck@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File E-1314-3

body

BACKGROUND: On November 23, 2011, the City received a letter from the Oklahoma Department of Transportation (ODOT) informing the City of plans to perform construction on Highway 9 beginning just west of 24th Avenue SE and extending east along State Highway 9 for approximately 1.5 miles. In the letter, ODOT notified the City of its responsibility to relocate City utilities in advance of construction.

On August 25, 2009 the Norman Utilities Authority (NUA) approved Contract K-0910-62 with Cardinal Engineering (Cardinal) for on-call engineering services. A Request for Proposals process was completed at that time. The basic design work for the Relocation of Utilities along Highway 9 is the type of project the on-call contract is meant to address. Since the estimate for the design work exceeds $25,000, a new contract with Cardinal was required.

On November 13, 2012, the NUA approved Contract K-1213-119 in the amount of $47,000 with Cardinal Engineers for the design of the Highway 9 Waterline Relocation Project. On March 26, 2013 the NUA approved Amendment 1 to Contract K-1213-119 for the design of an additional half mile of 12" waterline to complete a looped system which would also provide an additional water supply for businesses and residents of this area.

DISCUSSION: The construction will require two easements. Easement E-1314-3 is a permanent utility easement crossing the United States Postal Service (USPS) property on the north side of Highway 9. The other easement will be included as a separate item.

The USPS has requested $3.50 per square foot of easement area which is equal to the amount paid to USPS by ODOT for their acquisitions for this project. This easement will consist of 9,082 square feet of new easement area. The USPS also requires a $500 review fee. Therefore, the total cost for the easement will be: $3.50 x 9,082 + $500 = $32,287.

The Waterline Relocation Project (WA0191) has $49,000 available in Land Acquisition (account 031-9727-462.60-01).

RECOMMENDATION: Staff recommends the NUA authorize payment of $32,287 and accept the Easement E-1314-3 from the USPS.

UTILITY EASEMENT

THIS NONEXCLUSIVE UTILITY EASEMENT (the "Easement") and is dated as of _____, 2013, by and between the United States Postal Service, an independent establishment of the Executive Branch of the United States Government (39 U.S.C. § 201), with an office at 475 L'Enfant Plaza West, SW, Washington DC 20260, ("Grantor or Owner"), and the City of Norman (CITY), a municipal corporation, whose address is 201 West Gray, Bldg C- PO Box 370, Norman, OK 73070 ("Grantee or City").

RECITALS

A. Grantor is the sole fee simple owner of certain real property (the "Grantor's Parcel") commonly known as the United States Postal Service, National Center for Employee Development Main Office and legally described in Exhibit A, attached hereto and incorporated herein.

B. The portion of Grantor's Parcel that is the subject of this Easement ("Easement Area") is also legally described in Exhibit B attached hereto and incorporated herein. The Easement Area is shown in the drawing in Exhibit C attached hereto and incorporated herein.

C. Grantor and Grantee desire to set forth below their respective rights and obligations for an Easement on Grantor's Parcel.

AGREEMENTS

For and in consideration of the sum of Thirty Two Thousand Two Hundred and Eighty Seven Dollars ($32,287) and other valuable consideration in hand paid, and the mutual agreements that follow, Grantor and Grantee agree as follows:

1. Grantor hereby grants and conveys to Grantee, its successors, and assigns, a perpetual non-exclusive utility Easement over, under, along, across, and through the Easement Area, for the purpose of surveying, laying out, constructing, maintaining, and operating a public Utility line.

2. Grantor further conveys to Grantee with the Easement the right of ingress and egress to and from the Easement Area during all periods of construction, maintenance, installation, reinforcement, repair and removal over and across Grantor's property with the right to clear and keep cleared any plantings or similar obstructions as may be necessary in order to fulfill the Easement purpose as stated in Paragraph 1 above. Grantee shall compensate Grantor for any damage to the Property caused by the exercise of such right of access by Grantee.

3. Grantee shall bore all the drives, parking areas, and, where possible, extend the bore past the landscaping. In the event Grantee damages property of Grantor,

Grantee shall repair and/or replace damaged area to its original or better condition at no cost to the Grantor.

4. Grantee shall provide Grantor with a copy of the insurance policy of the independent contractors performing work for the Grantee demonstrating adequate insurance for personal injury and property damage that may occur on Owner's premises with the Grantor named as an additional insured.

5. The Parties agree that Grantee, its successors and assigns shall be responsible for maintenance and repair of the Easement Area, which includes but is not limited to Grantee's equipment and facilities, and any and all costs related thereto. Such maintenance and repairs shall include but are not limited to repair, snow removal, landscaping, grading, paving and removal of all trash and debris caused by Grantee's exercise of its rights under this Easement.

6. The Parties agree that the Grantee shall not use the Easement in a manner that unreasonably interferes with use by the Postal Service.

7. The Grantee, by acceptance of this Easement, agrees for and on behalf of itself, its agents, servants, employees, invitees, and contractors who may at anytime use, occupy, visit, or maintain said Easement herein created that the Grantor, its successors and assigns, shall not be responsible for damage or loss to property, injuries, or death which may arise from or be incident to the use and occupation of the Easement as granted herein to Grantee, its agents, servants, employees, invitees, and contractors.

8. The Grantee, by acceptance of this Easement, agrees to defend, indemnify and hold the Grantor, its successors, and assigns harmless against any and all claims, demands, damages, costs, expenses, and legal fees for any loss, injury, death, or damage to persons or property which at any time is suffered or sustained by Grantor, its employees, the public, or by any person whosoever may at any time be using, occupying, visiting, or maintaining the property that is the subject of said Easement, or be on or about the property that is the subject of said Easement, when such loss, injury, death, or damage is asserted to have been caused by any negligent act or omission or intentional misconduct of the Grantee or its agents, servants, employees, invitees, or contractors. In case of any action or proceeding brought against the Grantor, by reason of such a claim, upon notice from the Grantor, Grantee covenants to defend such action or proceeding. The Grantor shall not be liable and the Grantee waives and releases the Grantor from all claims for damage to persons or property sustained by the Grantee or its employees, agents, servants, invitees, contractors, or customers resulting by reason of the use of the Easement.

9. Grantor reserves the right to use the Easement Area for any purpose not inconsistent with the rights herein granted. Grantee agrees throughout the duration of this Easement to provide the Grantor, its employees, customers, and the public with continual and uninterrupted access to the Postal Facility. In the event Grantee fails to provide continual and uninterrupted access to the Postal Facility, the Grantor has the option of

terminating this Easement by providing written notice to the Grantee that the Easement is terminated at no cost to the Grantor. Upon receipt of said notice, Grantee has twenty-four hours to remedy the situation. In the event Grantee fails to provide access to the Postal Facility within twenty-four hours, said notice of termination shall become final and the Easement is terminated.

10. Upon termination of the Easement, Grantee shall restore any affected portion of the property to the condition it existed prior to Grantee's access.

11. Any claim, controversy or dispute arising out of this Agreement shall be governed by applicable federal law.

12. The Grantor does not warranty that the Easement area is suitable for the purpose of installation of said utility and Grantee hereby waives any express or implied warranty on the part of Grantor. Grantor has no knowledge of subsurface conditions and makes no representations as to soil types, existence of underground utilities, or any other latent conditions that may impact Grantee's use and enjoyment of said Easement.

13. This easement is granted subject to any and all restrictions, covenants, other easements, encumbrances, liens of any kind, leases, and interests of others, including rights-of-way for roads, pipelines, railroads, and public utilities, whether or not matters of public record.

IN WITNESS WHEREOF, the parties hereto have executed this Easement of the day and year first above written.

Grantor:
United States Postal Service

By:_____

DISTRICT OF COLUMBIA)

On this _____ day of _____, 2013, personally appeared before me _____, Contracting Officer who being by me duly sworn, did say that he/she represents the United States Postal Service, and acknowledged to me that, acting under a delegation of authority duly given and evidenced by law and presently in effect, he/she executed said instrument as the act and deed of the United States Postal Service for the purposes therein mentioned.

_____
SEAL NOTARY PUBLIC

My commission expires: _____

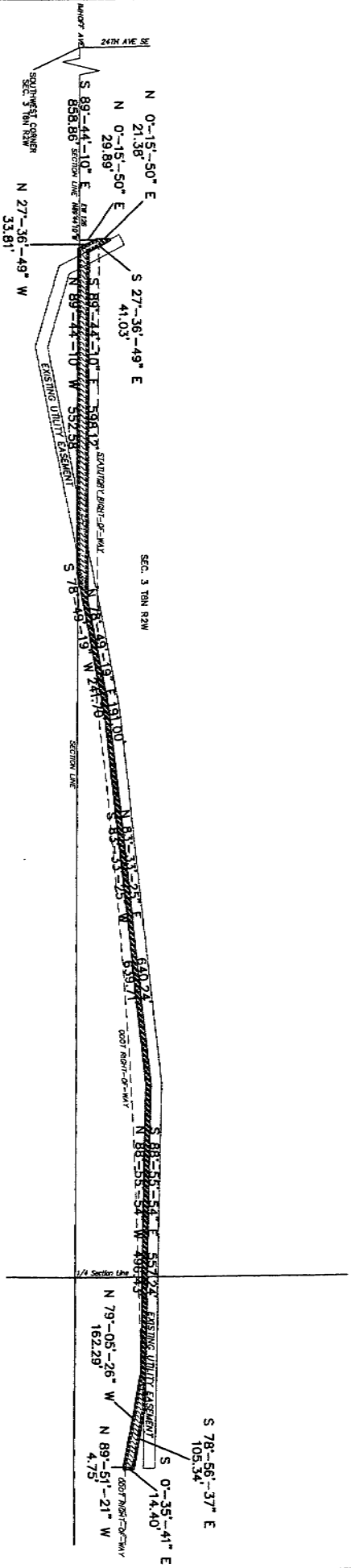
EXHIBIT B

A Utility Easement Crossing a part of the Southwest Quarter of Section 3 (3), Township Eight (8) North, Range Two (2) West of the Indian Meridian, City of Norman, Cleveland County, Oklahoma, being more particularly described as follows:

Commencing at the Southwest Corner of said Section 3; Thence, along the south line of said Section 3, S 89° 44' 10" E, a distance of 858.86 feet; thence N 00° 15' 50" E, a distance of 29.89 feet to the Point of Beginning;

Thence continuing N 00° 15' 50" E, a distance of 21.38 feet to a point on the southwest boundary of an existing utility easement of record in Record Book 3934, Pages 661-662, filed at the Cleveland County Courthouse, Norman, OK; thence, along the southwest boundary of said utility easement, S 27° 36' 49" E a distance of 41.03 feet; thence S 89° 44' 10" E a distance of 598.12 feet to a point on the southern boundary of said utility easement; thence, contingent with the southern boundary of said utility easement, N 78° 49' 19" E a distance of 191.00 feet; thence, contingent with the said utility easement, N 83° 33' 25" E a distance of 640.24 feet; thence, contingent with the said utility easement, S 88° 55' 54" E a distance of 557.24 feet; thence S 78° 56' 37" E a distance of 105.34 feet to a point on the eastern property line of a tract owned by the United States Postal Service; thence, along the eastern property line of said tract, S 00° 35' 41" E a distance of 14.40 feet to a point on the northern right-of-way line of State Highway 9; thence, along the said northern right-of-way line, N 89° 51' 21" W a distance of 4.75 feet; thence, along the said right-of-way, N 79° 05' 26" W a distance of 162.29 feet; thence N 88° 55' 54" W a distance of 496.43 feet; thence S 83° 33' 25" W a distance of 639.71 feet; thence S 78° 49' 19" W a distance of 241.70 feet; thence N 89° 44' 10" W a distance of 552.58 feet; thence N 27°36' 49" W a distance of 33.81 feet to the Point of Beginning, containing 17,964 square feet.

EXHIBIT C



Page 7 of 7

Grantee:

By:_____
Mayor Pro Tem

APPROVED BY CITY OF NORMAN LEGAL DEPARTMENT
BY _____ DATE 7/19/13

ATTEST:

STATE OF _____)
) ss
COUNTY OF _____)

_____
City Clerk

On this _____ day of _____, 2013, personally appeared before me _____, who being by me duly sworn, did say that he/she represents, and acknowledged to me that, acting under a delegation of authority duly given and evidenced by law and presently in effect, he/she executed said instrument as the act and deed of the City of Norman Oklahoma for the purposes therein mentioned.

_____
SEAL NOTARY PUBLIC

My commission expires: _____

PURCHASE REQUISITION NBR: 0000220375

STATUS: INSUFFICIENT FUNDS

REQUISITION BY: WEBB G
REASON: PURCHASE EASEMENT FOR HIGHWAY 9 WATERLINE PROJECT
DATE: 7/15/13

SHIP TO LOCATION: P W - UTILITIES DIRECTOR
SUGGESTED VENDOR: USPS (EASEMENT)
DELIVER BY DATE: 8/30/14

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	PURCHASE EASEMENT E-1314-3 COMMODITY: ACQUISITIONS SUBCOMMOD: EASEMENTS	32287.00	DOL	1.0000	32287.00	

REQUISITION TOTAL: 32287.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	03197274626001	Capital Projects Land	WA0191 Hwy 9 Wtr Line Relocation	100.00	32287.00
					32287.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

CONTINGENT ON NUA APPROVAL 7-23-13
****
UNITED STATES POSTAL SERVICE
PAYMENT FOR HIGHWAY 9 WATERLINE RELOCATION PROJECT

City of Norman, OK

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

Master

File Number: FP-1213-2

File ID:	FP-1213-2	**Type:**	Final Plat	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 14	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	06/12/2012
File Name:	Eaglecliff South 4 Final Plat			**Final Action:**	

Title: CONSIDERATION OF A FINAL PLAT FOR EAGLECLIFF SOUTH ADDITION SECTION 4, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED 1/2 MILE SOUTH OF CEDAR LANE AND 1/4 MILE WEST OF 12TH AVENUE S.E.)

Notes: ACTION NEEDED: Motion to approve or reject the final plat for Eaglecliff South Addition, Section 4; and, if approved, accept the public dedications contained therein, authorize the Mayor to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvement and receipt of a fee in the amount of ? in lieu of park land dedication requirements and $1,935.36 for traffic impact fees.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 14

Attachments: Text File Final Plat Eagle Cliff South, Eaglecliff South 4 Location Map, Final Plat Eagle Cliff South, Eaglecliff South Plat Staff Report, Prelim Eaglecliff South, 7-12-12 PC Minutes - Eagle Cliff South 4

Project Manager: Ken Danner, Subdivision Manager

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	07/12/2012					

Text of Legislative File FP-1213-2

body

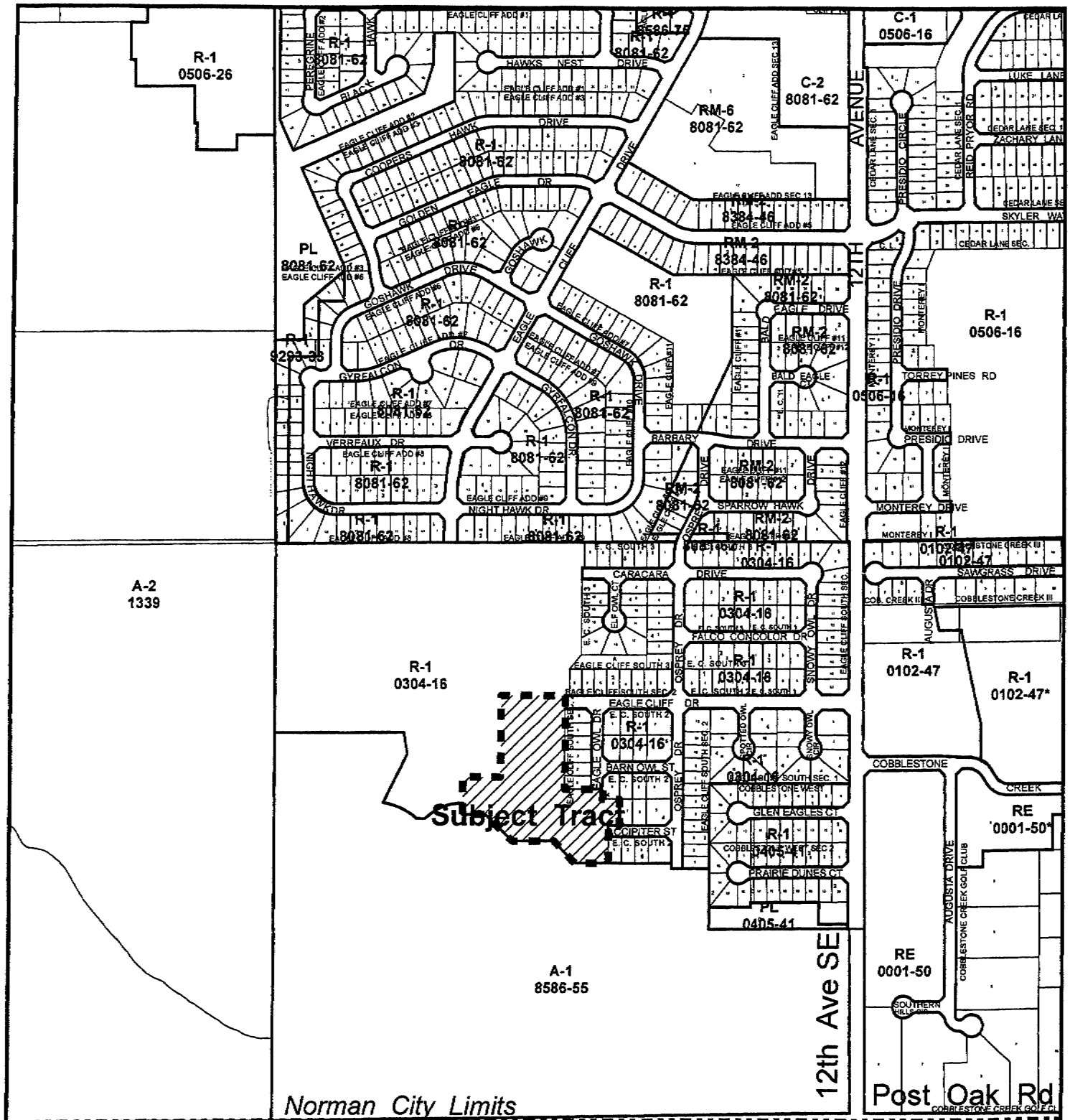
BACKGROUND: This item is a final plat for Eagle Cliff South Addition, Section 4, and is generally located one-half mile south of Cedar Lane Road and one-quarter mile west of 12th Avenue S.E.

City Council, at its meeting of October 14, 2003, adopted Ordinance No. O-0304-16 placing this property in the R-1, Single Family Residential District. City Council, at its meeting of July 10, 2012, approved the preliminary plat for Eagle Cliff South Addition. Planning Commission, at its meeting of July 12, 2012, approved the final plat for Eagle Cliff South Addition, Section 4.

This final plat consists of 6.67 acres with twenty-seven (27) single family residential lots. With the previous platting of Sections 1 through 3, there are 140 single family residential lots filed of record. There are approximately 101 residential lots remaining to be final platted in Eagle Cliff South Addition. There are 268 total lots in the subdivision.

DISCUSSION: Construction plans have been reviewed for the required public improvements for this property. These improvements consist of water mains with fire hydrants, sanitary sewer mains, paving, drainage, and sidewalks. A fee in lieu of park land has been negotiated with City staff and the developer. A fee in the amount of $2,211.25 will be required prior to the filing of the final plat for Eagle Cliff South Addition, Section. 4.

STAFF RECOMMENDATION: The final plat is consistent with the approved preliminary plat. Based on the above information, staff recommends acceptance of the public dedications, approval of the final plat and filing of the final plat subject to completion of public improvements, receipt of fee in the amount of $2,211.25 in lieu of park land and receipt in the amount of $1,935.36 for traffic impact fees. The City Development Committee must accept all required public improvements or bonds/cash sureties securing public improvements. This action authorizes the Mayor to sign the final plat and bonds.



Location Map

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

N
W E
S

June 18, 2012

0 300 600 Ft.

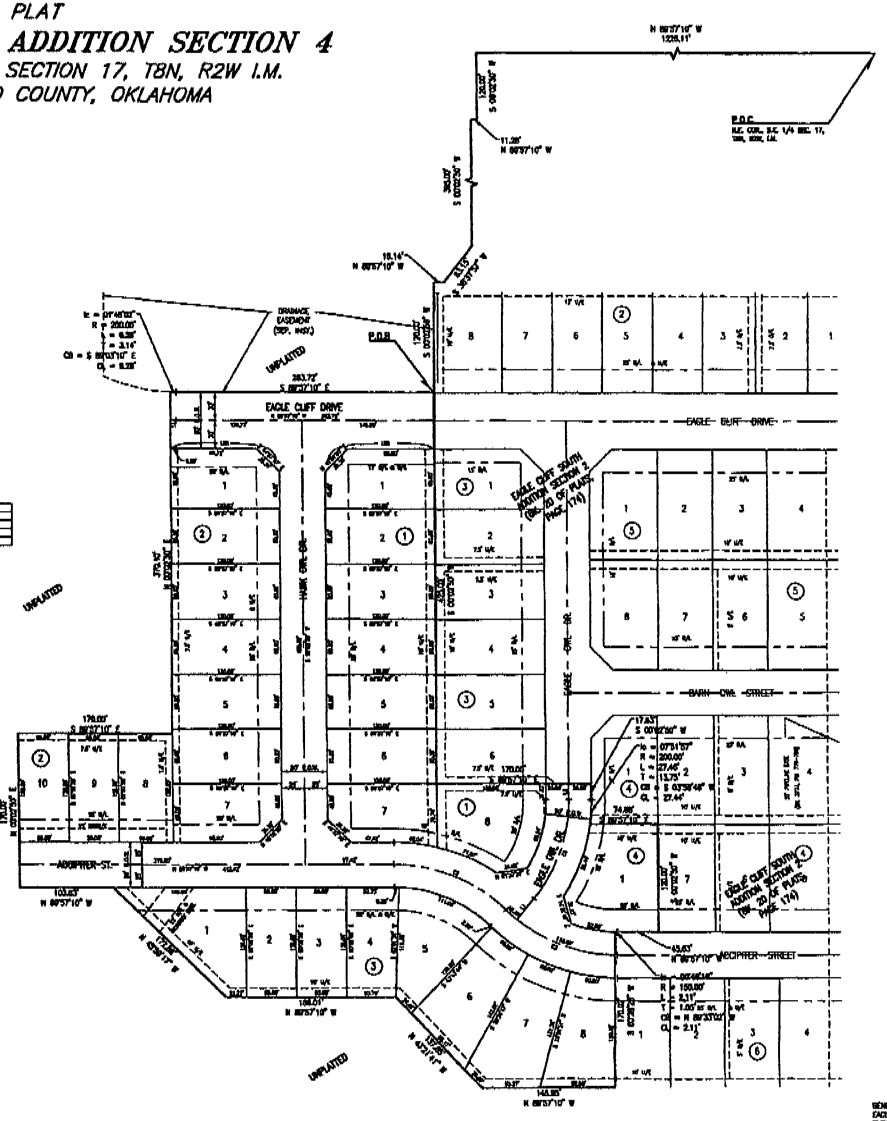
Subject Tract

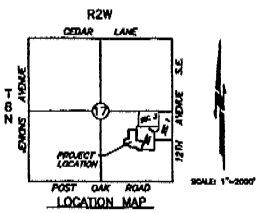
Zoning

FINAL PLAT

EAGLE CLIFF SOUTH ADDITION SECTION 4

A PART OF THE S.E. 1/4, SECTION 17, T8N, R2W I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA





LOCATION MAP

CURVE TABLE

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD	CURVE BEARING	CHORD LENGTH
C1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C2	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C3	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C4	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C5	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

LINE TABLE

LINE	BEARING	DISTANCE
L1	[illegible]	[illegible]
L2	[illegible]	[illegible]

SCALE: 1" = 60'

THE BEARING OF N 89°57'10" W AS SHOWN ON THE NORTH LINE OF THE SOUTHEAST QUARTER WAS USED AS THE BASIS OF BEARING FOR THIS PLAT.

TOTAL LOTS = 27

D/E = DRAINAGE EASEMENT
LNA = LIMITS OF NO ACCESS
U/E = UTILITY EASEMENT
B/L = BUILDING LINE
-1000- = ADDRESS

NOTE: THE UNIT OF MEASUREMENT SHOWN FOR ALL DIMENSIONS ON THE FINAL PLAT IS U.S. SURVEY FEET.

BENCHMARK: SEE BRASS CAP AT INTERSECTION OF EAGLE CLIFF DRIVE & HAWK OWL STREET
ELEV. =

Date: [illegible]
SMC Consulting Engineers, P.C.
815 W. Main Street
Oklahoma City, OK 73106
Ph.: (405)232-7715
Oklahoma CA#464 Exp. 6/30/2013

EAGLE CLIFF SOUTH ADDITION SECTION 4
FINAL PLAT SHEET 2 OF 2

FINAL PLAT ITEM NO. 5

ITEM: Consideration of a Final Plat for EAGLE CLIFF SOUTH ADDITION, SECTION 4.

LOCATION: Generally located one half mile south of Cedar Lane Road and one quarter of a mile west of 12th Avenue S.E.

INFORMATION:

1. Owner. Eagle Cliff Limited Partnership, L.L.C.
2. Developer. Eagle Cliff Limited Partnership, L.L.C.
3. Engineer. SMC Consulting Engineers, PC.

HISTORY:

1. August 7, 2003. The Norman Board of Parks Commissioners, on a vote of 8-0, recommended fee in lieu of park land for Eagle Cliff South Addition.
2. August 14, 2003. Planning Commission, on a vote of 5-0-2, recommended to City Council to amend the NORMAN 2020 Land Use and Transportation Plan from Future Urban Service Area to Current Urban Service Area Designation.
3. August 14, 2003. Planning Commission, on a vote of 5-0-2, recommended to City Council that a portion of this property be placed in R-1 and removed from A-2 zoning classification.
4. August 14, 2003. Planning Commission, on a vote of 5-0-2, recommended to City Council that the preliminary plat for Eagle Cliff South Addition be approved.
5. October 14, 2003. City Council amended the NORMAN 2020 Land Use and Transportation Plan from Future Service Area to Current Urban Service Area Designation.
6. October 14, 2003. City Council adopted Ordinance No. O-0304-16, placing this property in R-1 zoning classification and removing it from A-2 zoning classification.
7. October 14, 2003. City Council approved the preliminary plat for Eagle Cliff South Addition.

8. October 14, 2008. Approvals of the preliminary plat became null and void.

9. May 10, 2012. Planning Commission, on a vote of 8-0, recommended to City Council that the preliminary plat for Eagle Cliff South Addition be approved.

10. July 10, 2012. City Council is scheduled to consider the preliminary plat for Eagle Cliff South Addition. Results of that consideration will be presented separately.

IMPROVEMENT PROGRAM:

1. Fire Hydrants. Fire hydrants will be installed in accordance with approved plans. Their locations have been approved by the Fire Department.

2. Permanent Markers. Permanent markers will be installed prior to filing of the final plat.

3. Sanitary Sewers. Sanitary sewer mains will be installed in accordance with approved plans and City and State Department of Environmental Quality standards. A lift station has been constructed and will be utilized by this development. The future lot owners will contribute to the maintenance of the City owned lift station.

4. Sidewalks. Sidewalks will be constructed on each lot prior to occupancy.

5. Storm Sewers. It has been determined with the location of this property in lower drainage basin, a fee in lieu of detention will be utilized. Although storm water will be conveyed to an improved pond to be used as an amenity for the Property Owners Association, it is not intended for the requirement of detention.

6. Streets. Streets will be constructed in accordance with approved plans and City paving standards.

7. Water Mains. Water mains will be installed in accordance with approved plans and City and State Department of Environmental Quality standards.

PUBLIC DEDICATIONS:

1. Easements. All required easements are dedicated to the City on the final plat.

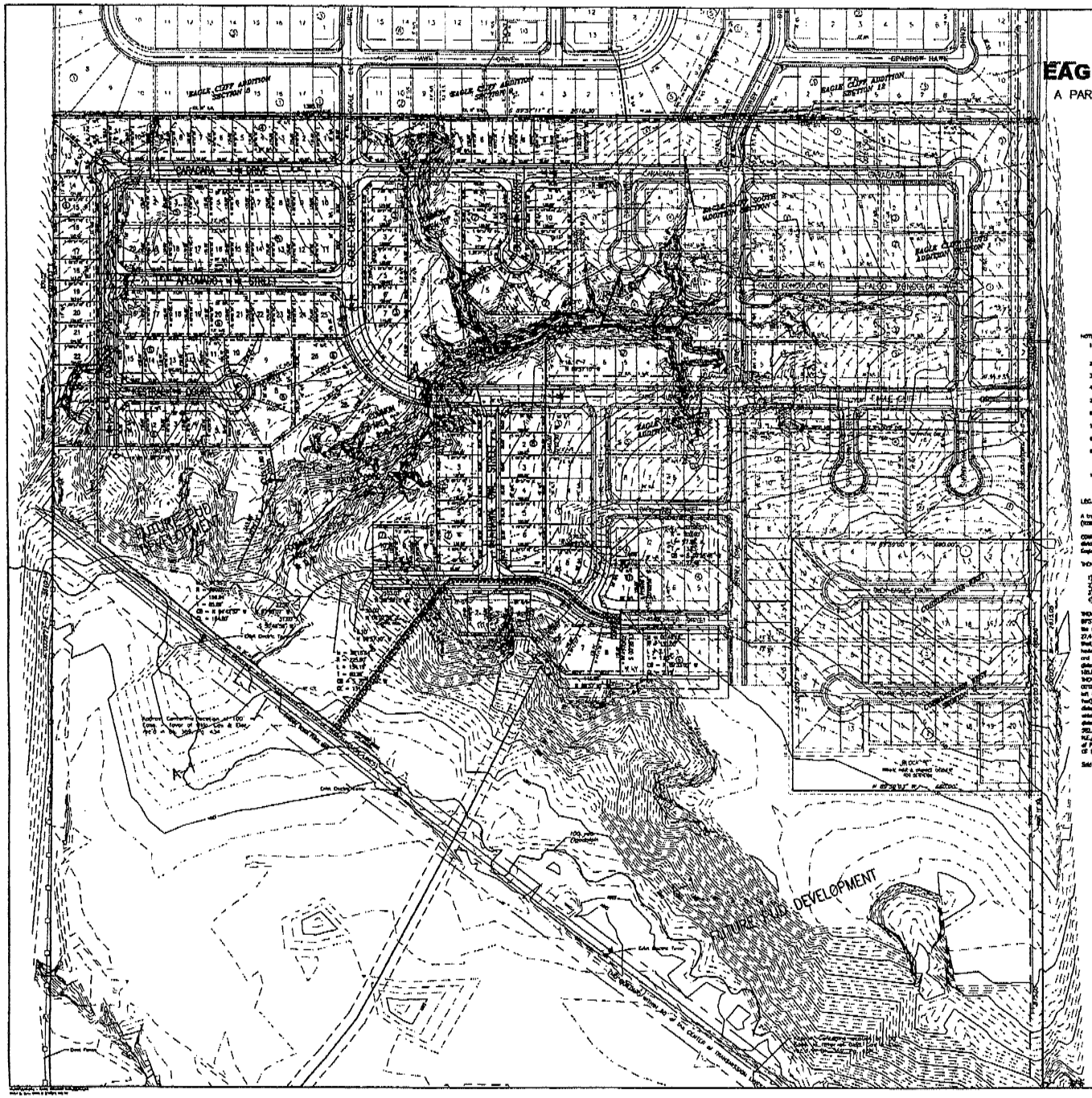
2. Rights-of-Way. All street rights-of-way are dedicated to the City on the final plat.

SUPPLEMENTAL MATERIAL: Copies of a location map, preliminary plat and final plat are included in the Agenda Book.

STAFF COMMENTS AND RECOMMENDATION: There are 27 proposed residential lots within the final plat. Staff recommends approval of the final plat for Eagle Cliff South Addition, Section 4.

ACTION NEEDED: Approve or disapprove the final plat for Eagle Cliff South Addition, Section 4.

ACTION TAKEN:_____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NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

JULY 12, 2012

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

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

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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

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Item No. 2, being:
CONSENT DOCKET
Chairman Sherrer announced that the Consent Docket is designed to allow the Planning Commission to approve a number of items by one motion and vote. The Consent Docket consisted of the following items:

Item No. 3, being:
APPROVAL OF THE JUNE 14, 2012 REGULAR SESSION MINUTES

Item No. 4, being:
FP-1213-1 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY UNIVERSITY TOWN CENTER, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR UNIVERSITY NORTH PARK SECTION IX, A PLANNED UNIT DEVELOPMENT, A REPLAT OF LOT 3, BLOCK 2, AND A PORTION OF PARKLAND OF A REPLAT OF LOT 1, BLOCK 2, UNIVERSITY NORTH PARK SECTION 1 AND A REPLAT OF A PORTION OF LOT 1, BLOCK 1 OF A REPLAT OF UNIVERSITY NORTH PARK SECTION IV, GENERALLY LOCATED ON THE WEST SIDE OF 24TH AVENUE N.W. AT MOUNT WILLIAMS DRIVE.

Item No. 5, being:
FP-1213-2 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY EAGLECLIFF LIMITED PARTNERSHIP (SMC CONSULTING ENGINEERS, P.C.) FOR EAGLE CLIFF SOUTH ADDITION SECTION 4, GENERALLY LOCATED ONE-HALF MILE SOUTH OF CEDAR LANE ROAD AND ONE-QUARTER MILE WEST OF 12TH AVENUE S.E.

Item No. 6, being:
FP-1213-3 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY SHAZ INVESTMENT GROUP, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR WHISPERING TRAILS ADDITION SECTION 1, A PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED ONE-QUARTER MILE EAST OF 48TH AVENUE N.W. ON THE NORTH SIDE OF INDIAN HILLS ROAD.

Item No. 7, being:
FP-1213-4 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY SHAZ INVESTMENT GROUP, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR WHISPERING TRAILS ADDITION SECTION 2, A PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED ONE-QUARTER MILE NORTH OF INDIAN HILLS ROAD ON THE EAST SIDE OF 48TH AVENUE N.W.

*

Chairman Sherrer asked if any member of the Commission wished to remove any item from the Consent Docket. There being none, he asked whether any member of the audience wished to remove any item. There being none, he asked for discussion by the Commission.

Jim Gasaway moved to place approval of Item Nos. 3 through 7 on the Consent Docket and approve by one unanimous vote. Dave Boeck seconded the motion.

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

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

Ms. Tromble announced that the motion, to place approval of Item Nos. 3 through 7 on the Consent Docket and approve by one unanimous vote, passed by a vote of 5-0.

* * *

Item No. 5, being:
FP-1213-2 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY EAGLECLIFF LIMITED PARTNERSHIP (SMC CONSULTING ENGINEERS, P.C.) FOR EAGLE CLIFF SOUTH ADDITION SECTION 4, GENERALLY LOCATED ONE-HALF MILE SOUTH OF CEDAR LANE ROAD AND ONE-QUARTER MILE WEST OF 12TH AVENUE S.E.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Final Plat
3. Staff Report
4. Preliminary Plat

The Final Plat for EAGLE CLIFF SOUTH ADDITION SECTION 4 was approved on the Consent Docket by a vote of 5-0.

* * *

City of Norman, OK

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

Master

File Number: FP-1213-21

File ID:	FP-1213-21	**Type:**	Final Plat	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 15	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/14/2012
File Name:	Red Canyon Ranch Section 4 FP			**Final Action:**	

Title: CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR RED CANYON RANCH ADDITION, SECTION 4, A PLANNED UNIT DEVELOPMENT, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED 1/2 MILE WEST OF 12TH AVENUE N.E. AND 1/4 MILE NORTH OF EAST TECUMSEH ROAD)

Notes: ACTION NEEDED: Motion to approve or reject the final site development plan and final plat for Red Canyon Ranch Addition, Section 4, a Planned Unit Development; and, if approved, accept the public dedications contained within the plat, authorize the Mayor to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of a copy of a warranty deed for private park land, and direct the filing of the final site development plan and final plat.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 15

Attachments: Text File Final Plat Red Canyon Ranch, RedCanyon4 Location, Final Plat Red Canyon 4, Red Canyon Staff Rpt, Prelim Red Canyon Ranch, 12-13-12 PC Minutes - Red Canyon Section 4

Project Manager: Ken Danner, Subdivision Manager

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	12/13/2012					

Text of Legislative File FP-1213-21

body

BACKGROUND: This item is a final site development plan and final plat for Red Canyon Ranch Addition, Section 4, a Planned Unit Development and is generally located one-half mile west of 12th Avenue N.E. and one-quarter mile north of East Tecumseh Road. City Council, at its meeting of May 27, 2008, adopted Ordinance No. O-0708-40 placing this property in the Planned Unit Development zoning classification. City Council, at its meeting of May 27, 2008, approved the preliminary plat for Red Canyon Ranch Addition, a

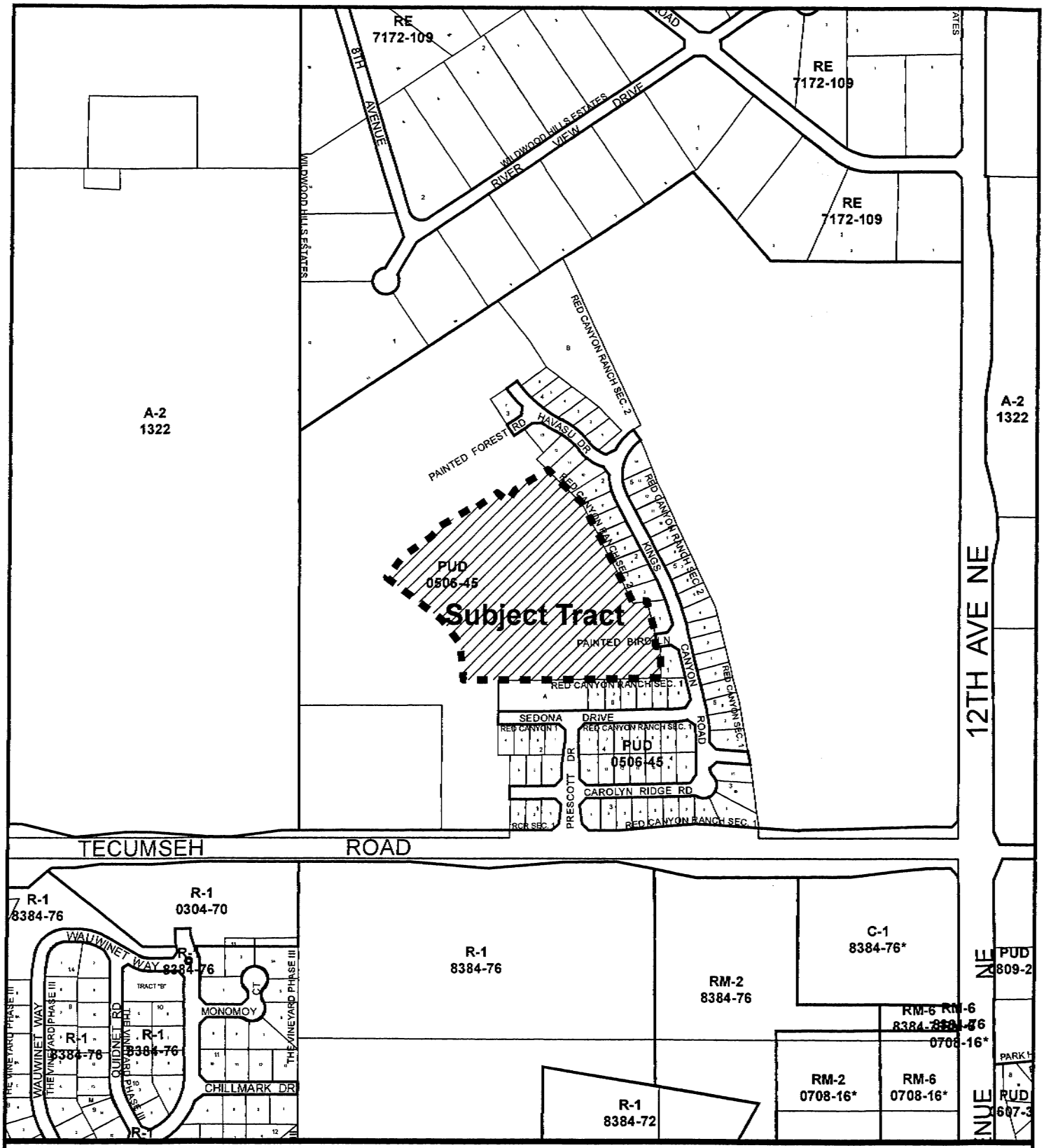
March 26, 2013, the preliminary plat for Red Canyon Ranch Addition, a Planned Unit Development was extended an additional two (2) years. The preliminary plat will expire May 27, 2015. Red Canyon Ranch Addition is a 123-acre subdivision consisting of 359 single family residential lots, 4 large open space lots consisting of 22 acres and 16 commercial/church lots. With the filing of Red Canyon Ranch Addition, Sections 1, 2 and 3, the currently filed final plats consist of 40.33 acres, 126 lots and 3 large open space lots.

Planning Commission, at its meeting of December 13, 2012, approved the final plat for the Red Canyon Ranch Addition, Section 4, a Planned Unit Development. This final plat consists of 12.24 acres and 41 single-family residential lots and one large open space lot/detention pond. This will make a total of 167 residential lots platted in Red Canyon Ranch Addition, a Planned Unit Development.

DISCUSSION: Construction plans have been reviewed for the required public improvements for this property. The public improvements are under construction. These improvements consist of water mains with fire hydrants, sanitary sewer, storm drainage, street paving and sidewalk improvements. A temporary emergency access is located 550 feet west of the entrance into the existing development off of Tecumseh Road.

The developer/owner will deed private park land to the Property Owner's Association prior to the final plat being filed of record.

STAFF RECOMMENDATION: The final plat is consistent with the approved preliminary plat. Based on the above information, staff recommends acceptance of the public dedications, approval of the final site development plan and final plat and filing of the final plat subject to a warranty deed for private park land and completion of public improvements. The City Development Committee must accept all required public improvements or bonds/cash sureties securing public improvements. This action authorizes the Mayor to sign the final plat and bonds.



Location Map

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

N
W E
S

December 6, 2012

0 250 500 Ft.

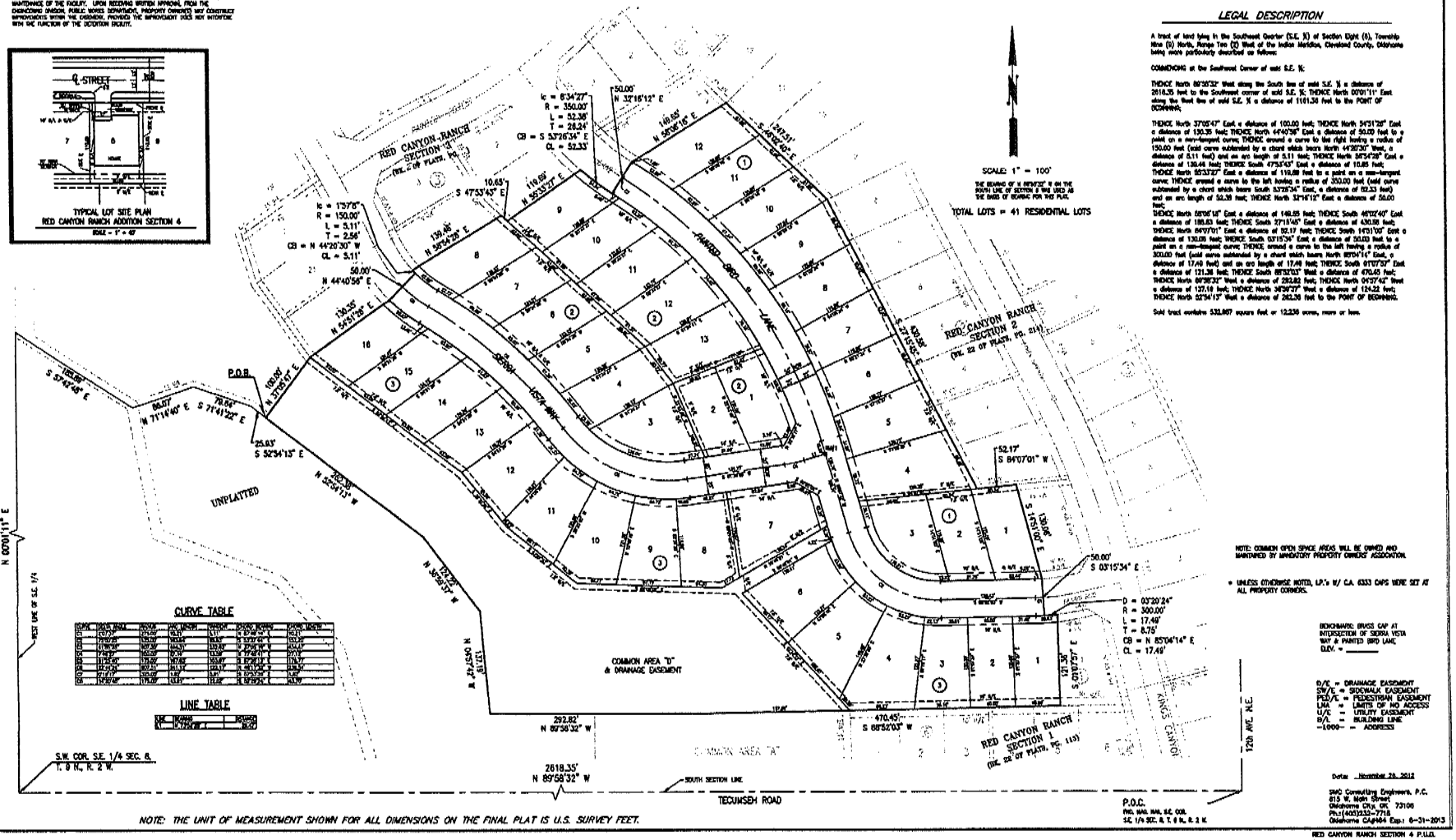
Subject Tract

Zoning

FINAL PLAT
RED CANYON RANCH SECTION 4
A PLANNED UNIT DEVELOPMENT
A PART OF THE S.E. 1/4, SECTION 8, T9N, R2W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA

STORM DRAINAGE DETENTION FACILITY EASEMENT

DRAINAGE DETENTION FACILITY EASEMENTS ARE HEREBY ESTABLISHED AS SHOWN TO PROVIDE FOR DETENTION OF STORM SURFACE WATER AND CONSTRUCTED AS APPROVED BY THE CITY ENGINEER. ALL MAINTENANCE WITHIN THE DRAINAGE DETENTION FACILITY EASEMENT SHALL BE THE RIGHT, DUTY AND RESPONSIBILITY OF THE PROPERTY OWNER(S) IN THE PLAT OF RED CANYON RANCH, SECTION 4, NORMAN, IF MAINTENANCE IS NEGLECTED OR SUBJECT TO OTHER UNUSUAL CIRCUMSTANCES AND IS DETERMINED TO BE A HAZARD OR THREAT TO PUBLIC SAFETY BY THE CITY ENGINEER, CORRECTIVE MAINTENANCE MAY BE PERFORMED BY THE CONCERNING JURISDICTION WITH COSTS ASSESSED TO AND BORN UPON SAID PROPERTY OWNER(S). OFFICIALS REPRESENTING THE ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT, SHALL HAVE THE RIGHT TO ENTER UPON THE EASEMENT FOR PURPOSES OF PERFORMING INSPECTION AND/OR CORRECTIVE MAINTENANCE OF THE FACILITY. UPON RECEIVING WRITTEN APPROVAL FROM THE ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT, PROPERTY OWNER(S) MAY CONSTRUCT IMPROVEMENTS WITHIN THE EASEMENT, PROVIDED THE IMPROVEMENT DOES NOT INTERFERE WITH THE FUNCTION OF THE DETENTION FACILITY.



LEGAL DESCRIPTION

A tract of land lying in the Southwest Quarter (S.E. ¼) of Section Eight (8), Township Nine (9) North, Range Two (2) West of the Indian Meridian, Cleveland County, Oklahoma being more particularly described as follows:

COMMENCING at the Southwest Corner of said S.E. ¼;

THENCE North 89°58'32" West along the South line of said S.E. ¼ a distance of 2618.35 feet to the Southwest corner of said S.E. ¼; THENCE North 00°01'11" East along the West line of said S.E. ¼ a distance of 1161.36 feet to the POINT OF BEGINNING;

THENCE North 37°05'47" East a distance of 100.00 feet; THENCE North 52°54'13" East a distance of 130.35 feet; THENCE North 44°40'56" East a distance of 50.00 feet to a point on a non-tangent curve; THENCE around a curve to the right having a radius of 150.00 feet (said curve subtended by a chord which bears North 44°20'30" West, a distance of 5.11 feet) and an arc length of 5.11 feet; THENCE North 58°56'15" East a distance of 139.46 feet; THENCE South 47°53'45" East a distance of 10.65 feet; THENCE North 55°31'27" East a distance of 119.69 feet to a point on a non-tangent curve; THENCE around a curve to the left having a radius of 350.00 feet (said curve subtended by a chord which bears South 53°26'34" East, a distance of 52.33 feet) and an arc length of 52.38 feet; THENCE North 32°16'12" East a distance of 50.00 feet;

THENCE North 58°06'18" East a distance of 148.85 feet; THENCE South 46°02'40" East a distance of 188.63 feet; THENCE South 37°15'45" East a distance of 430.58 feet; THENCE North 84°07'01" East a distance of 52.17 feet; THENCE South 14°31'00" East a distance of 130.05 feet; THENCE South 03°15'34" East a distance of 50.00 feet to a point on a non-tangent curve; THENCE around a curve to the left having a radius of 300.00 feet (said curve subtended by a chord which bears North 85°04'14" East, a distance of 17.49 feet) and an arc length of 17.49 feet; THENCE South 01°07'57" East a distance of 121.36 feet; THENCE South 88°52'03" West a distance of 470.45 feet; THENCE North 89°58'32" West a distance of 292.82 feet; THENCE North 04°37'42" West a distance of 127.16 feet; THENCE North 34°39'27" West a distance of 124.22 feet; THENCE North 52°54'13" West a distance of 262.26 feet to the POINT OF BEGINNING.

Said tract contains 532,867 square feet or 12.236 acres, more or less.

NOTE: COMMON OPEN SPACE AREAS WILL BE OWNED AND MAINTAINED BY MANDATORY PROPERTY OWNERS' ASSOCIATION.

* UNLESS OTHERWISE NOTED, L.P.'s W/ C.A. 6333 CAPS WERE SET AT ALL PROPERTY CORNERS.

BENCHMARK: BRASS CAP AT INTERSECTION OF SIERRA VISTA WAY & PAINTED BIRD LANE. ELEV. = _____

D/E = DRAINAGE EASEMENT
SW/E = SIDEWALK EASEMENT
PED/E = PEDESTRIAN EASEMENT
LNA = LIMITS OF NO ACCESS
U/E = UTILITY EASEMENT
B/L = BUILDING LINE
--1000-- = ADDRESS

NOTE: THE UNIT OF MEASUREMENT SHOWN FOR ALL DIMENSIONS ON THE FINAL PLAT IS U.S. SURVEY FEET.

Date: November 26, 2012

SMC Consulting Engineers, P.C.
815 W. Main Street
Oklahoma City, OK 73106
Ph.(405)235-7718
Oklahoma CA#464 Exp.: 6-31-2013

FINAL PLAT
FP-1213-21

ITEM NO. 5

STAFF REPORT

ITEM: Consideration of a Final Plat for RED CANYON RANCH ADDITION, SECTION 4, A PLANNED UNIT DEVELOPMENT.

LOCATION: Generally located one-quarter mile west of 12th Avenue NE and one-quarter mile north of East Tecumseh Road.

INFORMATION:

1. Owners. Sweetgrass Communities, LLC.
2. Developer. Sweetgrass Communities, LLC.
3. Engineer. SMC Consulting Engineers, P.C.

HISTORY:

1. December 8, 1966. Planning Commission, on a vote of 6-0, recommended to City Council that a portion of this property be rezoned from A-2 to R-1 zoning classification.
2. December 27, 1966. City Council, on a vote of 6-0, adopted Ordinance No. 1954, rezoning a portion of this property from A-2 to R-1 zoning classification.
3. November 3, 1983. The Norman Board of Parks Commissioners, on a vote of 6-0, voted to accept park land dedication for Woodcrest II Addition.
4. December 15, 1983. Planning Commission, on a vote of 8-0-1, recommended to City Council that this property be placed in R-1 and RM-2, and removed from A-2 and R-1 zoning classifications.
5. December 15, 1983. Planning Commission, on vote of 8-0-1, approved the preliminary plat for Woodcrest II Addition.
6. January 10, 1984. City Council adopted Ordinance No. O-8384-76, placing a portion of this property in R-1 and RM-2, and removing it from A-2 and R-1 zoning classifications.
7. December 15, 1988. Approval of the preliminary plat for Woodcrest II Addition became null and void.

HISTORY (con't)

8. June 14, 2001. Planning Commission, on a vote of 6-0-1, recommended to City Council that a portion of this property be placed in R-1 and RM-2, and removing it from R-1 and RM-2 zoning classifications.

9. June 14, 2001. Planning Commission, on a vote of 6-0-1, recommended to City Council that the preliminary plat for Summerlin Addition be approved.

10. July 25, 2001. City Council adopted Ordinance No. O-0001-68 placing this property in R-1 and RM-2 and removing it from R-1 and RM-2 zoning classifications.

11. July 25, 2001. City Council approved the preliminary plat for Summerlin Addition.

12. October 14, 2004. Planning Commission, on a vote of 6-0-1, postponed the request to place this property in a PUD, Planned Unit Development and remove it from R-1 and RM-2 zoning classifications.

13. October 14, 2004. Planning Commission, on a vote of 6-0-1, postponed the preliminary plat for Red Rock Addition at the request of the applicant.

14. March 2, 2006. The Norman Board of Parks Commissioners, on a vote of 7-0, recommended private park land for Red Rock Addition.

15. March 9, 2006. Planning Commission, on a vote of 8-0-1, recommended to City Council that this property be placed in Planned Unit Development and removed from RM-2 and R-1 zoning classifications.

16. March 9, 2006. Planning Commission, on a vote of 8-0-1, recommended to City Council the approval of the preliminary plat for Red Rock Addition with waiver of all requirements for the commercial property.

17. April 25, 2006. City Council postponed Ordinance No. 0-0506-45 that would place this property in Planned Unit Development and R-1 with Special use for a church and remove it from RM-2, R-1 and PL zoning classifications.

18. May 9, 2006. City Council adopted Ordinance No. O-0506-45 placing this property in Planned Unit Development and removing it from RM-2 and R-1 zoning classifications.

19. May 9, 2006. City Council approved the preliminary plat for Red Rock Addition.

20. April 10, 2008. Planning Commission, on a vote of 8-0, recommended to City Council that this property be placed in the Planned Unit Development and removing it from R-1, C-1 and PUD.

HISTORY (con't)

21. April 10, 2008. Planning Commission, on a vote of 8-0, recommended to City Council that Proposals "A" and "B" of the preliminary plat for Red Canyon Ranch Addition, a Planned Unit Development, be approved with alley waiver for the commercial property.

22. May 27, 2008. City Council adopted Ordinance No. O-0708-40 placing this property in the Planned Unit Development.

23. May 27, 2008. City Council approved the preliminary plat (Proposal "B") for Red Canyon Ranch Addition, a Planned Unit Development.

IMPROVEMENT PROGRAM:

1. Fire Protection. Fire hydrants will be installed in accordance with approved plans. Their locations have been approved by the Norman Fire Department.

2. Permanent Markers. Permanent markers will be installed prior to filing of the final plat.

3. Sanitary Sewers. Sanitary sewer mains will be installed in accordance with approved plans and City and Department of Environmental Quality standards.

4. Sidewalks. Sidewalks will be constructed on each lot prior to occupancy.

5. Storm Sewers. Storm sewers and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. Storm sewers will be constructed to drain streets and lots. A privately maintained detention facility will be constructed for the conveyance of storm water.

6. Streets. Streets will be constructed in accordance with approved plans and City paving standards.

7. Water Mains. Water mains will be installed in accordance with approved plans and City and Department of Environmental Quality standards.

PUBLIC DEDICATIONS:

1. Easements. All required easements are dedicated to the City on the final plat.

2. Rights-of-Way. Street rights-of-way are dedicated to the City on the final plat.

SUPPLEMENTAL MATERIAL: Copies of a location map, preliminary plat and final plat are included in the Agenda Book.

STAFF COMMENTS AND RECOMMENDATION: There are 41 proposed residential lots and one detention pond/common open space. The property owners association will be responsible for the open space properties which includes a privately maintained detention facility. Staff recommends approval of the final plat for Red Canyon Ranch Addition, Section 4, a Planned Unit Development.

ACTION NEEDED: Approve or disapprove the final plat for Red Canyon Ranch Addition, Section 4, a Planned Unit Development.

ACTION TAKEN: _____

PRELIMINARY PLAT
RED CANYON RANCH
A PLANNED UNIT DEVELOPMENT
A PART OF THE S.E. 1/4, SECTION 8, TIN, R2W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA
LOCATION MAP
PRELIMINARY PLAT
RED CANYON RANCH
A PLANNED UNIT DEVELOPMENT
12TH AVE. N.E. & TECUMSEH RD.
NORMAN, OKLAHOMA
SCALE: 1" = 100'
12TH AVENUE N.E.
WILDWOOD HILLS ESTATES
UNPLATTED

5b-17

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

DECEMBER 13, 2012

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 13th day of December 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 Tom Knotts Curtis McCarty Cindy Gordon Jim Gasaway Sandy Bahan Chris Lewis Andy Sherrer
MEMBERS ABSENT	Roberta Pailes

A quorum was present.

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

* * *

Chairman Sherrer recognized Sandy Bahan, new member of the Planning Commission, and recognized Diana Hartley for her service on the Commission from November 2009 through December 2012.

* * *

Item No. 2, being:
CONSENT DOCKET
Chairman Sherrer announced that the Consent Docket is designed to allow the Planning Commission to approve a number of items by one motion and vote. The Consent Docket consisted of the following items:

Item No. 3, being:
APPROVAL OF THE NOVEMBER 8, 2012 REGULAR SESSION MINUTES

Item No. 4, being:
COS-1213-4 – CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY J. MERTENS CONSTRUCTION, INC. FOR NICKSAND ACRES, GENERALLY LOCATED ON THE WEST SIDE OF 120TH AVENUE N.E. APPROXIMATELY ¼ MILE NORTH OF INDIAN HILLS ROAD (11702 MARY LANE).

Item No. 5, being:
FP-1213-21 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY SWEETGRASS COMMUNITIES, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR RED CANYON RANCH SECTION 4, A PLANNED UNIT DEVELOPMENT, FOR PROPERTY GENERALLY LOCATED APPROXIMATELY ¼ MILE NORTH OF TECUMSEH ROAD AND ¼ MILE WEST OF 12TH AVENUE N.E. (WEST OF KINGS CANYON).

Item No. 6, being:
FP-1213-22 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY UNIVERSITY TOWN CENTER, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR UNIVERSITY NORTH PARK SECTION XI, A PLANNED UNIT DEVELOPMENT, FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF 24TH AVENUE N.W. AND LEGACY PARK DRIVE.

Item No. 7, being:
SFP-1213-1 – CONSIDERATION OF A SHORT FORM PLAT SUBMITTED BY UNIVERSITY TOWN CENTER, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR LOTS 2C AND 2D, BLOCK 2, BEING A REPLAT OF LOT 2B, BLOCK 2 OF THE FINAL PLAT OF LOT 2A AND 2B, BLOCK 2, UNIVERSITY NORTH PARK SECTION V, A PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED ON THE EAST SIDE OF 24TH AVENUE N.W. AND 315 FEET SOUTH OF LEGACY PARK DRIVE.

Item No. 8, being:
FP-1213-23 – CONSIDERATION OF AN AMENDED FINAL PLAT SUBMITTED BY RW & JS, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR WILLIAMS & SPURGEON ADDITION FOR PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF 24TH AVENUE S.W. AND APPROXIMATELY ½ MILE NORTH OF LINDSEY STREET.

Item No. 9, being:
PP-1213-8 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY TERRA VERDE DEVELOPMENT, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR LITTLE RIVER TRAILS ADDITION, A PLANNED UNIT DEVELOPMENT GENERALLY LOCATED ON THE WEST SIDE OF PORTER AVENUE APPROXIMATELY ¼ MILE NORTH OF TECUMSEH ROAD.

*

Chairman Sherrer asked if any member of the Commission wished to remove any item from the Consent Docket. There being none, he asked whether any member of the audience wished to speak regarding any item. There being none, he asked for discussion by the Planning Commission.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Jim Gasaway moved to place approval of Item Nos. 3 through 9 on the Consent Docket and approve by one unanimous vote. Chris Lewis seconded the motion.

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

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

Ms. Tromble announced that the motion, to place approval of Item Nos. 3 through 9 on the Consent Docket and approve by one unanimous vote, passed by a vote of 8-0.

* * *

Item No. 5, being:
FP-1213-21 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY SWEETGRASS COMMUNITIES, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR RED CANYON RANCH SECTION 4, A PLANNED UNIT DEVELOPMENT, FOR PROPERTY GENERALLY LOCATED APPROXIMATELY ¼ MILE NORTH OF TECUMSEH ROAD AND ¼ MILE WEST OF 12TH AVENUE N.E. (WEST OF KINGS CANYON).

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Final Plat
3. Staff Report
4. Preliminary Plat

The Final Plat for RED CANYON RANCH SECTION 4, A Planned Unit Development was approved on the Consent Docket by a vote of 8-0.

* * *

City of Norman, OK

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

Master

File Number: GID-1314-8

File ID:	GID-1314-8	**Type:**	Permits	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 16	**In Control:**	City Council
Department:	Utilities Department	**Cost:**		**File Created:**	07/08/2013
File Name:	DEQ Permit - SMP11			**Final Action:**	

Title: SUBMISSION OF SEWER LINE PERMIT NO. SL000014130438 ISSUED BY THE STATE OF OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ) FOR THE 2011 SEWER MAINTENANCE PROJECT.

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

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 16

Attachments: Text File ODEQ Permit, Agenda - DEQ Permit-SMP11, Agenda -DEQ Permit -SMP11-map

Project Manager: Charlie Thomas, Capital Projects Engineer

Entered by: charlie.thomas@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-1314-8

Body

BACKGROUND: In 2001, the citizens of Norman approved a five dollar per month maintenance fee providing for the systematic replacement of aged and deteriorated sewer lines throughout our system. The annual Sewer Maintenance Project is rehabilitative in nature, generally bounded by Alameda to the north, Bishop Creek to the west, partially Boyd and partially Brooks to the south, and Shiloh to the east. It will replace about 38,000 feet (7 miles) of sewer line and replace or rehabilitate about 220 manholes.

DISCUSSION: A Permit to Construct is required from the Oklahoma Department of Environmental Quality (ODEQ) for the project. Staff submitted design plans to ODEQ on April 19, 2013. ODEQ issued a Permit to Construct on June 6, 2013.

RECOMMENDATION: Staff recommends that the City Council note receipt of ODEQ Permit No. SL000014130438, issued June 6, 2013, and make it permanent record.

STEVEN A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

MARY FALLIN
Governor

PERMIT NO.: SL000014130438

SEWER LINES

FACILITY NO.: S-20616

PERMIT TO CONSTRUCT

June 6, 2013

Pursuant to O.S. 27A 2-6-304, the Norman Utilities Authority is hereby granted this Tier I Permit to construct approximately 392 L. F. of new eight (8) inch sewer line; sewer line replacement with larger diameter pipe, including replacing approximately 151 L. F. of four (4) line with eight (8) inch, 1,293 L. F. of six (6) inch with eight (8) inch line, 1,381 L. F. of eight (8) inch with twelve (12) inch, and 1,279 L. F. of ten (10) inch with twelve (12) inch sewer lines; and appurtenances to serve the Norman Utilities Authority Sewer Collection System Maintenance and Improvements Project, located in parts of Sections 28 and 29, T-9-N, R-3-W, I. M., Cleveland County, Oklahoma, in accordance with the plans approved on June 6, 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.

VARIANCE

A variance from OAC 252:656-5-2(a), requiring all gravity sewer lines to be constructed with hydraulic slopes sufficient to maintain a minimum flow velocity of 2-feet per second is granted. Referenced existing sewer lines with deficient slopes will be constructed as shown on the approved plans, as necessary, to maintain the hydraulic slope of the collection system.

PROVISIONS AND CONDITIONS

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.

707 NORTH ROBINSON, P.O. BOX 1677, OKLAHOMA CITY, OKLAHOMA 73101-1677

printed on recycled paper with soy ink

PERMIT NO.: SL000014130438

SEWER LINES

FACILITY NO.: S-20616

PERMIT TO CONSTRUCT

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) 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.

8) 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.

9) 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.

10) 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.

11) That other than pipe bursting sewer line replacement, 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).

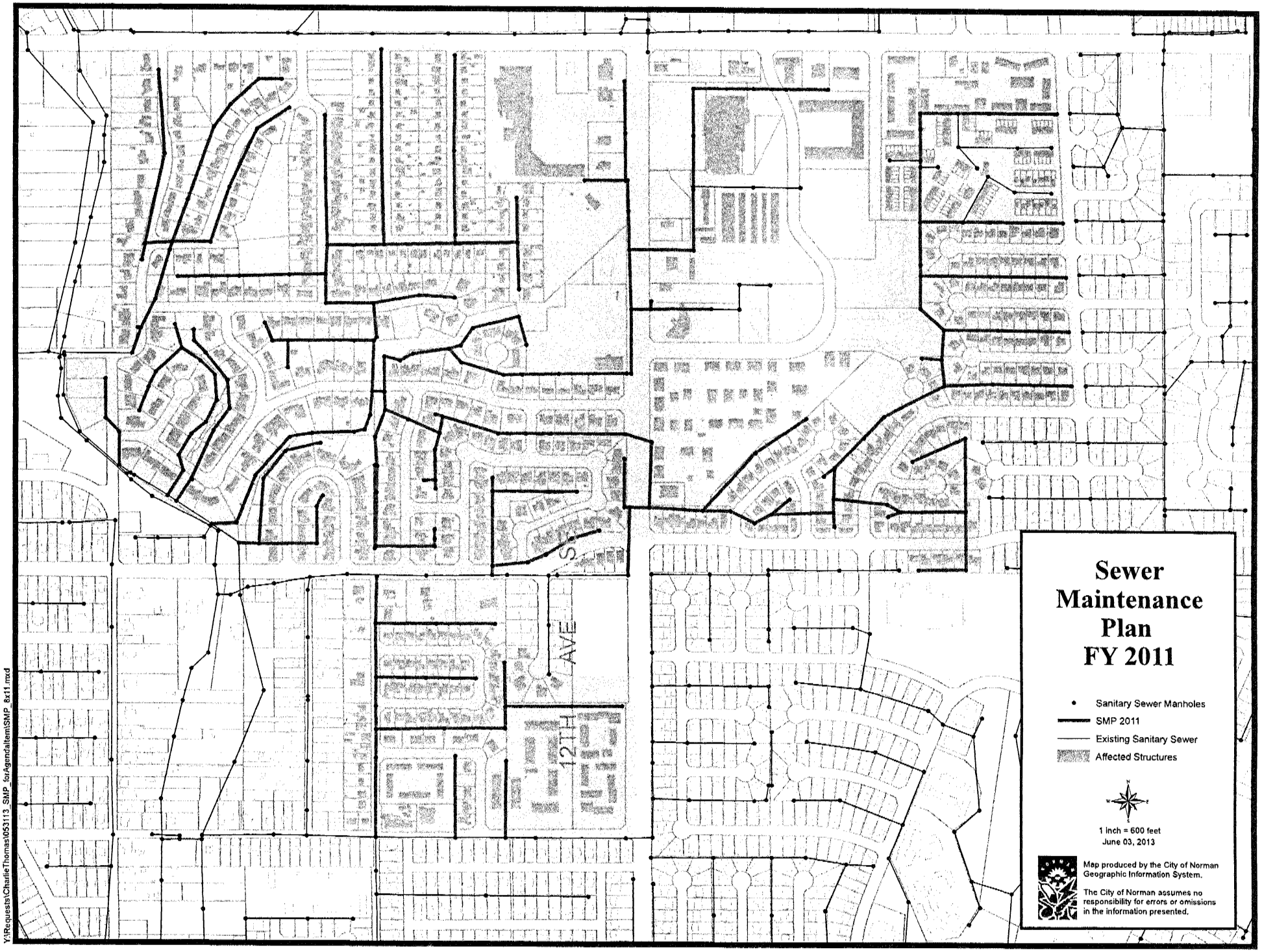
12) That any notations or changes recorded on the official set of plans and specifications in the Oklahoma Department of Environmental Quality files shall be part of the plans as approved.

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

707 NORTH ROBINSON, P.O. BOX 1677, OKLAHOMA CITY, OKLAHOMA 73101-1677

printed on recycled paper with soy ink



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City of Norman, OK

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

Master

File Number: GID-1314-10

File ID:	GID-1314-10	**Type:**	Declare Surplus/Obsolete	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 17	**In Control:**	City Council
Department:	Finance Department	**Cost:**		**File Created:**	07/11/2013
File Name:	Declare Surplus Obsolete			**Final Action:**	

Title: DECLARATION OF SURPLUS AND/OR OBSOLETE EQUIPMENT AND MATERIALS AND AUTHORIZING THE SALE THEREOF.

Notes: ACTION NEEDED: Motion to declare the equipment to be surplus and/or obsolete; and, if so declared, authorize the sale thereof.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 17

Attachments: Inventory List

Project Manager: Frederick Duke, Procurement Analyst

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-1314-10

Body

BACKGROUND: Section 8-301 of the Code of Ordinances of the City of Norman provides that "The City Council must declare surplus or obsolete any supplies, materials, or equipment where the valuation exceeds one thousand dollars ($1,000) prior to the selling of such supplies, materials, or equipment."

DISCUSSION: The attached inventory sheets are supplies, materials, or equipment identified as surplus or obsolete, and are therefore being prepared for sale at auction.

RECOMMENDATION: It is recommended that the attached list of supplies, materials, or equipment be declared surplus or obsolete, and approved for sale at public auction.

Smalley Inventory List

Item	#	Condition
Large Desk	8	Fair
Medium Desk	11	Fair
L Shape Desk	20	Fair
Small Desk	43	Fair
Filing Cabinets	27	Fair
Shelves	24	Fair
Large Credenza	6	Fair
Small Credenza	19	Fair
Office Chairs	141	Fair
Small metal Trash Cans	31	Fair
Small Cabinet	30	Fair
Cubical Divider walls	26	Fair
Small Table	12	Fair
Couches	4	Poor
Lamps	4	Poor
Chalk board	1	Poor
Podiums	5	Poor
Weight Set	1	Poor
Microwave	1	Poor
Kitchen Shelves	5	Fair
6 burner stove w/ oven	1	Fair
Comm potato masher	1	Fair
Grill w/ oven	1	Fair
Double coffee urn	1	Good
Comm fryer	1	Fair
Steam tables	2	Fair
Comm stainless racks for trays	6	Good
Stainless carts	2	Good
Serving Rack	3	Fair
Plastic Trays	13	Fair
Telephones	19	Poor

City of Norman, OK

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

Master

File Number: GID-1314-9

File ID:	GID-1314-9	**Type:**	Donation	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 18	**In Control:**	City Council
Department:	Fire Department	**Cost:**		**File Created:**	07/11/2013
File Name:	Donation from Firehouse Subs			**Final Action:**	

Title: CONSIDERATION OF THE ACCEPTANCE OF A DONATION OF ONE (1) JOHN DEERE GATOR WITH SKID UNIT VALUED AT $21,544.45 FROM FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION TO BE USED BY THE FIRE DEPARTMENT.

Notes: ACTION NEEDED: Motion to accept or reject a donation of one (1) John Deere Gator with Skid Unit valued at $21,544.45 from Firehouse Subs Public Safety Founation to be used by the Fire Department.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 18

Attachments: Norman FD- John Deere - donation information.pdf, Invoice for Skid Unit

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:

Text of Legislative File GID-1314-9

Body

BACKGROUND: Section 8-111 of the City Code requires that the City Council accept all donations valued in excess of $250 received by the City prior to the use or disbursement of same. Therefore, it is requested that Council review and consider the following item for acceptance and use by the Norman Fire Department.

DISCUSSION: The Fire Department has received a donation of a John Deere XUV 825i "Gator", valued at $14,569.45, with a Firelite Transport Deluxe skid unit valued at $$6,975, for a total donation value of $21,544.45 from Firehouse Subs Public Safety Foundation. This is an all-terrain vehicle equipped for patient transport and extinguishing small fires primarily at special events and in inaccessible or remote areas.

RECOMMENDATION: It is recommended that City Council accept the donation of a John Deere XUV 825i Gator with a skid unit valued at $21,544.45 from Firehouse Subs Public Safety Foundation.

PO #06-19-13

Vendor: John Deere

Bill To:
Firehouse Subs Public Safety Foundation
3400-8 Kori Road
Jacksonville, FL 32257
Meghan Bender

Ship To:
Norman Fire Department
415 E. Main Street
Norman, OK 73069
Attn: Keith Nelson

Reference Quote #8024142
Net 30 Days.

Print Name: Meghan Bender

Signature Required: MBender

Date: 6/19/13

JOHN DEERE

Quote Id: 8024142 **Customer Name:** CITY OF NORMAN

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):
John Deere Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580;
DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:
P & K EQUIPMENT, INC.
17759 US Highway 81
KINGFISHER, OK 737507519
405-375-3111

Quote Summary

Prepared For:
CITY OF NORMAN
3500 S. JENKINS
NORMAN, OK 73069
Business: 405-292-9726

Delivering Dealer:
P & K EQUIPMENT, INC.
Jack B Leitner
17759 US Highway 81
KINGFISHER, OK 737507519
Phone: 405-375-3111
jleitner@pkequipment.com

Quote ID: 8024142
Created On: May 02, 2013
Last Modified On: June 18, 2013
Expiration Date: July 31, 2013

Equipment Summary	Selling Price		Qty		Extended
JOHN DEERE XUV 825i Green & Yellow **Contract:** Oklahoma State Contract_SW190 **Price Effective Date:** June 18, 2013	$ 14,569.45	X	1	=	$ 14,569.45
Equipment Total					**$ 14,569.45**

* Includes Fees and Non-contract items

Quote Summary	
Equipment Total	$ 14,569.45
Trade In	
SubTotal	**$ 14,569.45**
Total	$ 14,569.45
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	$ 14,569.45

M Boren 6/19/13
Approved Date

Salesperson : X _____ **Accepted By : X** _____

JOHN DEERE

Selling Equipment

Quote Id: 8024142 **Customer Name:** CITY OF NORMAN

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):
John Deere Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580;
DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:
P & K EQUIPMENT, INC.
17759 US Highway 81
KINGFISHER, OK 737507519
405-375-3111

JOHN DEERE XUV 825i Green & Yellow

Hours:
Stock Number:
Contract: Oklahoma State Contract_SW190 **Selling Price ***
Price Effective Date: June 18, 2013 $ 14,569.45

* Price per item - includes Fees and Non-contract items

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
397FM	XUV 825i Green & Yellow	1	$ 11,799.00	16.00	$ 1,887.84	$ 9,911.16	$ 9,911.16
	Standard Options - Per Unit						
0202	US/Canada	1	$ 0.00	16.00	$ 0.00	$ 0.00	$ 0.00
1002	Yellow Alloy Wheels Maxxis Bighorn Radial Tires	1	$ 823.00	16.00	$ 131.68	$ 691.32	$ 691.32
2001	Bench Seat - Yellow	1	$ 0.00	16.00	$ 0.00	$ 0.00	$ 0.00
3002	Deluxe Cargo Box with Polyurea Liner, Brake, Tail, Reverse Lights & Light Protector	1	$ 348.00	16.00	$ 55.68	$ 292.32	$ 292.32
4000	OPS	1	$ 0.00	16.00	$ 0.00	$ 0.00	$ 0.00
5000	Power and Front Protection Package Package Consists of: Power Lift, Heavy Duty Front Brushguard, Heavy Duty Front Fender Guard, Floor Mats	1	$ 1,261.00	16.00	$ 201.76	$ 1,059.24	$ 1,059.24
5100	Rear Protection Package Package Consists of: Rear Bumper, Bed Mat, Cargo Box Heavy Duty Fender Guards	1	$ 494.00	16.00	$ 79.04	$ 414.96	$ 414.96
6010	Less Front Brush Guard	1	$ 0.00	16.00	$ 0.00	$ 0.00	$ 0.00
6100	Standard Muffler	1	$ 0.00	16.00	$ 0.00	$ 0.00	$ 0.00
6300	Front Hood Rack XUV	1	$ 226.00	16.00	$ 36.16	$ 189.84	$ 189.84
	Standard Options Total		**$ 3,152.00**		**$ 504.32**	**$ 2,647.68**	**$ 2,647.68**
	Dealer Attachments/Non-Contract/Open Market						
BM24115	OPS Poly Roof - Black	1	$ 445.11	16.00	$ 71.22	$ 373.89	$ 373.89

JOHN DEERE

Selling Equipment

Quote Id: 8024142 **Customer Name:** CITY OF NORMAN

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):
John Deere Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580;
DUNS#: 60-7690989

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:
P & K EQUIPMENT, INC.
17759 US Highway 81
KINGFISHER, OK 737507519
405-375-3111

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
BM24021	Fox ® High Performance Racing Shox	1	$ 1,758.01	16.00	$ 281.28	$ 1,476.73	$ 1,476.73
BM24016	Mid-Range Light Kit	1	$ 123.06	16.00	$ 19.69	$ 103.37	$ 103.37
BM24089	OPS Switch Bank	1	$ 67.41	16.00	$ 10.79	$ 56.62	$ 56.62
	Dealer Attachments Total		**$ 2,393.59**		**$ 382.98**	**$ 2,010.61**	**$ 2,010.61**
	Suggested Price						**$ 14,569.45**
Total Selling Price			**$ 17,344.59**		**$ 2,775.14**	**$ 14,569.45**	**$ 14,569.45**

KIMTEK CORPORATION

"HOME OF THE AFFORDABLE SKID UNIT!"

2163 VT RT 5A
ORLEANS, VT 05860
Phone 1-888-546-8358 Fax 1-802-525-3441

ORDER CONFIRMATION

DATE: May 8, 2013
YOUR PO#: NormanFD
FOR: *FIRELITE Transport Deluxe FDH-203*

Bill To:
Firehouse Subs Public Safety Foundation
Attn: Meghan Bender
3400-8 Kori Road
Jacksonville, FL 32257

Ship To:
Norman Fire Department
James Fullingim/Keith Nelson
415 E. Main St.
Norman, OK 73069
405-501-1951

1984 - 2013
29
YEARS OF
EXCELLENCE
KIMTEK CORPORATION

NOTE: PLEASE REVIEW ALL INFORMATION BELOW FOR ACCURACY
This order confirmation must have a signature from an AUTHORIZED individual
Order will not ship unless order confirmation is signed and received by KIMTEK.

DESCRIPTION	AMOUNT
1- FIRELITE Transport Deluxe FDH-203/ Darley-Davey High Pressure Firefighting 5.5 HP Pump/ Hannay Reel 4000 Series manual crank with 100' of 3/4" booster hose/ 55 gallon poly tank/ rescue area/ hose storage area w. tailgate/ 10- 24" long Velcro D loop straps to secure long board or stokes basket to unit. 4 Quick release tie down turnbuckles to secure unit in cargo bed area supplied.	6,500.00
All to fit 2013 John Deere Gator 825i	
1- Crating & Shipping	475.00
All skid units are 48" wide unless otherwise noted. If unsure, please call Kimtek 888.546.8358	
ONCE YOU HAVE REVIEWED THIS DOCUMENT, PLEASE SIGN AND DATE IT IN THE AREA PROVIDED BELOW TO SERVE AS ACCEPTANCE OF THIS PO.	
NAME: [illegible] **TITLE** Development manager **DATE** 5/9/13	
Should legal action be instituted to enforce payment of any outstanding balance, with my signature above, I (we) agree to pay all costs of suit and reasonable attorney's fees.	
PLEASE FAX SIGNED PO TO 802-525-3441. THANK YOU FOR YOUR ORDER.	
TOTAL	$6,975.00

Make all checks payable to KIMTEK CORPORATION
If you have any questions concerning this order, contact:
Kimball Johnson, President 1-888-546-8358 or email sales@kimtekresearch.com
A Finance Charge of 1.5% (18 Annum) Will Be Charged To Invoice Past Due 30 Days.
If for any reason you must cancel the above order, it must be confirmed AT LEAST 48 hours prior to shipping,
If above order has already shipped, freight and handling charges may apply.

THANK YOU FOR YOUR BUSINESS!

City of Norman, OK

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

Master

File Number: LL-1314-1

File ID:	LL-1314-1	**Type:**	Limited License	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 19	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	07/09/2013
File Name:	Limited License Midsummer's Nights Fair			**Final Action:**	

Title: LIMITED LICENSE NO. LL-1314-1: LIMITED LICENSE TO PLACE FOUR (4) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE FIREHOUSE ART CENTER FOR THE MIDSUMMER NIGHT'S FAIR TO BE HELD AUGUST 23 AND 24, 2013, AT LION'S PARK.

Notes: ACTION NEEDED: Motion to approve or reject Limited License No. LL-1314-1 to place four (4) ground banners within the public rights-of-way pursuant to a request from the Firehouse Art Center; and, if approved, authorize the issuance thereof.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 19

Attachments: Text File Limited License, Application Midsummer's Nights Fair, Midsummer Nights' Fair license

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-1314-1

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 Firehouse Art Center, a 501 (c) (3) organization, has requested placement of four (4)

ground signs at intersections around the community to advertise a public festival. The signs will be used from August 1 through 25, 2013. The event will be held at Lion's Park on August 23 and 24, 2013, from 6:00 p.m. to 11:00 p.m.

RECOMMENDATION: The locations are acceptable and will not impact any designated sight triangles if properly placed. Staff has prepared the license in accordance with their request, and presents it to the Council for consideration. Additional conditions may be attached by Council. Other than the stipulated time frame and placement, staff has not suggested any other conditions, and does not oppose granting this limited license.

APPLICATION FOR LIMITED LICENSE FOR FESTIVAL OR PUBLIC EVENT BANNER/SIGN

Date July 3, 2013

Name of Applicant Firehouse Art Center

Address 444 S. Flood Avenue Telephone Number 329-4523

Number of Banners 4

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

Flood & Symmes (Lions Park corner)

24th & Main

12th & Alameda

24th & Tecumseh

Banner/Sign Size 4' x 8'

Type of Banner/Sign Vinyl

Wording of Banner/Sign Midsummer Nights' Fair

August 23-24, 2013 6-11 p.m.

Duration of Use August 1-25, 2013.

LIMITED LICENSE NO. LL-1314-1

LIMITED LICENSE TO PLACE FOUR (4) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE FIREHOUSE ART CENTER FOR THE MIDSUMMER NIGHTS' FAIR TO BE HELD AT LIONS PARK ON AUGUST 23 AND 24, 2013.

An Application has been filed by the Firehouse Art Center for the Midsummer Nights' Fair for a Limited License to place four (4) ground banners to be placed at four locations within the public right-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 twenty-two day period from August 1 through 25, 2013

Any special conditions which may be 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 by City Council this 23rd day of July, 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: SC-1314-3

File ID:	SC-1314-3	**Type:**	Special Claim	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 20	**In Control:**	City Council
Department:	Legal Department	**Cost:**	$2,349.43	**File Created:**	07/11/2013
File Name:	Special Claim of Mike Biehler			**Final Action:**	

Title: SPECIAL CLAIM NO. SC-1314-3: A CLAIM IN THE AMOUNT OF $2,349.43 SUBMITTED BY MIKE BIEHLER FOR DAMAGES TO HIS VEHICLE DUE TO AN ACCIDENT WITH A SANITATION TRUCK AT THE INTERSECTION OF JENKINS AVENUE AND LINDSEY STREET.

Notes: ACTION NEEDED: Motion to approve or reject Special Claim No. SC-1314-3; and, if approved, direct payment in the amount of $2,349.43 contingent upon obtaining a Release and Covenant Not to Sue from Mike Biehler.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 20

Attachments: Clerk Memo Biehler, Biehler Claim, Biehler Police Report, Biehler Title

Project Manager: Jeanne Snider, Assistant City Attorney

Entered by: jayme.rowe@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File SC-1314-3

Body

BACKGROUND: A claim has been filed by Mike Biehler in the amount of $2,349.43 for damages to his vehicle, tow charges and rental charges due to an accident on May 9, 2013, when his vehicle, driven by his son Chris, was struck by a City of Norman sanitation truck at the corner of Lindsey Street and Jenkins Avenue.

DISCUSSION: This incident was investigated by Gary Seal, Utilities Supervisor. According to his investigation and the official accident report, Chris Biehler's vehicle was stopped at a red light in the northbound lane of Jenkins Avenue near its intersection with Lindsey Street. Chris Biehler was waiting to change lanes into the turn lane in order to go westbound on Lindsey Street. A City of Norman sanitation truck was also northbound on Jenkins Avenue approaching Lindsey Street when he crossed into the yellow hash marks of the turn lane. When the red light changed, Chris Biehler began merging into the left turn lane at the same time the sanitation truck began moving forward from the yellow hash marks in the turn lane. Although the City driver applied his brakes to avoid the collision, the brakes locked up and the truck struck Mr. Biehler's vehicle.

Therefore, as indicated above, there appears to be possible negligence on the part of the City in this matter and, consequently, potential liability on the City. The amount claimed by Mr. Biehler appears to be reasonable.

RECOMMENDATION: Based upon the above and foregoing, it is the recommendation of the City Attorney's Office that the claim by Mike Biehler for damages to his vehicle, tow charges and rental charges in the amount of $2,349.43, as above set forth, be approved.

office memorandum

DATE: May 31, 2013

TO: Ken Komiske, Director of Utilities
Jeff Bryant, City Attorney

FROM: Brenda Hall, City Clerk

SUBJECT: Claim from Mike Biehler

I am in receipt of a claim from Mike Biehler in the amount of $2,349.43 for damages to his vehicle due to his claim that on May 9, 2013, his vehicle was struck by a City of Norman sanitation truck at the corner of Lindsey and Jenkins. According to the police report, Mr. Biehler's son, Christopher, was stopped at a traffic light on Jenkins Avenue waiting to change lanes into the westbournd turning lane at Lindsey Street. A sanitation truck, driven by James Harrell, was northbound on Jenkins Avenue approaching Lindsey Street when he crossed into the yellow hash marks of the turning lane. When the lights changed, Mr. Biehler began merging into the left turn lane at the same time the sanitation truck began moving forward from the yellow hash marks into the turning lane. Mr. Harrell applied his brakes to avoid a collision, but the brakes locked up and he struck Mr. Biehler's vehicle.

Ken, I would appreciate your checking with your staff regarding verification of the problem. Please report your findings by written memorandum to me with a copy to Jeff.

Jeff, if it is determined the City has liability in this matter, please signify by writing a report of your recommendations in order that we may schedule this claim as an agenda item.

BH:smr
attachments

CITY OF NORMAN
POST OFFICE BOX 370
NORMAN, OKLAHOMA 73070

NOTICE OF TORT CLAIM

CLAIMANT: Mike Bichler DATE: 5/30/13

ADDRESS: 10200 N. Westminster Rd CITY Jones

STATE: OK ZIP: 73049 PHONE: (H) 706-1270 (W) _____

DATE OF INCIDENT: 5/9/13

LOCATION OF INCIDENT: Corner of Lindsey + Jenkins Norman, OK

STATEMENT OF CIRCUMSTANCES / REASONS YOU BELIEVE CITY IS LIABLE:

Chris, my son, was leaving OU and was hit by a garbage truck. The truck driver was cited by Norman police for driving on yellow hash marks. The police report stated no improper action was made by Chris. I have included the police report with the estimates + receipts.

(use additional pages if necessary)

MONETARY STATEMENT: List of expenses claimed for payment:

L+A Wrecker	$ 294.66	_____	$ _____
Body Shop	$ 1854.77	_____	$ _____
Car Rental 5@$40 (when truck gets fixed)	$ 200.00	_____	$ _____

TOTAL AMOUNT CLAIMED: $ 2,349.43

NAME AND ADDRESS OF INSURANCE COMPANY: Farmers Insurance

_____ AGENT: Scott Streller

THIS FORM MUST BE SIGNED AND RETURNED WITH ALL REQUESTED INFORMATION IN ORDER TO BE PROCESSED.

I SWEAR AND/OR AFFIRM THE INFORMATION PROVIDED ABOVE IS TRUE AND CORRECT.

Mike Bichler
CLAIMANT'S SIGNATURE

FILED IN THE OFFICE
OF THE CITY CLERK
ON 5-31-13

Special Claim No. SC-1314-3

Workfile ID: c1f432ac

MC CONNELL'S BODY SHOP INC.

1313 N AIR DEPOT BLVD, OKLAHOMA CITY, OK
73110
Phone: (405) 732-0762
FAX: (405) 739-0096

Preliminary Estimate

Customer: BIEHLER, JODI **Job Number:**

Written By: Richard McConnell

Insured:	BIEHLER, JODI	Policy #:		Claim #:	
Type of Loss:		Date of Loss:		Days to Repair:	0
Point of Impact:					

Owner:
BIEHLER, JODI
14282 N.E. 63 RD
CHCOTAW, OK
(405) 706-1070 Day

Inspection Location:
MC CONNELL'S BODY SHOP INC.
1313 N AIR DEPOT BLVD
OKLAHOMA CITY, OK 73110
Repair Facility
(405) 732-0762 Business

Insurance Company:

VEHICLE

Year:	2002	Body Style:	2D P/U	VIN:		Mileage In:	
Make:	FORD	Engine:	6-3.0L-FI	License:		Mileage Out:	
Model:	RANGER 4X2 SUPERCAB	Production Date:		State:		Vehicle Out:	
Color:	Int:	Condition:		Job #:			

TRANSMISSION
5 Speed Transmission
Overdrive
POWER
Power Steering
Power Brakes
DECOR
Dual Mirrors
Console/Storage
CONVENIENCE
Intermittent Wipers
RADIO
AM Radio
FM Radio
Stereo
Search/Seek
SAFETY
Anti-Lock Brakes (4)
Driver Air Bag
Passenger Air Bag
SEATS
Cloth Seats
WHEELS
Styled Steel Wheels
PAINT
Clear Coat Paint
TRUCK
Rear Step Bumper

Preliminary Estimate

Customer: BIEHLER, JODI **Job Number:**

Vehicle: 2002 FORD RANGER 4X2 SUPERCAB 2D P/U 6-3.0L-FI

Line		Oper	Description	Part Number	Qty	Extended Price $		Labor	Paint
1	**REAR LAMPS**								
2	**	Repl	A/M CAPA LT Tail lamp assy	1L5Z13405BA	1	72.00		Incl.	0.0
3	**PICK UP BOX**								
4		Repl	LT Side panel 6 foot bed w/o whl opening mldg	9L5Z9927841A	1	556.90		10.0	3.2
5			Add for Clear Coat		0	0.00		0.0	1.3
6			Set back box assy		0	0.00		1.5	0.0
7	#	R&I	BED LINER		0	0.00		0.5	0.0
8	#	Repl	LT REAR TIRE		1	98.00		0.0	0.0
9	#		MOUNT & BALANCE		1	15.00	X	0.0	0.0
10		Repl	Mud guard 2WD	F87Z16A550CAA	1	49.99		0.2	0.0
11	#	Repl	LKQ LT REAR WHEEL		1	75.00		0.0	0.0
12	#		CORROSION PROTECTION		1	0.00		0.0	0.2
				SUBTOTALS		**866.89**		**12.2**	**4.7**

ESTIMATE TOTALS

Category	Basis		Rate	Cost $
Parts				851.89
Body Labor	12.2 hrs	@	$ 44.00 /hr	536.80
Paint Labor	4.7 hrs	@	$ 44.00 /hr	206.80
Paint Supplies	4.7 hrs	@	$ 34.00 /hr	159.80
Miscellaneous				15.00
Subtotal				1,770.29
Sales Tax	$ 1,011.69	@	8.3500 %	84.48
Grand Total				**1,854.77**
Deductible				0.00
CUSTOMER PAY				**0.00**
INSURANCE PAY				**1,854.77**

WARNING : ANY PERSON WHO KNOWINGLY, AND WITH INTENT TO INJURE, DEFRAUD OR DECEIVE ANY INSURER, MAKES ANY CLAIM FOR THE PROCEEDS OF AN INSURANCE POLICY CONTAINING ANY FALSE, INCOMPLETE OR MISLEADING INFORMATION IS GUILTY OF A FELONY.

Special Claim No. SC-1314-3

BUDGET WRECKER INC.
dba

QUICK WRECKER

DPS 51892-W

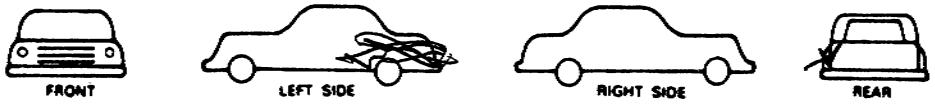
1315-D, Suite 200 S.W. 24TH
Norman, OK 73072

(405) 329-9363
24 Hour Service

NAME NPD
DATE 5-9-13
ADDRESS
P.O. #
TIME OUT 15:58 TIME IN 16:35
CITY
CUSTOMER ORDER NO.
UNIT NO 11
LOCATION Lindsey & Jenkins
CASH
CHARGE
DRIVER Zach

VEHICLE DESCRIPTION
MODEL YEAR 02 MAKE Ford COLOR Blue BODY STYLE Ranger
SIGNAL NO. 76
TAG # & YEAR 062 ERF OK 11/13
ENDING MILEAGE 216687
VIN 1FTYR14U12PA52906
STARTING MILEAGE 216685
CONDITION ☐ GOOD ☐ FAIR ☐ POOR ☒ WRECKED ☐ STRIPPED ☐ BURNED
TOTAL MILEAGE 2
NO WHEELS COVERS
NO WHEELS 4
NO TIRES 4

MARK EXTERIOR DAMAGE



ARTICLES IN VEHICLE
In tow 16:16
In Lot 16:28

REMARKS
Towed to Quick

IMPOUNDED BY
DATE

RELEASED BY
DATE
Owner to Chris Bichler 5/13/13

THE UNDERSIGNED authorizes listed services and acknowledges that carrier is not responsible for loss or damage due to acts beyond control of the carrier or when services are preformed under supervision of others.
I, the undersigned, do hereby certify that I am legally authorized and entitled to take possession of the vehicle described above and all personal property therein.

x Chris Bichler
Signature

CHARGES	
HOOK UP	$ 112.50
MILEAGE	$
~~DOLLY~~ FB	$ 30.00
DRIVESHAFT/ AXLE	$
WORK/ WINCH	$
~~OTHER~~ AHC	$ 15.00 5-9-13
STORAGE	$ 108.00
TAX	$ 8.91
NOTIFICATION FSC	$ 20.25
TOTAL	$ 294.66

60554 | LOT NO | KEY ☒ YES ☐ NO | PEG NO 20

MEMBER

Pd cc 5-14-13 CR

NOT RESPONSIBLE FOR DAMAGE TO VEHICLE
Not responsible for loss or damage to vehicle or articles left in cars in case of fire, theft, or any other causes beyond our control. An express mechanic's lien is hereby acknowledged on above vehicle to secure the amount of repairs thereto.

L & A WRECKER SERVICE
1315 D 24TH AVE SW
NORMAN OK 73072
405-321-1500

Sale

ID: 00590073 Ref #: 0007
05/14/13 11:18:48
Batch #: 111

VISA
xxxxxxxxxxx4614 Exp: 01/14
Appr Code: 000007 InvN: 004278
Total: $ 294.66

Customer Copy
THANK YOU!

DO NOT WRITE IN THIS SPACE

OFFICIAL OKLAHOMA TRAFFIC COLLISION REPORT

	Y	N		Y	N
Incident Report		X			
Investigation Completed	X		Revised		X
Investigation Made at Scene	X		Fatality		X
Photographs		X	Hit and Run		X

(1) Reporting Agency: NORMAN POLICE DEPARTMENT | Case Number (Agency Use): 2013-06245 | Motor Vehicles Involved: 02 | Number Injured: 00 | Number Killed: 00

(2) Date of Collision (mm/dd/yyyy): 05092013 | Time: 1528 | County Number and Name: 14 CLEVELAND | Nearest City or Town Number and Name: In X / Near ☐ 20 NORMAN

(3) Distance from Nearest City or Town Limits: Mi. ☐ Ft. ☐ N ☐ S ☐ Mi. ☐ Ft. ☐ E ☐ W ☐ | Control # | Int ID | Location | East Grid | North Grid | Administrative

(4) Street, Road or Highway: JENKINS AVE | At ☐ Distance from: 0130 Mi. ☐ Ft. X | N ☐ S X E ☐ W ☐ of | (Nearest) Intersecting Street, Road or Highway: LINDSEY ST

Unit 01

(5) Unit: 01 | Occupants: 03 | Type: D | Hit & Run ☐ | CMV ☐ | Last Name: HARRELL | First: JAMES | Middle: LEON | Suffix | Date of Birth (mm/dd/yyyy): 08221959 | Sex: M

(6) Address: 1722 RIDGEMONT CIR | City: NORMAN | State: OK | Zip: 73071 | Telephone (Use Area Code): 4052091934

(7) Driver License Number: [redacted] | State: OK | Class: B | Endorsement(s) | Restriction(s): 1 | Inj. Sev.: 1 | Type of Injury: 0 | Drv./Ped. Cond.: 01 | OP Use: 04

(8) Air Bag: 1 | Ejected: 1 | Extricated: 1 | Test: 5 | (% BAC): 0. | Transported by | To Medical Facility | License Plate Number: CI15135 | State: OK | Month: 12 | Year: 2013

(9) VIN: [redacted] | Vehicle Year: 2004 | Color: GRN | 2nd Color: 0 | Make: INTE | Model: 7400 | Veh. Conf.: 06 | Extent of Damage: 2

(10) Insurance Verification: 4 | Insurance Company Name | Policy Number | Insurance Telephone (Use Area Code)

(11) Vehicle Removed by: Driver ☐ | Same as Driver ☐ | Owner's Last Name: CITY OF NORMAN | First | Middle | Suffix

(12) Owner's Address: 201 B WEST GRAY ST | City: NORMAN | State: OK | Zip: 73069 | Oversized Load: 0 | Towed Veh. Type: 00 | Rolled ☐ Burned ☐ | Phone present X | Phone in use ☐

(13) Citation Number: 570606 | Statute/Ordinance Number: 20-1103A | Citation Number | Statute/Ordinance Number

Unit 02

(14) Unit: 02 | Occupants: 01 | Type: D | Hit & Run ☐ | CMV ☐ | Last Name: BIEHLER | First: CHRISTOPHER | Middle: MICHAEL | Suffix | Date of Birth (mm/dd/yyyy): 02211994 | Sex: M

(15) Address: 10200 N WESTMINSTER | City: JONES | State: OK | Zip: 73049 | Telephone (Use Area Code): 4058508093

(16) Driver License Number: [redacted] | State: OK | Class: D | Endorsement(s) | Restriction(s) | Inj. Sev.: 1 | Type of Injury: 0 | Drv./Ped. Cond.: 01 | OP Use: 04

(17) Air Bag: 1 | Ejected: 1 | Extricated: 1 | Test: 5 | (% BAC): 0. | Transported by | To Medical Facility | License Plate Number: 062ERF | State: OK | Month: 11 | Year: 2013

(18) VIN: [redacted] | Vehicle Year: 2002 | Color: BLK | 2nd Color: 0 | Make: FORD | Model: RANG | Veh. Conf.: 20 | Extent of Damage: 4

(19) Insurance Verification: 2 | Insurance Company Name: FARMERS INSURANCE | Policy Number: 186648205 | Insurance Telephone (Use Area Code): 4053483777

(20) Vehicle Removed by: Driver ☐ L&A WRECKER | Same as Driver X | Owner's Last Name | First | Middle | Suffix

(21) Owner's Address | City | State | Zip | Oversized Load: 0 | Towed Veh. Type: 00 | Rolled ☐ Burned ☐ | Phone present X | Phone in use ☐

(22) Citation Number | Statute/Ordinance Number | Citation Number | Statute/Ordinance Number

(23) Investigating Officer: WILES | Badge Number: 0948 | Trp/Div. Assigned | Trp/Div. Location | Reviewer (Init.): JR | Reviewer Badge Number: 5641 | Date of Report (mm/dd/yyyy): 05092013

Unit Type: 0 Driver, P Pedestrian, X Pedestrian Conveyance, B Bicyclist, 4 Deployed - Other (knee, air belt, etc.), 5 Deployed - Combination, 9 Deployment Unknown, Z Other Cyclist, C Parked Car, A Animal, T Train

Injury Severity: 0 N/A, 1 No Injury, 2 Possible, 3 Non-Incapacitating, 4 Incapacitating, 5 Fatal, 9 Unknown

Type of Injury: 0 N/A, 1 Head, 2 Trunk - External, 3 Trunk - Internal, 4 Arms, 5 Legs, 9 Unknown

Driver/Pedestrian Condition: 00 Not Applicable, 01 Apparently Normal, 02 Drinking - Ability Impaired, 03 Odor of Alcohol Beverage, 04 Illegal Drugs, 05 Under the Influence of Medications, 06 Very Tired, 07 Sleepy, 08 Ill (Sick), 09 Dizzy/Faint, 10 Emotional, 11 Other, 99 Unknown

Occupant Protection (OP) In Use: 00 Not Applicable, 01 None Used, 02 Lap Belt Only, 03 Shoulder Belt Only, 04 Shoulder and Lap Belt, 05 Child Restraint Type Unknown, 06 Restraint Used - Type Unknown, 07 Helmet, 08 Child Restraint - Forward Facing, 09 Child Restraint - Rear Facing, 10 Booster Seat, 11 Other, 99 Unknown

Air Bag Deployed: 0 Not Applicable, 1 Not Deployed, 2 Deployed - Front, 3 Deployed - Side, 4 Deployed - Other (knee, air belt, etc.), 5 Deployed - Combination, 9 Deployment Unknown

Ejected: 0 Not Applicable, 1 Not Ejected, 2 Ejected, Partially, 3 Ejected, Totally, 9 Unknown

Extricated: 0 N/A, 1 No, 2 Yes

Chemical Test: 0 N/A, 1 Blood, 2 Breath, 3 Blood/Breath, 4 Test Refused, 5 None Given, 6 Other

Extent of Damage: 0 N/A, 1 None, 2 Minor, 3 Functional, 4 Disabling, 9 Unknown

Insurance Verification: 0 N/A, 1 No, 2 Owner, 3 Operator, 4 Exempt

Oversized Load: 0 N/A, N Not Permitted, P Permitted

Towed Vehicle Type: 00 N/A, 01 Boat Trailer, 02 House Trailer, 03 Farm Trailer, 04 Horse Trailer, 05 Another Vehicle, 06 Utility Trailer, 07 Homemade Trailer, 08 Box Trailer, 09 Stock Trailer, 10 Camping Trailer, 11 Combination, 12 Other, 99 Unknown

WARNING - STATE LAW Use of contents for commercial solicitation is unlawful

DPS: 0192-01 REV 0107

(24) Unit	Injured / Witness	Passenger / Prop. Owner	Pos in Veh.	Last Name	First	Middle	Suffix	DOB(mm/dd/yyyy)	Sex
01		X	12	WILLIAMS	HERMAN			12161960	M

(25) Address	Same as Driver	City	State	Zip	Telephone (Use Area Code)
5728 NW 19TH ST APT 131		OKLAHOMA CITY	OK	73127	4057022926

(26) Injury Severity / Type	OP Use	Air Bag	Ejected	Extricated	Transported by	To Medical Facility	Property Type
1 / 0	04	1	1	1			

(27) Unit	Injured / Witness	Passenger / Prop. Owner	Pos in Veh.	Last Name	First	Middle	Suffix	DOB (mm/dd/yyyy)	Sex
01		X	13	PARKS	JOSEPH	HOWARD		04101963	M

(28) Address	Same as Driver	City	State	Zip	Telephone (Use Area Code)
1417 SW 14TH PLACE		OKLAHOMA CITY	OK	73108	4058198209

(29) Injury Severity / Type	OP Use	Air Bag	Ejected	Extricated	Transported by	To Medical Facility	Property Type
1 / 0	04	1	1	1			

(30) Unit	Injured / Witness	Passenger / Prop. Owner	Pos in Veh.	Last Name	First	Middle	Suffix	DOB (mm/dd/yyyy)	Sex

(31) Address	Same as Driver	City	State	Zip	Telephone (Use Area Code)

(32) Injury Severity / Type	OP Use	Air Bag	Ejected	Extricated	Transported by	To Medical Facility	Property Type

(33) Unit	Injured / Witness	Passenger / Prop. Owner	Pos in Veh.	Last Name	First	Middle	Suffix	DOB(mm/dd/yyyy)	Sex

(34) Address	Same as Driver	City	State	Zip	Telephone (Use Area Code)

(35) Injury Severity / Type	OP Use	Air Bag	Ejected	Extricated	Transported by	To Medical Facility	Property Type

Complete information below if this vehicle is being used for COMMERCE/BUSINESS and has a GVWR/GCWR IN EXCESS OF 10,000 LBS., or has a HAZMAT PLACARD, or is a BUS WITH SEATING FOR NINE OR MORE INCLUDING THE DRIVER

(36) Unit	Carrier Name	Address
01	CITY OF NORMAN	201 B WEST GRAY ST

(37) City	State	Zip	GVWR / GCWR	0 - 10K lbs. / 10,001 - 26K lbs. / 26K+ lbs.	Axle Qty.	Cargo Body	Vehicle Use
NORMAN	OK	73069	GVWR X / GCWR	10,001 - 26K lbs. X	03	10	Interstate Commerce: Intrastate Commerce: Other Non-Commercial: Government X

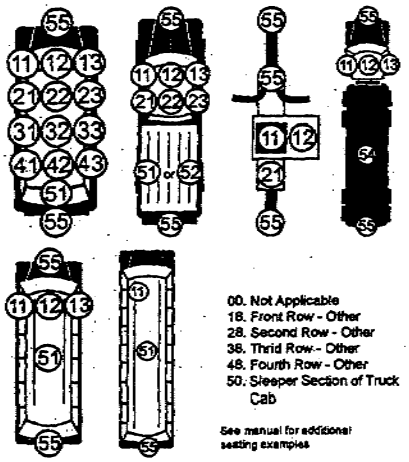
(38) U.S. DOT Number	NASI Report Number	Placard Number	Haz. Mat. Class	Haz. Mat. Involved	Haz. Mat. Release
	OK			Yes / No X	Yes / No X

(39) Unit	Carrier Name	Address

(40) City	State	Zip	GVWR / GCWR	0 - 10K lbs. / 10,001 - 26K lbs. / 26K+ lbs.	Axle Qty.	Cargo Body	Vehicle Use
			GVWR / GCWR				Interstate Commerce: Intrastate Commerce: Other Non-Commercial: Government

(41) U.S. DOT Number	NASI Report Number	Placard Number	Haz. Mat. Class	Haz. Mat. Involved	Haz. Mat. Release
	OK			Yes / No	Yes / No

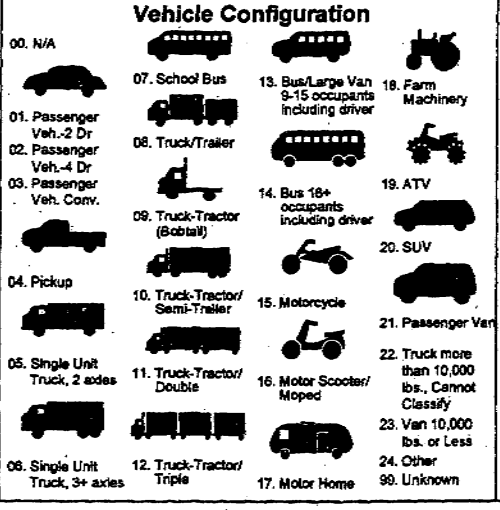
Position in Vehicle



00. Not Applicable
18. Front Row - Other
28. Second Row - Other
38. Third Row - Other
48. Fourth Row - Other
50. Sleeper Section of Truck Cab

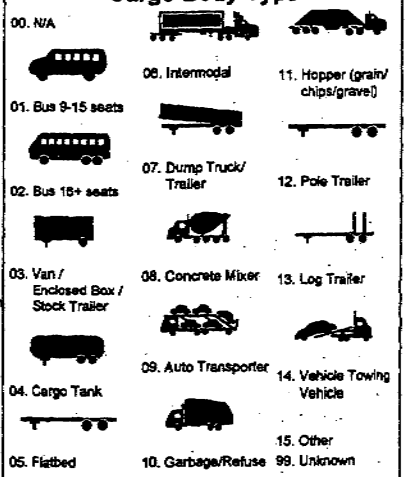
See manual for additional seating examples

Vehicle Configuration



00. N/A
01. Passenger Veh.-2 Dr
02. Passenger Veh.-4 Dr
03. Passenger Veh. Conv.
04. Pickup
05. Single Unit Truck, 2 axles
06. Single Unit Truck, 3+ axles
07. School Bus
08. Truck/Trailer
09. Truck-Tractor (Bobtail)
10. Truck-Tractor/ Semi-Trailer
11. Truck-Tractor/ Double
12. Truck-Tractor/ Triple
13. Bus/Large Van 9-15 occupants including driver
14. Bus 16+ occupants including driver
15. Motorcycle
16. Motor Scooter/ Moped
17. Motor Home
18. Farm Machinery
19. ATV
20. SUV
21. Passenger Van
22. Truck more than 10,000 lbs., Cannot Classify
23. Van 10,000 lbs. or Less
24. Other
99. Unknown

Cargo Body Type



00. N/A
01. Bus 9-15 seats
02. Bus 16+ seats
03. Van / Enclosed Box / Stock Trailer
04. Cargo Tank
05. Flatbed
06. Intermodal
07. Dump Truck/ Trailer
08. Concrete Mixer
09. Auto Transporter
10. Garbage/Refuse
11. Hopper (grain/ chips/gravel)
12. Pole Trailer
13. Log Trailer
14. Vehicle Towing Vehicle
15. Other
99. Unknown

DPS: 0192-02 REV 0107

Case Number 2013-06245

OFFICIAL OKLAHOMA TRAFFIC COLLISION REPORT

	Unit	Total Lanes in Roadway	Legal Speed	Pedestrian / Pedalcyclist Only: Actions Prior to Collision	Location at Time of Collision	Safety Equip.	Unit Number of Vehicle Striking
This unit will correspond to 'Unit 1'	01	03	25				
This unit will correspond to 'Unit 2'	02	03	25				

Was the collision in or near a construction, maintenance or utility work zone? (If yes, complete this section) Yes ☐ No ☒

Type of Work Zone
1 Lane Closure
2 Lane Shift/Crossover
3 Work on Shoulder or Median
4 Intermittent or Moving Work
9 Unknown

Location of the Work Zone Collision
1 Before the First Work Zone Warning Sign
2 Advance Warning Area
3 Transition Area
4 Activity Area
5 Termination Area
9 Unknown

Workers Present Yes ☐ No ☐ Unknown ☐

Light [1]
1 Daylight
2 Dark-Not Lighted
3 Dark-Lighted
4 Dawn
5 Dusk
6 Dark-Unknown Lighting
7 Other
9 Unknown

Weather [03]
01 Clear
02 Fog/Smog/Smoke
03 Cloudy
04 Rain
05 Snow
06 Sleet/Hail (Freezing Rain/Drizzle)
07 Severe Crosswind
08 Blowing Snow
09 Blowing Sand, Soil, Dirt
10 Other
99 Unknown

Locality [2]
1 Residential
2 Business
3 Industrial
4 School
5 Not Built-up
6 Mixed Use
7 Other
9 Unknown

Type of Intersection [0]
0 Not an Intersection
2 Y-Intersection
3 T-Intersection
4 Four-Way Intersection
5 Five-Point or More
6 Intersection as Part of Interchange
7 Traffic Circle
8 Roundabout
9 Unknown

Incident Type [00]
00 Not an Incident
51 Private Property
52 Deliberate Intent
53 Medical Condition
54 Legal Intervention
55 Suicide
57 Drowning
58 Other

Location of First Harmful Event [01]
01 On Roadway
02 Shoulder
03 Median
04 Roadside
05 Gore
06 Separator
07 Parking Lane/Zone
08 Off Roadway, Location Unknown
09 Outside Right-of Way
10 Other
99 Unknown

What Vehicle Was Going to Do	Unit 1	Unit 2
	08	08

00 Not Applicable
01 Go Ahead
02 Turn Left
03 Turn Right
04 Make "U" Turn
05 Stop
06 Slow for Cause
07 Start from Park/Stop
08 Change Lanes
09 Overtake
10 Pass
11 Back
12 Remain Stopped
13 Remain Parked
14 Enter/Merge in Traffic
15 Negotiate a Curve
16 Park
17 Other
99 Unknown

What Vehicle Did	Unit 1	Unit 2
	08	08

00 Not Applicable
01 Went Ahead
02 Turned Left
03 Turned Right
04 Entered "U" Turn
05 Stopped
06 Slowed
07 Started From Park/Stop
08 Entered Other Lane
09 Overtaking
10 Passing
11 Backed
12 Remained Stopped
13 Remained Parked
14 Entered/Merged
15 Departed Rdwy-Right
16 Departed Rdwy-Left
17 Swerved Right
18 Swerved Left
19 Parked
20 Other
99 Unknown

Visibility Obscured by	Unit 1	Unit 2
	00	00

00 Not Applicable
01 Trees
02 Embankment
03 Building
04 Signs
05 Parked Vehicles
06 High Weeds
07 Fences
08 Shrubbery
09 Ice, Snow or Frost on Windows
10 Smoke
11 Fog
12 Dust
13 Rain
14 Sun
15 Other
99 Unknown

Driver Distracted by	Unit 1	Unit 2
	0	0

0 Not Applicable/None
1 Electronic Communication Devices
2 Other Electronic Device
3 Other Inside Vehicle
4 Other Outside Vehicle
9 Unknown

Underride/ Override	Unit 1	Unit 2

0 Not Applicable
1 No Underride or Override
2 Underride, Compartment Intrusion
3 Underride, No Compartment Intrusion
4 Underride, Compartment Intrusion Unknown
5 Override, Motor Vehicle in Transport
6 Override, Other Motor Vehicle
9 Unknown

Traffic Control	Unit 1	Unit 2
	14	00

00 No Control
01 Stop Sign
02 Traffic Signal
03 Flashing Traffic Signal
04 School Zone Signs
05 Yield Sign
06 Warning Sign
07 Railroad Advance Warning Sign
08 Railroad Cross Bucks
09 Railroad Gates
10 Railroad Signal
11 No Passing Zone
12 Person (including flagger, law enforcement, crossing guard, etc.)
13 Abnormal Control
14 Other
99 Unknown

Road Surface Conditions	Unit 1	Unit 2
	01	01

01 Dry
02 Wet
03 Ice/Frost
04 Snow
05 Mud, Dirt, Gravel
06 Slush
07 Water (standing, moving)
08 Sand
09 Oil
10 Other
99 Unknown

Road Character

Grade	Unit 1	Unit 2
	1	1

1 Level
2 Hillcrest
3 Uphill
4 Downhill
5 Sag (bottom)

Road Alignment	Unit 1	Unit 2
	1	1

1 Straight
2 Curve - Left
3 Curve - Right

Road Surface Type	Unit 1	Unit 2
	2	2

1 Concrete
2 Asphalt
3 Gravel
4 Dirt
5 Brick
6 Other
9 Unknown

Trafficway	Unit 1	Unit 2
	2	2

0 Not Applicable
1 One Way
2 Two-Way - Not Divided
3 Two-Way - Divided
4 Two-Way - Divided - Positive Median Barrier
5 Turn Lane
6 Ramp / Loop
7 Driveway
8 Alley / Parking Lot
9 Unknown

Vehicle Removal	Unit 1	Unit 2
	4	1

0 Not Applicable
1 Towed Due to Vehicle Damage
2 Towed For Reasons Other Than Damage
3 Remained at Scene
4 Driven from Scene
9 Unknown

Vehicle Condition	Unit 1	Unit 2
	01	01

00 Not Applicable
01 Apparently Normal
02 Brakes
03 Headlights
04 Steering
05 Tail Lights
06 Brake Lights
07 Tires/Wheels
08 Suspension
09 Signal lights
10 Windows
11 Truck Coupling/Trailer Hitch/Safety Chains
12 Mirrors 15 Other
13 Wipers 99 Unknown
14 Power Train

Special Function of Vehicle	Unit 1	Unit 2
	00	00

00 Not Applicable
01 School Bus
02 Transit Bus
03 Intercity Bus
04 Charter Bus
05 Other Bus
06 Military
07 OHP
08 Other Police
09 Other Law Enforcement
10 Ambulance
11 Fire Truck
12 Public Owned Vehicle
13 Highway Equipment
14 Special Mobilized Machine
15 Other 99 Unknown

Emergency Vehicle Responding to an Emergency	Unit 1	Unit 2
	0	0

0 N/A 2 No
1 Yes 9 Unknown

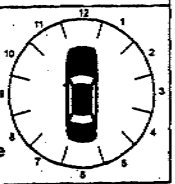
Unsafe / Unlawful Contributing Factors	Unit 1	Unit 2
	62	98

FAILED TO YIELD
01 From Stop Sign
02 From Yield Sign
03 Private Drive
04 County Road at Through Highway
05 From Signal Light
06 From Alley
07 To Pedestrian
08 To Vehicle on Right
09 To Vehicle in Intersection
10 To Emergency Vehicles
12 Other
FOLLOWED TOO CLOSELY
13 Human Element
14 Traffic Condition
15 Weather Condition
UNSAFE SPEED
16 Driver's Ability (Aged)
17 Inexperienced Driver - Young
18 Exceeding Legal Limit
19 For Traffic Conditions
20 For Type of Roadway (Gravel, Dirt, etc.)
21 For Ice or Snow on Roadway
22 Rain or Wet Roadway
23 Wind
24 Other Weather Conditions
25 Vehicle Condition
26 View Obstruction
27 On Curve/Turn
28 Impeding Traffic
29 Other
IMPROPER TURN
30 From Wrong Lane
31 From Direct Course
32 Right
33 Left
34 Turn About/U-Turn
35 To Enter Private Drive
36 In Front of Oncoming Traffic
37 Other
38 CHANGED LANES UNSAFELY
39 STOPPED IN TRAFFIC LANE
FAILED TO STOP
40 For Stop Sign
41 For Traffic Signal
42 For School Bus
43 For Railroad Gates/ Signal
44 For Officer/Flagman
45 At Sidewalk/Stopline
46 Other
UNSAFE VEHICLE
47 Brakes
48 Steering
49 Tires
50 Suspension
51 Headlights
52 Tail Lights
53 Stop Lights
54 Wheel
55 Exhaust System
56 Windshield Wipers
57 Other Mechanical Defects
LEFT OF CENTER
58 In Meeting
59 No Passing Zone (Unmarked)
60 Marked Zone
61 Other
IMPROPER OVERTAKING
62 In Marked Zone
63 On Hill/Curve
64 At Intersection
65 Without Sufficient Clearance
66 Other
IMPROPER PARKING
67 On Roadway
68 Where Prohibited
69 Other
INATTENTION
70 Distracted by Passenger in Vehicle
71 Other Distraction Inside Vehicle
72 Distraction From Outside Vehicle
73 Other
WRONG WAY
74 On One Way
75 On Exit Ramp
76 On Entrance Ramp
77 Other
IMPROPER START FROM
78 Parked Position
79 Other
80 ALCOHOL-DUI/DWI
81 DRUG-DUI
OTHER IMPROPER ACT/ MOVEMENT
82 Failed to Signal
83 Disregarded Warning Signal
84 Improper Use of Lane
85 Improper Backing
86 Apparently Sleepy
87 Failed to Secure Load
88 Other/Unknown
UNKN./NO IMPROPER ACT
89 Deer in Roadway
90 Animal in Roadway
91 Domestic Animal in Rdwy
92 Avoiding Other Vehicle
93 Avoiding Pedestrian
94 Object/Debris in Roadway
95 Defect in Roadway
96 Abnormal Traffic Control
97 Improper Bicyclist Action
98 NO IMPROPER ACTION BY DRIVER
99 PEDESTRIAN ACTION

Point of First Contact on Vehicle	Unit 1	Unit 2
	12	08

Most Damaged Area	Unit 1	Unit 2
	12	08

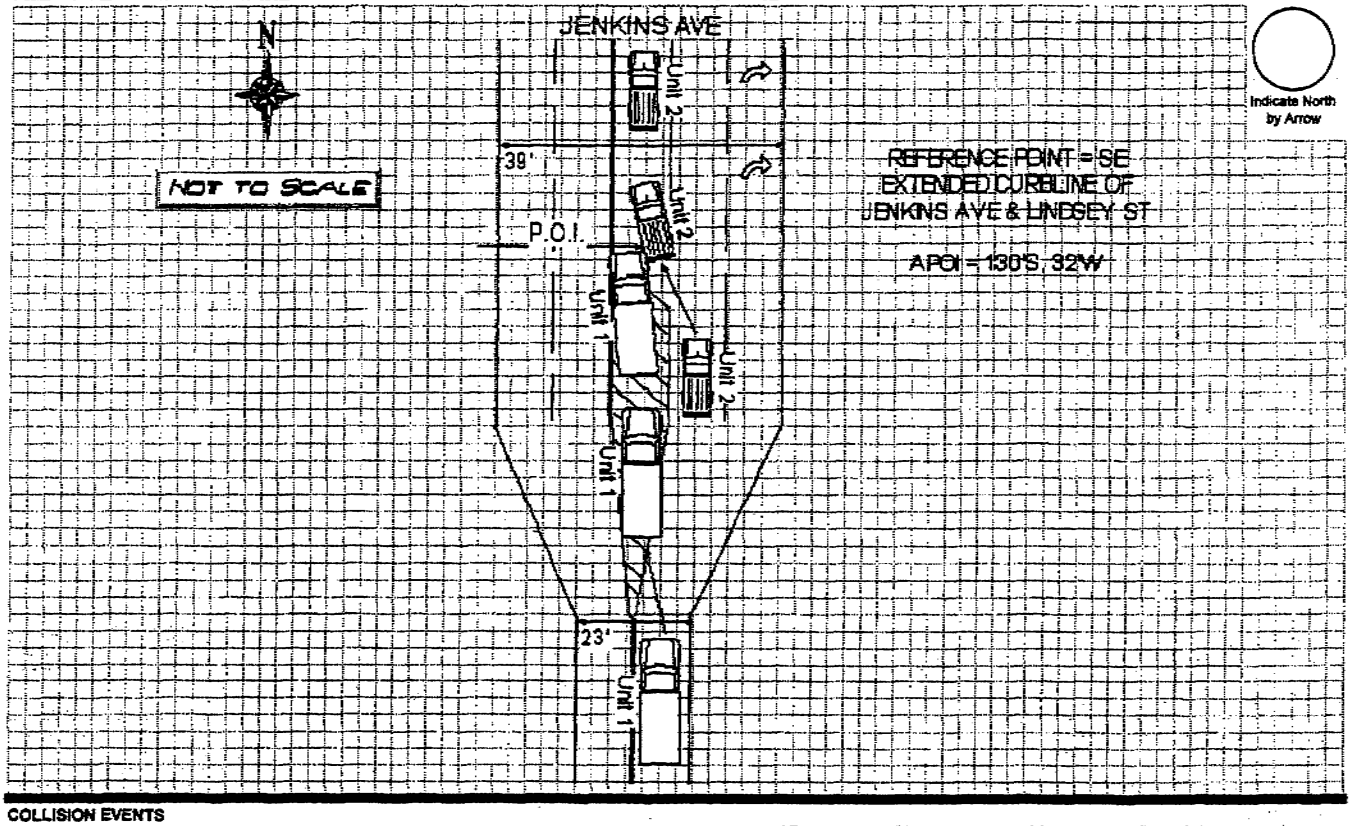
00 Not Applicable 14 Undercarriage
13 Top 99 Unknown



DPS: 0192-03 REV 0107

Case Number 2013-06245

Latitude					Longitude					Railroad Crossing Number	Roadway Orientation							
				N					W		Unit Number	01	NE SW	N	Unit Number	02	NE SW	N



COLLISION EVENTS

Unit	First Event	Second Event	Third Event	Fourth Event	Most Harmful Event	First Harmful Event for the Entire Collision
01	34	00	00	00	34	34
02	34	00	00	00	34	

00 Not Applicable
10 Overturn/Rollover
11 Fire/Explosion
12 Immersion
13 Jackknife
14 Cargo/Equipment Loss or Shift
15 Equipment Failure (Blown Tire, Brake Failure, etc.)
16 Separation of Units
17 Departed Road Right
18 Departed Road Left
19 Cross Median/Centerline
20 Downhill Runaway
21 Fell/Jumped From Motor Vehicle
22 Thrown Or Falling Object
23 Other Non-Collision

PERSON, MOTOR VEHICLE, OR NON-FIXED OBJECT:
30 Pedestrian
31 Pedal Cycle
32 Railway Vehicle (train, engine)
33 Animal
34 Motor Vehicle in Transport
35 Parked Motor Vehicle
36 Struck by Falling, Shifting Cargo or Anything Set in Motion by Motor Vehicle
37 Work Zone/Maintenance Equipment
38 Other Non-Fixed Object

FIXED OBJECT:
40 Barrier (Cable)
41 Barrier (Concrete)
42 Barrier (Other)
43 Fence Pole
44 Fence
45 Traffic Signal Support
46 Traffic Sign Support
47 Utility Pole/Light Support
48 Other Post/Pole/Support
49 Guardrail/Guardrail Face
50 Guardrail End
51 Culvert
52 Curb
53 Island
54 Sand Barrels
55 Impact Attenuator/ Crash Cushion
56 Pavement Drop-Off
57 Ditch
58 Embankment
59 Tree (Standing)
60 Dividing Strip
61 Retaining Wall
62 Bridge Abutment
63 Bridge Pier or Support
64 Bridge Rail
65 Bridge Post
66 Bridge Curb
67 Bridge Super Structure (Beams)
68 Bridge Overhead Structure
69 Delineator
70 Mailbox
71 Other Fixed Object
72 Other Highway Structure
73 Ground
99 Unknown

Remarks

UNIT 2 WAS STOPPED IN TRAFFIC FOR A RED SIGNAL ON JENKINS AVE, WAITING TO CHANGE LANES INTO THE WESTBOUND TURNING LANE AT LINDSEY ST. UNIT 1 WAS DRIVING NORTHBOUND ON JENKINS AVE APPROACHING LINDSEY ST. UNIT 1 CROSSED INTO THE YELLOW HASH MARKS, PASSING VEHICLES WHICH WERE STOPPED, TO DRIVE INTO THE WESTBOUND TURN LANE AT LINDSEY ST. THE TRAFFIC IN FRONT OF UNIT 2 BEGAN MOVING. UNIT 2 ACCELERATED AND MERGED INTO THE WESTBOUND TURN LANE AFTER THE YELLOW HASH MARKS HAD ENDED. UNIT 1 APPLIED THE BRAKES, LOCKING UP THE WHEELS. UNIT 1 COLLIDED WITH UNIT 2.

This report is based on the officer's investigation of this collision. This report may contain the opinion of the officer.

DPS: 0192-04 REV 0107

CERTIFICATE OF TITLE

STATE OF OKLAHOMA

VEHICLE IDENTIFICATION NUMBER [redacted]

YEAR 2002

MAKE FORD

TITLE NO. [redacted]

BODY TYPE PS

MODEL RNS

DATE 1st SOLD

DATE ISSUED 01/16/2009

AGENT NO. 5599

ODOMETER 141194 ACTUAL

TYPE OF TITLE ORIGINAL

DATE INS. LOSS OR SALVAGE

NAME AND ADDRESS OF VEHICLE OWNER

MICHAEL BIEHLER
10200 N WESTMINSTER RD
JONES OK 73049-6937

THIS VEHICLE IS SUBJECT TO THE FOLLOWING LIEN(S):

It is hereby certified that according to the records of the Oklahoma Tax Commission, the person named hereon is the owner of the vehicle described above which is subject to a lien(s) as shown; however, the vehicle may be subject to other liens or security interests.

CONTROL NO. 090165575A4298

33413947

(This is not a title number)

City of Norman, OK

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

Master

File Number: SC-1314-4

File ID:	SC-1314-4	**Type:**	Special Claim	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 21	**In Control:**	City Council
Department:	Legal Department	**Cost:**	$2,001.73	**File Created:**	07/11/2013
File Name:	Special Claim of Robert K. Watson, Jr.			**Final Action:**	

Title: SPECIAL CLAIM NO. SC-1314-4: A CLAIM IN THE AMOUNT OF $2,001.73 SUBMITTED BY ROBERT K. WATSON, JR., FOR DAMAGES TO HIS VEHICLE DUE TO UNSECURED TOOLS FALLING OUT OF A STREET MAINTENANCE VEHICLE ON WEST ROBINSON STREET.

Notes: ACTION NEEDED: Motion to approve or reject Special Claim No. SC-1314-4; and, if approved, direct payment in the amount of $2,001.73 contingent upon obtaining a Release and Covenant Not to Sue from Robert K. Watson, Jr.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 21

Attachments: Text File Special Claim Watson, Clerk Memo Watson, Watson Claim, Watson Police Report, Watson Title

Project Manager: Jeanne Snider, Assistant City Attorney

Entered by: jayme.rowe@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File SC-1314-4

Body

BACKGROUND: A claim has been filed by Robert K. Watson, Jr. for damages to his vehicle on April 25, 2013 in the amount of $2,001.73. Mr. Watson alleges that several tools fell out of the bed of a City of Norman Street Maintenance vehicle on Robinson Street, striking and damaging his vehicle.

DISCUSSION: This incident was investigated by Greg Hall, Street Superintendent. According to his investigation, a Street Maintenance truck was traveling eastbound on Robinson Street near Woods Avenue on the afternoon of April 25, 2013. Mr. Watson's vehicle was traveling westbound in the same area. The Street Division employee driving the truck did not secure the tools adequately and several tools fell out of the bed of the truck and struck Mr. Watson's vehicle as the two vehicles passed each other on Robinson.

Therefore, as indicated above, there appears to be possible negligence on the part of the City in this matter and, consequently, potential liability on the City. The amount claimed by Mr. Watson appears to be reasonable.

RECOMMENDATION: Based upon the above and foregoing, it is the recommendation of the City Attorney's Office that the claim by Robert K. Watson, Jr. for damage to his vehicle in the amount of $2,001.73, as above set forth, be approved.

office memorandum

DATE: May 10, 2013

TO: Jeff Bryant, City Attorney
Shawn O'Leary, Director of Public Works

FROM: Brenda Hall, City Clerk

SUBJECT: Claim from Robert K. Watson, Jr.

I am in receipt of a claim from Robert K. Watson, Jr., in the amount of $2,001.73 for damages to his vehicle due to his claim that on April 25, 2013, as he was traveling westbound on Robinson Avenue, items from a City of Norman Street Maintenance truck traveling eastbound on Robinson Avenue fell out of the bed of the truck striking his vehicle. According to the police report, unsecured tools fell off the City truck.

Shawn, I would appreciate your checking with your staff regarding verification of the problem. Please report your findings by written memorandum to me with a copy to Jeff.

Jeff, if it is determined the City has liability in this matter, please signify by writing a report of your recommendations in order that we may schedule this claim as an agenda item.

BH:smr
attachments

CITY OF NORMAN
POST OFFICE BOX 370
NORMAN, OKLAHOMA 73070

NOTICE OF TORT CLAIM

CLAIMANT: Robert K. Watson Jr. DATE: May 8, 2013

ADDRESS: 1711 Quail Creek Drive CITY Norman

STATE: OK ZIP: 73026 PHONE: (H) 4054471154 (W) 4056159908

DATE OF INCIDENT: 4/25/13

LOCATION OF INCIDENT: approximately 1900 W. Robinson Ave Norman

STATEMENT OF CIRCUMSTANCES / REASONS YOU BELIEVE CITY IS LIABLE:

We were driving westbound on Robinson, the city truck was traveling eastbound. As we passed, several items flew out of the bed of the city truck, hitting and damaging our vehicle. No one was injured, but there was significant damage to our vehicle. A police report was filed and the driver of the city truck admitted to not having the items tied down.

(use additional pages if necessary)

MONETARY STATEMENT: List of expenses claimed for payment:

David Stanley	$ 2451.17		$
Leon Pierce	$ 2021.83		$
Mills Body Shop	$ 2001.23		$

TOTAL AMOUNT CLAIMED: $

NAME AND ADDRESS OF INSURANCE COMPANY: USAA 9800 Fredericksburg Rd San Antonio TX 78288 AGENT: Gretchen Kaufmann

THIS FORM MUST BE SIGNED AND RETURNED WITH ALL REQUESTED INFORMATION IN ORDER TO BE PROCESSED.

I SWEAR AND/OR AFFIRM THE INFORMATION PROVIDED ABOVE IS TRUE AND CORRECT.

CLAIMANT'S SIGNATURE

FILED IN THE OFFICE
OF THE CITY CLERK
ON 5-10-13

Special Claim No. SC-1314-4

Workfile ID: 3924107c
Federal ID: 450465113

MILLS BODY SHOP

INVOICE Continuous Improvement
1527 24TH AVE SW, NORMAN, OK 73072
Phone: (405) 321-4100
FAX: (405) 321-4106

Preliminary Estimate

Customer: Watson, Robert

Insured:	Watson, Robert	Policy #:		Claim #:	
Type of Loss:	Collision	Date of Loss:		Days to Repair:	4
Point of Impact:	11 Left Front				

Owner:
Watson, Robert
(405) 615-9908 Business

Inspection Location:
MILLS BODY SHOP
1527 24TH AVE SW
NORMAN, OK 73072
Repair Facility
(405) 321-4100 Business

Insurance Company:

VEHICLE

Year:	2010	Body Style:	4D SHORT	VIN:	Mileage In:
Make:	TOYO	Engine:	6-4.0L-FI	License:	Mileage Out:
Model:	TACOMA 4X4 DOUBLECAB	Production Date:		State:	Vehicle Out:
Color:	Silver Met Int:	Condition:	Excellent	Job #:	

TRANSMISSION
6 Speed Transmission
4 Wheel Drive
Overdrive
POWER
Power Steering
Power Brakes
Power Windows
Power Locks
Power Mirrors
DECOR
Dual Mirrors
Console/Storage
Overhead Console
CONVENIENCE
Air Conditioning
Tilt Wheel
Telescopic Wheel
Intermittent Wipers
RADIO
AM Radio
FM Radio
Stereo
Search/Seek
CD Player
Auxiliary Audio Connection
SAFETY
Anti-Lock Brakes (4)
Driver Air Bag
Passenger Air Bag
Head/Curtain Air Bags
Front Side Impact Air Bags
Positraction
Traction Control
Stability Control
SEATS
Cloth Seats
Bucket Seats
WHEELS
Styled Steel Wheels
PAINT
Clear Coat Paint

Preliminary Estimate

Customer: Watson, Robert

Vehicle: 2010 TOYO TACOMA 4X4 DOUBLECAB 4D SHORT 6-4.0L-FI Silver Met

Line		Oper	Description	Part Number	Qty	Extended Price $	Labor	Paint
1	**FRONT DOOR**							
2		Repl	LT Mirror assy w/o body color Double Cab	8794004180	1	195.03	0.5	
3	**FENDER**							
4		Blnd	LT Fender w/flare					1.1
5	#	Refn	Add Clear					0.3
6		R&I	LT Mud guard				0.2	
7		R&I	LT Wheel opng mldg w/o X-Runner				0.3	
8		Refn	LT Wheel opng mldg w/o X-Runner					1.2
9			Add for Clear Coat					0.2
10	**FRONT LAMPS**							
11		Repl	LT Headlamp assy w/o smoked headlamp	8115004163	1	266.37	0.3	
12			Aim headlamps				0.5	
13	**FRONT BUMPER**							
14			O/H bumper assy				2.4	
15	**	Repl	RECOND Bumper cover w/SR5 package w/o fog lamp	5211904010	1	198.00	Incl.	3.0
16			Add for Clear Coat					1.2
17	*	Rpr	LT Cover extn w/o X-Runner				0.5	0.6
18			Add for Clear Coat					0.1
19		R&I	LT Cover extn w/o X-Runner				Incl.	
20	**HOOD**							
21	*	Rpr	Hood w/o scoop				1.0	3.0
22			Overlap Minor Panel					-0.2
23			Add for Clear Coat					1.1
24	#	Repl	Hazardous waste removal		1	5.00		
25	**	Refn	A/M Cover Car					0.2
26	**	Refn	A/M Color tint / color match					0.2
27	**	Repl	A/M Flex additive		1	5.00		
28	**	Rpr	A/M Remove decals/stickers/labels					0.2
29	**	Subl	A/M Stripe - tape		1	15.00		
30	#	Repl	Stripe Tape		1			0.3
				SUBTOTALS		**684.40**	**5.7**	**12.5**

Preliminary Estimate

Customer: Watson, Robert

Vehicle: 2010 TOYO TACOMA 4X4 DOUBLECAB 4D SHORT 6-4.0L-FI Silver Met

ESTIMATE TOTALS

Category	Basis		Rate	Cost $
Parts				684.40
Body Labor	5.7 hrs	@	$ 44.00 /hr	250.80
Paint Labor	12.5 hrs	@	$ 44.00 /hr	550.00
Paint Supplies	12.5 hrs	@	$ 34.00 /hr	425.00
Subtotal				1,910.20
Sales Tax	$ 1,109.40	@	8.2500 %	91.53
Grand Total				**2,001.73**
Deductible				0.00
CUSTOMER PAY				**0.00**
INSURANCE PAY				**2,001.73**

Thanks for allowing us to provide you with an "estimate" for your repairs. The estimate provided should be all of the labor and materials necessary to repair your vehicle. In writing the "estimate" we try to include all items necessary to complete the repairs according to the original standards set by the manufacturer of your vehicle. However other parts or labor items maybe discovered after the car repairs are under way. If however, any unforseen items are discovered during the repair process we will contact the Insurance company and/or you to explain the circumstance. Manufacturers often change prices without notification and may change the estimate totals. This "estimate" does not constitute a one party contract. Please be assured that most repairs are completed without changes to the original "estimate." It is our desire to make a lifelong customer.

Our Technicians are ASE and ICAR trained to provide excellent repairs to our customers. We use the highest quality materials, professional technicians and quality equipment to complete your repairs according to those standards. No sub-standard parts are used in our repairs. If you have any questions please feel free to come by or call us.

We look forward to hearing from you concerning your car! We offer a Quick Repair solution to repairs that are less than $1500 dollars. Most of these can be completed within a 9 hour work day. There is an additional labor charge added to complete the repair in this short time period.

WARNING : ANY PERSON WHO KNOWINGLY, AND WITH INTENT TO INJURE, DEFRAUD OR DECEIVE ANY INSURER, MAKES ANY CLAIM FOR THE PROCEEDS OF AN INSURANCE POLICY CONTAINING ANY FALSE, INCOMPLETE OR MISLEADING INFORMATION IS GUILTY OF A FELONY.

THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF CRASH PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. WARRANTIES APPLICABLE TO THESE REPLACEMENT PARTS ARE PROVIDED BY THE MANUFACTURER OR DISTRIBUTOR OF THESE PARTS RATHER THAN THE MANUFACTURER OF YOUR VEHICLE.

[DO NOT WRITE IN THIS SPACE]

Pg 1 of 4

Incident Report	Y	N
Investigation Completed	X	
Investigation Made at Scene	X	
Photographs		X
Revised		X
Fatality		X
Hit and Run		X

OFFICIAL OKLAHOMA TRAFFIC COLLISION REPORT

COMPLETE

(1) Reporting Agency: NORMAN POLICE DEPARTMENT
Case Number (Agency Use): 2013-055539
Motor Vehicles Involved: 02 | Number Injured: 00 | Number Killed: 00

(2) Date of Collision (mm/dd/yyyy): 04/25/2013 | Time: 1744 | County Number and Name: 14 CLEVELAND | Nearest City or Town Number and Name: In [X] Near [ ] 20 NORMAN

(3) Distance from Nearest City or Town Limits: Mi [ ] Ft [ ] N [ ] S [ ] Mi [ ] Ft [ ] E [ ] W [ ] | Control # | Int ID | Location | East Grid | North Grid | Administrative

(4) Street, Road or Highway: ROBINSON STREET | Distance from: At [ ] 0500 Mi [ ] Ft [X] N [ ] S [ ] E [ ] W [X] of | (Nearest) Intersecting Street, Road or Highway: WOODS AVE

(5) Unit	Occupants	Type	Hit & Run	CMV	Last Name	First	Middle	Date of Birth (mm/dd/yyyy)	Sex
01	01	D			SAVAGE	SAMUEL	MONROE		

(6) Address: 17526 BIG JIM CIR | City: NORMAN | State: OK | Zip: 73026 | Telephone (Use Area Code): 4054472762

(7) Driver License Number | State: OK | Class: A | Endorsement(s): NM | Restriction(s) | Inj. Sev.: 1 | Type of Injury: 0 | Drv./Ped. Cond.: 01 | OP Use: 04

(8) Air Bag: 1 | Ejected: 1 | Extricated: 1 | Test: 5 | (% BAC): 0. | Transported by | To Medical Facility | License Plate Number | State: OK | Month: 12 | Year: 2013

(9) VIN | Vehicle Year: 1992 | Color: WHI | 2nd Color: 0 | Make: FORD | Model: F350 | Veh. Conf.: 04 | Extent of Damage: 1

(10) Insurance Verification: 4 | Insurance Company Name: EXEMPT - CITY OF NORMAN | Policy Number | Insurance Telephone (Use Area Code)

(11) Vehicle Removed by: Driver [X] | Owner's Last Name | First | Middle Initial | Same as Driver [ ] CITY OF NORMAN

(12) Owner's Address: PO BOX 370 | City: NORMAN | State: OK | Zip: 73069 | Oversized Load: 0 | Towed Veh. Type: 00 | Rolled [ ] Phone present [X] | Burned [ ] Phone in use [ ]

(13) Citation Number | Statute/Ordinance Number | Citation Number | Statute/Ordinance Number

(14) Unit	Occupants	Type	Hit & Run	CMV	Last Name	First	Middle	Date of Birth (mm/dd/yyyy)	Sex
02	02	D			WATSON	ROBERT	K		M

(15) Address: 1711 QUAIL CREEK DR | City: NORMAN | State: OK | Zip: 73026 | Telephone (Use Area Code): 4056159908

(16) Driver License Number | State: OK | Class: D | Endorsement(s) | Restriction(s): 1 | Inj. Sev.: 1 | Type of Injury: 0 | Drv./Ped. Cond.: 01 | OP Use: 04

(17) Air Bag: 1 | Ejected: 1 | Extricated: 1 | Test: 5 | (% BAC): 0. | Transported by | To Medical Facility | License Plate Number | State: OK | Month: 05 | Year: 2013

(18) VIN | Vehicle Year: 2010 | Color: SIL | 2nd Color: 0 | Make: TOYO | Model: TACO | Veh. Conf.: 04 | Extent of Damage: 2

(19) Insurance Verification: 2 | Insurance Company Name: USAA | Policy Number: 01372 96 36U 7102 4 | Insurance Telephone (Use Area Code): 8005318111

(20) Vehicle Removed by: Driver [X] | Owner's Last Name | First | Middle Initial | Same as Driver [X]

(21) Owner's Address | City | State | Zip | Oversized Load: 0 | Towed Veh. Type: 00 | Rolled [ ] Phone present [X] | Burned [ ] Phone in use [ ]

(22) Citation Number | Statute/Ordinance Number | Citation Number | Statute/Ordinance Number

(23) Investigating Officer: COOK | Badge Number: 1008 | Troop/Div.: DIUZ | Reviewed by (Init.): JW | Reviewer Badge Number: 0200 | Date of Report (mm/dd/yyyy): 04/25/2013

Unit Type: D Driver, P Pedestrian, X Pedestrian Conveyance, B Bicyclist, Z Other Cyclist, C Parked Car, A Animal, T Train

Injury Severity: 0 N/A, 1 No Injury, 2 Possible, 3 Non-Incapacitating, 4 Incapacitating, 5 Fatal, 9 Unknown

Type of Injury: 0 N/A, 1 Head, 2 Trunk - External, 3 Trunk - Internal, 4 Arms, 5 Legs, 9 Unknown

Driver/Pedestrian Condition: 00 Not Applicable, 01 Apparently Normal, 02 Drinking - Ability Impaired, 03 Odor of Alcohol Beverage, 04 Illegal Drugs, 05 Under the Influence of Medications, 06 Very Tired, 07 Sleepy, 08 Ill (Sick), 09 Dizzy/Faint, 10 Emotional, 11 Other, 99 Unknown

Occupant Protection (OP) In Use: 00 Not Applicable, 01 None Used, 02 Lap Belt Only, 03 Shoulder Belt Only, 04 Shoulder and Lap Belt, 05 Child Restraint Type Unknown, 06 Restraint Used - Type Unknown, 07 Helmet, 08 Child Restraint - Forward Facing, 09 Child Restraint - Rear Facing, 10 Booster Seat, 11 Other, 99 Unknown

Air Bag Deployed: 0 Not Applicable, 1 Not Deployed, 2 Deployed - Front, 3 Deployed - Side, 4 Deployed - Other (knee, air bel., etc.), 5 Deployed - Combination, 9 Deployment Unknown

Ejected: 0 Not Applicable, 1 Not Ejected, 2 Ejected, Partially, 3 Ejected, Totally, 9 Unknown

Extricated: 0 N/A, 1 No, 2 Yes

Chemical Test: 0 N/A, 1 Blood, 2 Breath, 3 Blood/Breath, 4 Test Refused, 5 None Given, 6 Other

Extent of Damage: 0 N/A, 1 None, 2 Minor, 3 Functional, 4 Disabling, 8 Unknown

Insurance Verification: 0 N/A, 1 No, 2 Owner, 3 Operator, 4 Exempt

Oversized Load: 0 N/A, N Not Permitted, P Permitted

Towed Vehicle Type: 00 N/A, 01 Boat Trailer, 02 House Trailer, 03 Farm Trailer, 04 Horse Trailer, 05 Another Vehicle, 06 Utility Trailer, 07 Homemade Trailer, 08 Box Trailer, 09 StockTrailer, 10 Camping Trailer, 11 Combination, 12 Other, 99 Unknown

WARNING - STATE LAW Use of contents for commercial solicitation is unlawful

DPS: 0192-01 REV 0107

(24) Unit	Injured / Witness	Passenger / Prop. Owner	Pos in Veh.	Last Name	First	Middle Initial	Date of Birth (mm/dd/yyyy)	Sex
02		X	13	WATSON	ERIN			

(25) Address	City	State	Zip	Telephone (Use Area Code)
Same as Driver: X				4056154441

(26) Injury Severity / Type	OP Use	Air Bag Ejected	Extricated	Transported by	To Medical Facility	Property Type
10	04	1	1	1		

(27) Unit	Injured / Witness	Passenger / Prop. Owner	Pos in Veh.	Last Name	First	Middle Initial	Date of Birth (mm/dd/yyyy)	Sex

(28) Address	City	State	Zip	Telephone (Use Area Code)
Same as Driver				

(29) Injury Severity / Type	OP Use	Air Bag Ejected	Extricated	Transported by	To Medical Facility	Property Type

(30) Unit	Injured / Witness	Passenger / Prop. Owner	Pos in Veh.	Last Name	First	Middle Initial	Date of Birth (mm/dd/yyyy)	Sex

(31) Address	City	State	Zip	Telephone (Use Area Code)
Same as Driver				

(32) Injury Severity / Type	OP Use	Air Bag Ejected	Extricated	Transported by	To Medical Facility	Property Type

(33) Unit	Injured / Witness	Passenger / Prop. Owner	Pos in Veh.	Last Name	First	Middle Initial	Date of Birth (mm/dd/yyyy)	Sex

(34) Address	City	State	Zip	Telephone (Use Area Code)
Same as Driver				

(35) Injury Severity / Type	OP Use	Air Bag Ejected	Extricated	Transported by	To Medical Facility	Property Type

Complete information below if this vehicle is being used for COMMERCE/BUSINESS and has a GVWR/GCWR IN EXCESS OF 10,000 LBS., or has a HAZMAT PLACARD, or is a BUS WITH SEATING FOR NINE OR MORE INCLUDING THE DRIVER

(36) Unit	Carrier Name	Address

(37) City	State	Zip	GVWR / GCWR	0 - 10K lbs. / 10,001 - 26K lbs. / 26K+ lbs.	Axle Qty.	Cargo Body	Vehicle Use: Interstate Commerce / Intrastate Commerce / Other Non-Commercial / Government

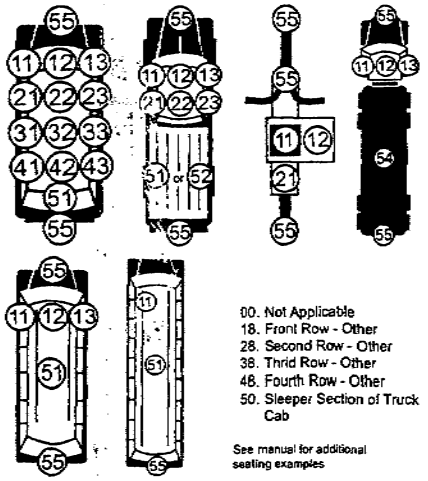
(38) U.S. DOT Number	NASI Report Number	Placard Number	Haz. Mat. Class	Haz. Mat. Involved	Haz. Mat. Release
	OK			Yes / No	Yes / No

(39) Unit	Carrier Name	Address

(40) City	State	Zip	GVWR / GCWR	0 - 10K lbs. / 10,001 - 26K lbs. / 26K+ lbs.	Axle Qty.	Cargo Body	Vehicle Use: Interstate Commerce / Intrastate Commerce / Other Non-Commercial / Government

(41) U.S. DOT Number	NASI Report Number	Placard Number	Haz. Mat. Class	Haz. Mat. Involved	Haz. Mat. Release
	OK			Yes / No	Yes / No

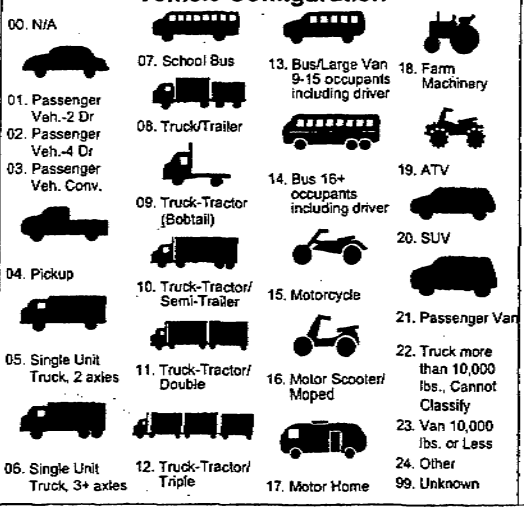
Position in Vehicle



00. Not Applicable
18. Front Row - Other
28. Second Row - Other
38. Thrid Row - Other
48. Fourth Row - Other
50. Sleeper Section of Truck Cab

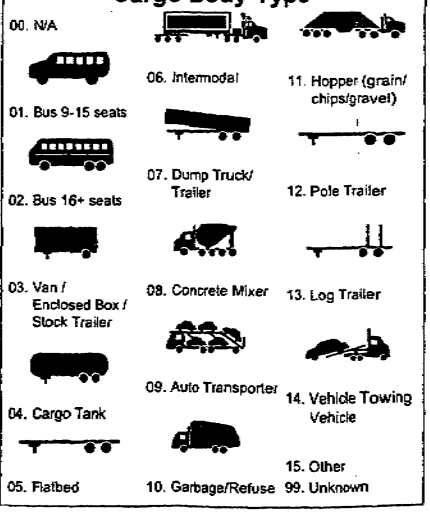
See manual for additional seating examples

Vehicle Configuration



00. N/A
01. Passenger Veh.-2 Dr
02. Passenger Veh.-4 Dr
03. Passenger Veh. Conv.
04. Pickup
05. Single Unit Truck, 2 axles
06. Single Unit Truck, 3+ axles
07. School Bus
08. Truck/Trailer
09. Truck-Tractor (Bobtail)
10. Truck-Tractor/ Semi-Trailer
11. Truck-Tractor/ Double
12. Truck-Tractor/ Triple
13. Bus/Large Van 9-15 occupants including driver
14. Bus 16+ occupants including driver
15. Motorcycle
16. Motor Scooter/ Moped
17. Motor Home
18. Farm Machinery
19. ATV
20. SUV
21. Passenger Van
22. Truck more than 10,000 lbs., Cannot Classify
23. Van 10,000 lbs. or Less
24. Other
99. Unknown

Cargo Body Type



00. N/A
01. Bus 9-15 seats
02. Bus 16+ seats
03. Van / Enclosed Box / Stock Trailer
04. Cargo Tank
05. Flatbed
06. Intermodal
07. Dump Truck/ Trailer
08. Concrete Mixer
09. Auto Transporter
10. Garbage/Refuse
11. Hopper (grain/ chips/gravel)
12. Pole Trailer
13. Log Trailer
14. Vehicle Towing Vehicle
15. Other
99. Unknown

Case Number 2013-05539

OFFICIAL OKLAHOMA TRAFFIC COLLISION REPORT

	Unit	Total Lanes in Roadway	Legal Speed	Pedestrian / Pedalcyclist Only: Actions Prior to Collision	Location at Time of Collision	Safety Equip.	Unit Number of Vehicle Striking
This unit will correspond to 'Unit 1'	01	02	40				
This unit will correspond to 'Unit 2'	02	02	40				

Was the collision in or near a construction, maintenance or utility work zone? (If yes, complete this section) Yes ☐ No ☒

Type of Work Zone
1 Lane Closure
2 Lane Shift/Crossover
3 Work on Shoulder or Median
4 Intermittent or Moving Work
9 Unknown

Location of the Work Zone Collision
1 Before the First Work Zone Warning Sign
2 Advance Warning Area
3 Transition Area
4 Activity Area
5 Termination Area
9 Unknown

Workers Present Yes ☐ No ☐ Unknown ☐

Light 1
1 Daylight
2 Dark-Not Lighted
3 Dark-Lighted
4 Dawn
5 Dusk
6 Dark-Unknown Lighting
7 Other
9 Unknown

Weather 01
01 Clear
02 Fog/Smog/Smoke
03 Cloudy
04 Rain
05 Snow
06 Sleet/Hail (Freezing Rain/Drizzle)
07 Severe Crosswind
08 Blowing Snow
09 Blowing Sand, Soil, Dirt
10 Other
99 Unknown

Locality 1
1 Residential
2 Business
3 Industrial
4 School
5 Not Built-up
6 Mixed Use
7 Other
9 Unknown

Type of Intersection 0
0 Not an Intersection
2 Y-Intersection
3 T-Intersection
4 Four-Way Intersection
5 Five-Point or More
6 Intersection as Part of Interchange
7 Traffic Circle
8 Roundabout
9 Unknown

Incident Type 00
00 Not an Incident
51 Private Property
52 Deliberate Intent
53 Medical Condition
54 Legal Intervention
55 Suicide
57 Drowning
58 Other

Location of First Harmful Event 01
01 On Roadway
02 Shoulder
03 Median
04 Roadside
05 Gore
06 Separator
07 Parking Lane/Zone
08 Off Roadway, Location Unknown
09 Outside Right-of Way
10 Other
99 Unknown

What Vehicle Was Going to Do Unit 1: 01 Unit 2: 01
00 Not Applicable
01 Go Ahead
02 Turn Left
03 Turn Right
04 Make "U" Turn
05 Stop
06 Slow for Cause
07 Start from Park/Stop
08 Change Lanes
09 Overtake
10 Pass
11 Back
12 Remain Stopped
13 Remain Parked
14 Enter/Merge in Traffic
15 Negotiate a Curve
16 Park
17 Other
99 Unknown

What Vehicle Did Unit 1: 01 Unit 2: 01
00 Not Applicable
01 Went Ahead
02 Turned Left
03 Turned Right
04 Entered "U" Turn
05 Stopped
06 Slowed
07 Started From Park/Stop
08 Entered Other Lane
09 Overtaking
10 Passing
11 Backed
12 Remained Stopped
13 Remained Parked
14 Entered/Merged
15 Departed Rdwy-Right
16 Departed Rdwy-Left
17 Swerved Right
18 Swerved Left
19 Parked
20 Other
99 Unknown

Visibility Obscured by Unit 1: 00 Unit 2: 00
00 Not Applicable
01 Trees
02 Embankment
03 Building
04 Signs
05 Parked Vehicles
06 High Weeds
07 Fences
08 Shrubbery
09 Ice, Snow or Frost on Windows
10 Smoke
11 Fog
12 Dust
13 Rain
14 Sun
15 Other
99 Unknown

Driver Distracted by Unit 1: 0 Unit 2: 0
0 Not Applicable/None
1 Electronic Communication Devices
2 Other Electronic Device
3 Other Inside Vehicle
4 Other Outside Vehicle
9 Unknown

Underride/ Override Unit 1: Unit 2:
0 Not Applicable
1 No Underride or Override
2 Underride, Compartment Intrusion
3 Underride, No Compartment Intrusion
4 Underride, Compartment Intrusion Unknown
5 Override, Motor Vehicle in Transport
6 Override, Other Motor Vehicle
9 Unknown

Traffic Control Unit 1: 00 Unit 2: 00
00 No Control
01 Stop Sign
02 Traffic Signal
03 Flashing Traffic Signal
04 School Zone Signs
05 Yield Sign
06 Warning Sign
07 Railroad Advance Warning Sign
08 Railroad Cross Bucks
09 Railroad Gates
10 Railroad Signal
11 No Passing Zone
12 Person (including flagger, law enforcement, crossing guard, etc.)
13 Abnormal Control
14 Other
99 Unknown

Road Surface Conditions Unit 1: 01 Unit 2: 01
01 Dry
02 Wet
03 Ice/Frost
04 Snow
05 Mud, Dirt, Gravel
06 Slush
07 Water (standing, moving)
08 Sand
09 Oil
10 Other
99 Unknown

Road Character

Grade Unit 1: 1 Unit 2: 1
1 Level
2 Hillcrest
3 Uphill
4 Downhill
5 Sag (bottom)

Road Alignment Unit 1: 1 Unit 2: 1
1 Straight
2 Curve - Left
3 Curve - Right

Road Surface Type Unit 1: 2 Unit 2: 2
1 Concrete
2 Asphalt
3 Gravel
4 Dirt
5 Brick
6 Other
9 Unknown

Trafficway Unit 1: 3 Unit 2: 3
0 Not Applicable
1 One Way
2 Two-Way - Not Divided
3 Two-Way - Divided
4 Two-Way - Divided - Positive Median Barrier
5 Turn Lane
6 Ramp / Loop
7 Driveway
8 Alley / Parking Lot
9 Unknown

Vehicle Removal Unit 1: 4 Unit 2: 4
0 Not Applicable
1 Towed Due to Vehicle Damage
2 Towed For Reasons Other Than Damage
3 Remained at Scene
4 Driven from Scene
9 Unknown

Vehicle Condition Unit 1: 01 Unit 2: 01
00 Not Applicable
01 Apparently Normal
02 Brakes
03 Headlights
04 Steering
05 Tail Lights
06 Brake Lights
07 Tires/Wheels
08 Suspension
09 Signal lights
10 Windows
11 Truck Coupling/Trailer Hitch/Safety Chains
12 Mirrors 15 Other
13 Wipers 99 Unknown
14 Power Train

Special Function of Vehicle Unit 1: 00 Unit 2: 00
00 Not Applicable
01 School Bus
02 Transit Bus
03 Intercity Bus
04 Charter Bus
05 Other Bus
06 Military
07 OHP
08 Other Police
09 Other Law Enforcement
10 Ambulance
11 Fire Truck
12 Public Owned Vehicle
13 Highway Equipment
14 Special Mobilized Machine
15 Other 99 Unknown

Emergency Vehicle Responding to an Emergency Unit 1: 0 Unit 2: 0
0 N/A 2 No
1 Yes 9 Unknown

Unsafe / Unlawful Contributing Factors Unit 1: 87 Unit 2: 98

FAILED TO YIELD
01 From Stop Sign
02 From Yield Sign
03 Private Drive
04 County Road at Through Highway
05 From Signal Light
06 From Alley
07 To Pedestrian
08 To Vehicle on Right
09 To Vehicle in Intersection
10 To Emergency Vehicles
12 Other

FOLLOWED TOO CLOSELY
13 Human Element
14 Traffic Condition
15 Weather Condition

UNSAFE SPEED
16 Driver's Ability (Aged)
17 Inexperienced Driver - Young
18 Exceeding Legal Limit
19 For Traffic Conditions
20 For Type of Roadway (Gravel, Dirt, etc.)
21 For Ice or Snow on Roadway
22 Rain or Wet Roadway
23 Wind
24 Other Weather Conditions
25 Vehicle Condition
26 View Obstruction
27 On Curve/Turn
28 Impeding Traffic
29 Other

IMPROPER TURN
30 From Wrong Lane
31 From Direct Course
32 Right
33 Left
34 Turn About/U-Turn
35 To Enter Private Drive
36 In Front of Oncoming Traffic
37 Other
38 **CHANGED LANES UNSAFELY**
39 **STOPPED IN TRAFFIC LANE**

FAILED TO STOP
40 For Stop Sign
41 For Traffic Signal
42 For School Bus
43 For Railroad Gates/ Signal
44 For Officer/Flagman
45 At Sidewalk/Stopline
46 Other

UNSAFE VEHICLE
47 Brakes
48 Steering
49 Tires
50 Suspension
51 Headlights
52 Tail Lights
53 Stop Lights
54 Wheel
55 Exhaust System
56 Windshield Wipers
57 Other Mechanical Defects

LEFT OF CENTER
58 In Meeting
59 No Passing Zone (Unmarked)
60 Marked Zone
61 Other

IMPROPER OVERTAKING
62 In Marked Zone
63 On Hill/Curve
64 At Intersection
65 Without Sufficient Clearance
66 Other

IMPROPER PARKING
67 On Roadway
68 Where Prohibited
69 Other

INATTENTION
70 Distracted by Passenger in Vehicle
71 Other Distraction Inside Vehicle
72 Distraction From Outside Vehicle
73 Other

WRONG WAY
74 On One Way
75 On Exit Ramp
76 On Entrance Ramp
77 Other

IMPROPER START FROM
78 Parked Position
79 Other
80 **ALCOHOL-DUI/DWI**
81 **DRUG-DUI**

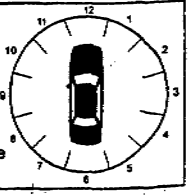
OTHER IMPROPER ACT/ MOVEMENT
82 Failed to Signal
83 Disregarded Warning Signal
84 Improper Use of Lane
85 Improper Backing
86 Apparently Sleepy
87 Failed to Secure Load
88 Other/Unknown

UNKN./NO IMPROPER ACT
89 Deer in Roadway
90 Animal in Roadway
91 Domestic Animal in Rdwy
92 Avoiding Other Vehicle
93 Avoiding Pedestrian
94 Object/Debris in Roadway
95 Defect in Roadway
96 Abnormal Traffic Control
97 Improper Bicyclist Action
98 **NO IMPROPER ACTION BY DRIVER**
99 **PEDESTRIAN ACTION**

Point of First Contact on Vehicle Unit 1: 00 Unit 2: 11

Most Damaged Area Unit 1: 00 Unit 2: 11

00 Not Applicable 14 Undercarriage
13 Top 99 Unknown

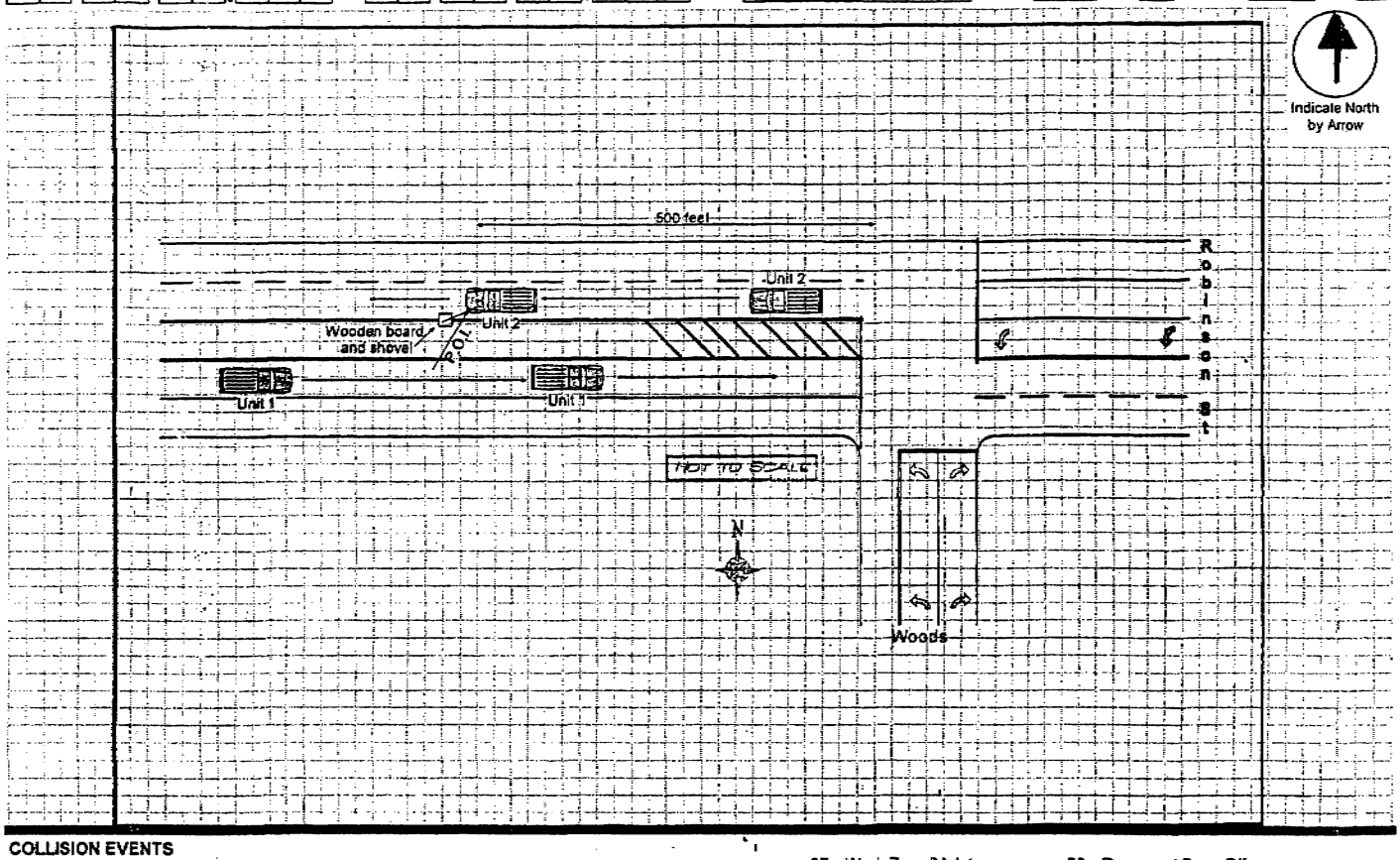


DPS: 0192-03 REV 0107

Case Number 2013-05539

Latitude N Longitude W Railroad Crossing Number

Roadway Orientation: Unit Number 01 NE SW E; Unit Number 02 NE SW W



COLLISION EVENTS

Unit	First Event	Second Event	Third Event	Fourth Event	Most Harmful Event	First Harmful Event for the Entire Collision
01	34	00	00	00	34	36
02	36	00	00	00	36	

00 Not Applicable
10 Overturn/Rollover
11 Fire/Explosion
12 Immersion
13 Jackknife
14 Cargo/Equipment Loss or Shift
15 Equipment Failure (Blown Tire, Brake Failure, etc.)
16 Separation of Units
17 Departed Road Right
18 Departed Road Left
19 Cross Median/Centerline
20 Downhill Runaway
21 Fell/Jumped From Motor Vehicle
22 Thrown Or Falling Object
23 Other Non-Collision

PERSON, MOTOR VEHICLE, OR NON-FIXED OBJECT:

30 Pedestrian
31 Pedal Cycle
32 Railway Vehicle (train, engine)
33 Animal
34 Motor Vehicle in Transport
35 Parked Motor Vehicle
36 Struck by Falling, Shifting Cargo or Anything Set in Motion by Motor Vehicle
37 Work Zone/Maintenance Equipment
38 Other Non-Fixed Object

FIXED OBJECT:

40 Barrier (Cable)
41 Barrier (Concrete)
42 Barrier (Other)
43 Fence Pole
44 Fence
45 Traffic Signal Support
46 Traffic Sign Support
47 Utility Pole/Light Support
48 Other Post/Pole/Support
49 Guardrail/Guardrail Face
50 Guardrail End
51 Culvert
52 Curb
53 Island
54 Sand Barrels
55 Impact Attenuator/ Crash Cushion
56 Pavement Drop-Off
57 Ditch
58 Embankment
59 Tree (Standing)
60 Dividing Strip
61 Retaining Wall
62 Bridge Abutment
63 Bridge Pier or Support
64 Bridge Rail
65 Bridge Post
66 Bridge Curb
67 Bridge Super Structure (Beams)
68 Bridge Overhead Structure
69 Delineator
70 Mailbox
71 Other Fixed Object
72 Other Highway Structure
73 Ground
99 Unknown

Remarks

UNIT 2 WAS TRAVELING WESTBOUND. UNIT 1 WAS HEADING EASTBOUND AS THE TWO UNITS PAST SOME TOOLS FELL OUT OF THE BED OF UNIT 1. THE ITEMS STRUCK UNIT 2 AT THAT TIME. THE ITEMS CAUSED DAMAGE TO UNIT 2. UNIT 1 STATED THAT THE WIND BLEW THE ITEMS OUT OF THE BED AND HE THOUGHT THEY WERE TIED DOWN.

This report is based on the officer's investigation of this collision. This report may contain the opinion of the officer.

DPS: 0192-04 REV 0107

CERTIFICATE OF TITLE

STATE OF OKLAHOMA

VEHICLE IDENTIFICATION NUMBER	YEAR	MAKE	TITLE NO.
	2010	TOYT	

BODY TYPE	MODEL	DATE 1st SOLD	DATE ISSUED
CW	DCL	05/05/2010	12/19/2011

AGENT NO.	ODOMETER	TYPE OF TITLE
1435	27151 ACTUAL	TRANSFER

DATE INS. LOSS OR SALVAGE

NAME AND ADDRESS OF VEHICLE OWNER

ROBERT K WATSON JR
OR ERIN E.C. WATSON
1711 QUAIL CREEK DR
NORMAN OK 73026-0943

THIS VEHICLE IS SUBJECT TO THE FOLLOWING LIEN(S):

12/08/2011 10:00 TINKER FEDERAL CREDIT UNION

It is hereby certified that according to the records of the Oklahoma Tax Commission, the person named hereon is the owner of the vehicle described above which is subject to a lien(s) as shown; however, the vehicle may be subject to other liens or security interests.

CONTROL NO.
36162639
(This is not a title number.)

IF REGISTERED OWNER (SELLER) IS A LICENSED DEALER, PLACE OKLAHOMA MOTOR VEHICLE TAX STAMP HERE

ASSIGNMENT OF TITLE BY REGISTERED OWNER **(If Dealer, List License # Here:** _____ **)**

I/we hereby assign and warrant ownership of the vehicle described on this certificate to the following, subject only to the liens or encumbrances, if any, properly noted on this certificate.

Purchaser(s) Name (Type or Print): _____

Purchaser(s) Complete Address: _____

Actual Purchase Price of Vehicle: _____

I certify to the best of my knowledge that the ODOMETER READING reflected on the vehicle's odometer and listed below is the ACTUAL MILEAGE of the vehicle UNLESS one of the accompanying statements is checked:

☐☐☐☐☐☐ (NO TENTHS)

☐ 1. The odometer has exceeded its mechanical limits.

☐ 2. The odometer reading is NOT the actual mileage. **Warning — Odometer Discrepancy**

Signature of Seller(s): _____ **Printed Name of Seller(s):** _____

Subscribed and Sworn to Before me this _____ Day of _____, 20____

Notary Public: _____ Commission Expiration: _____

Affix Notary Seal / Stamp Here

Notarization required only of seller's signature(s). Affix notary seal/stamp to the right.

Signature of Buyer(s): _____ **Printed Name of Buyer(s):** _____

VOID IF ALTERED

21-10

City of Norman, OK

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

Master

File Number: K-0607-142 AMD 1

File ID:	K-0607-142 AMD 1	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 22	**In Control:**	City Council
Department:	Utilities Department	**Cost:**		**File Created:**	07/01/2013
File Name:	Amendment #1 to K-0607-142			**Final Action:**	

Title: AMENDMENT NO. ONE TO CONTRACT K-0607-142: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND SPRINT SPECTRUM REALTY COMPANY, L.P., TO ADD NEW COMMUNICATION EQUIPMENT LOCATED ON THE ROBINSON WATER TOWER LOCATED AT 453 WEST ROBINSON STREET AS PART OF THE EXISTING LEASE AGREEMENT AND INCREASING THE MONTHLY LEASE PAYMENT AMOUNT.

Notes: ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Amendment No. One to Contract No. K-0607-142 with Sprint Spectrum Realty Company, L.P.; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 22

Attachments: Robinson Tower Amendment 1, K-0607-142

Project Manager: Mark Daniels, Utilities Engineer

Entered by: mark.daniels@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-0607-142 AMD 1

Body

BACKGROUND: The Norman Utilities Authority (NUA) approved Contract K-0607-142 with Sprint Spectrum L.P. (Sprint) on April 24, 2007 to lease space for telecommunication equipment on the Robinson Water Tower located at 453 West Robinson. The initial term of the contract was five years with the option to renew four additional terms of five years each.

The lease rate was $1,000 per month with a 3% increase annually on the anniversary date of the contract; the current rate is $1,194.05. Article III of the contract allows the NUA to terminate the agreement upon one hundred twenty days (120) days' notice after the initial five-year term. Article VI requires telecommunication equipment to be installed in accordance with the contract and requires approval of the Director of Utilities prior to construction of the improvements.

DISCUSSION: The initial five-year term expired in April 2012 and automatically renewed. Sprint notified staff of its intention to install new and expanded telecommunication equipment on the tower in December 2012. Staff

requested clarification regarding the request and, after numerous submittals and re-submittals, received acceptable construction documents in July 2013.

Due to the nature of the proposed changes and the fact that the current monthly lease rate is well below the market rate for this type of installation, staff requested that the lease rate be increased. Staff has negotiated the terms of Amendment No. 1 to Contract K-0607-142 with Sprint. The amendment includes: (1) Exhibit A-1 which modifies the location of the equipment on the tower; and (2) increases the lease rate by $806 to $2,000.05 per month after beginning construction of the modifications with a 4% increase annually on the anniversary date of the contract. The amended contract has the option to renew for three additional 5-year terms. Lease payments are deposited in the Water Enterprise Fund, Rental/Water Towers (account 031-0000-363.15-82).

RECOMMENDATION: Staff recommends the NUA approve Amendment No. 1 to Contract K-0607-142 with Sprint Spectrum Realty Company L.P. to continue leasing space for telecommunication equipment placed on the Robinson Water Tower.

Site Name: Robinson Water Tower **Site ID #: OK23XC117**

AMENDMENT NO. 1 TO LEASE AGREEMENT

This Amendment No. 1 to Lease Agreement (this "**Amendment**"), effective as of the date last signed below ("**Effective Date**"), amends a certain Lease Agreement between Sprint Spectrum Realty Company, L.P., a Delaware limited partnership, successor in interest to Sprint Spectrum L.P., a Delaware limited partnership ("**Lessee**"), and Norman Utilities Authority, a Public Trust ("**Lessor**"), dated April 24, 2007 (the "**Agreement**").

BACKGROUND

WHEREAS, Lessee desires to modify its installation on the Leased Premises by adding or swapping out antennas and other equipment to the equipment, as more particularly described in Exhibit A-1 annexed hereto, and Lessee and Lessor desire to modify the provisions of the Agreement as provided below.

AGREEMENT

For good and valuable consideration the receipt and sufficiency of which are acknowledged, Lessor and Lessee agree as follows:

1. **Modification to The Equipment.** Exhibit A to the Agreement is hereby amended to include the modifications identified on Exhibit A-1, a copy of which is attached and made a part hereof. Exhibit A-1 supplements Exhibit A to the Agreement, and shall not be deemed to supersede or otherwise modify Exhibit A or any part thereof except to the extent specifically set forth in Exhibit A-1. Upon full execution of this Amendment, Lessee is permitted to do all work necessary to prepare, maintain and alter the Leased Premises to install or otherwise modify the equipment, all as more fully described and contemplated in Exhibit A-1

2. **Frequency Use**. Provided that any frequencies used by Lessee will not cause interference with the properly licensed and permitted pre-existing frequencies in use or in operation at the equipment and notwithstanding anything to the contrary contained herein, Lessee may operate the equipment at any frequencies for which it has all requisite permits, leases or licenses.

3. **Modification to Monthly Rental.** As additional consideration for the modification and other rights set forth in this Amendment, starting on the date that is 30 days after the start of construction of the modifications to the equipment, the monthly rent will be increased by Eight Hundred Six and No/100 Dollars ($806.00). Notwithstanding anything set forth in the Agreement, commencing on the anniversary date of the Agreement, the monthly rent will be increased annually by Four Percent (4%) of the then current monthly rent.

4. **Notice Address**. The notice addresses in Section Article XIII of the Agreement or referenced therein for the party or parties listed below are hereby deleted in their entirety and replaced with the following:

To Lessee:	Sprint/Nextel Property Services Sprint Site ID: OK23XC117 Mailstop KSOPHT0101-Z2650 6391 Sprint Parkway Overland Park, Kansas 66251-2650
With a mandatory copy to:	Sprint/Nextel Law Department Sprint Site ID: OK23XC117 Mailstop KSOPHT0101-Z2020 6391 Sprint Parkway Overland Park, Kansas 66251-2020 Attn.: Real Estate Attorney

Site Name: Robinson Water Tower **Site ID #: OK23XC117**

5. **General Terms and Conditions**.

a. All capitalized terms used in this Amendment, unless otherwise defined herein, will have the same meaning as the terms contained in the Agreement.

b. In case of any inconsistencies between the terms and conditions contained in the Agreement and the terms and conditions contained in this Amendment, the terms and conditions herein will control. Except as set forth below, all provisions of the Agreement are ratified and remain unchanged and in full force and effect.

c. This Amendment may be executed in duplicate counterparts, each of which will be deemed an original.

d. Each of the parties represents and warrants that it has the right, power, legal capacity and authority to enter into and perform its respective obligations under this Amendment.

*****SIGNATURES ON FOLLOWING PAGE*****

Site Name: Robinson Water Tower **Site ID #: OK23XC117**

The parties have executed this Amendment as of the Effective Date.

Lessor:

Norman Utilities Authority,
a Public Trust

By: _____

Printed Name: Jim Griffith

Title: Vice-Chairman

Date: _____
(Date must be completed)

Lessee:

Sprint Spectrum Realty Company, L.P.,
a Delaware limited partnership

By: _____

Printed Name: Matthew Bell

Title: Manager Real Estate

Date: 6/25/2013
(Date must be completed)

APPROVED BY CITY OF NORMAN LEGAL DEPARTMENT
BY _____ DATE 7/17/13

ATTEST:

Secretary

Site Name: Robinson Water Tower **Site ID #: OK23XC117**

Exhibit A-1

[see attached]

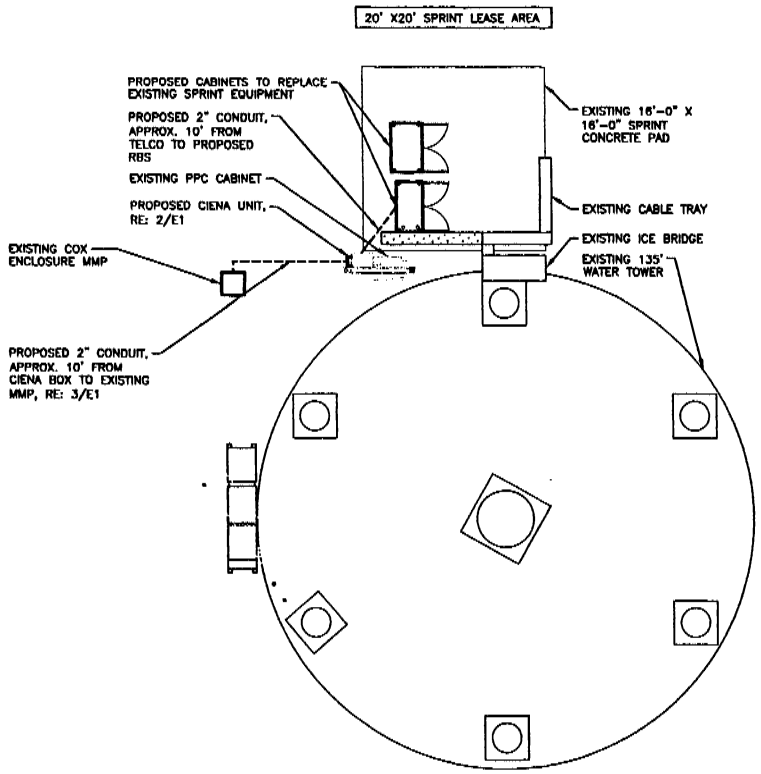
ABBREVIATIONS

AFF	ABOVE FINISHED FLOOR
AGL	ABOVE GRADE LEVEL
AMSL	ABOVE MEAN SEA LEVEL
APPROX	APPROXIMATE
AWG	AMERICAN WIRE GAUGE
BLDG	BUILDING
BTS	BASE TRANSMISSION STATION
CLR	CLEAR
COL	COLUMN
CONC	CONCRETE
CND	CONDUIT
DWG	DRAWING
FT	FOOT (FEET)
EGB	EQUIPMENT GROUND BAR
ELEC	ELECTRICAL
EMT	ELECTRICAL METALLIC TUBING
ELEV	ELEVATION
EQUIP	EQUIPMENT
(E)	EXISTING
EXT	EXTERIOR
FND	FOUNDATION
F	FIBER
GA	GAUGE
GALV	GALVANIZED
GPS	GLOBAL POSITIONING SYSTEM
GND	GROUND
LTE	LONG TERM EVOLUTION
MAX	MAXIMUM
MFR	MANUFACTURER
MGB	MASTER GROUND BAR
MIN	MINIMUM
N.T.S.	NOT TO SCALE
O.C.	ON CENTER
OE/OT	OVERHEAD ELECTRIC/TELCO
PPC	POWER PROTECTION CABINET
RBS	RADIO BASED STATION
RRU	REMOTE RADIO UNIT
RGS	RIGID GALVANIZED STEEL
IN	INCH(ES)
INT	INTERIOR
LB(S) or #	POUND(S)
SF	SQUARE FOOT
STL	STEEL
TYP	TYPICAL
UE/UT	UNDERGROUND ELECTRIC/TELCO
UNO	UNLESS NOTED OTHERWISE
VIF	VERIFY IN FIELD
W/	WITH
XFMR	TRANSFORMER

SYMBOLS

- REVISION
- WORK POINT
- UTILITY POLE
- BRICK
- COMPRESSED STONE
- CONCRETE
- EARTH
- GRAVEL
- MASONRY
- STEEL
- CENTERLINE
- PROPERTY LINE
- LEASE LINE
- EASEMENT LINE
- CHAIN LINK FENCE
- WOOD FENCE
- UE — UNDERGROUND ELECTRIC
- UT — UNDERGROUND TELEPHONE
- OE/OT — OVERHEAD ELECTRIC/TELEPHONE

22-5



HYBRID CABLE TO BE PROTECTED TO WITHIN 2" OF CABINET OR TOWER BY PROPOSED 2" INTERDUCT TO BE INSTALLED BETWEEN ICEBRIDGE/CABLE TRAY AND TOWER OR EQUIPMENT, IF REQUIRED

CIENA MOUNT CONSIST OF TWO PIECES OF UNISTRUT SPACED 20" APART, MOUNTED WITH 4 STAINLESS STEEL BOLTS, WASHERS, LOCK WASHERS AND NUTS. THE HOLES DRILLED INTO THE TELCO MUST BE SEALED WITH SILICONE SEALANT. IN ADDITION, INSTALL 2 RUNS OF 1 1/4" FLEX CONDUIT CONNECTED TO THE BASE OF THE TELCO BOX USING 3 1/4" LIQUID TIGHT CONNECTORS. THE CONDUIT WILL RUN UP TO WHERE THE UNISTRUT IS LOCATED WITH 2 LIQUID TIGHT CONNECTORS SO THE AAV VENDOR CAN CONNECT THE CONDUIT TO THE CIENA THEY WILL MOUNT. POWER TO BE SUPPLIED PER MANUFACTURER REQUIREMENTS.

TRUE NORTH

1 OVERALL SITE PLAN (FINAL)

SCALE: 0' 1' 5' 10'

PREPARED FOR:

Sprint

6391 SPRINT PARKWAY
OVERLAND PARK, KS 66251

ERICSSON

6100 SPRINT PARKWAY
OVERLAND PARK, KS 66251

CONSULTANT:

CLSGroup TELECOMMUNICATIONS

609 S. KELLY AVENUE, STE. D
EDMOND, OK 73003
PH: (405) 348-5460
FAX:(405) 341-4625
COA 6087 EXP. 6/30/2014

SITE NAME:

CITY OF NORMAN WATER TOWER

SITE NUMBER:

OK23XC117

SITE ADDRESS:
453 W. ROBINSON
NORMAN, OKLAHOMA, 73069
CLEVELAND COUNTY

STAMP:

LICENSED PROFESSIONAL ENGINEER
TIMOTHY K. FRANCE
18958
OKLAHOMA

05/16/2013

PE# 18958 EXP. 01/31/2014

DRAWN BY:	MH
APPROVED BY:	TKF
DATE DRAWN:	08/20/12

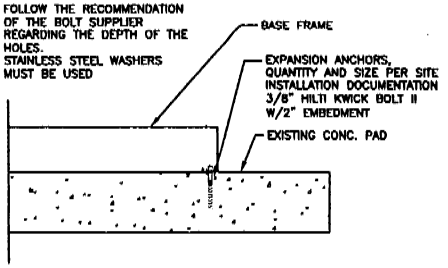
REVISION

NO	DESCRIPTION	BY	DATE
A	PRELIMINARY ISSUE	AW	10/22/12
B	PRELIMINARY ISSUE	JPR	11/05/12
C	PRELIMINARY ISSUE	TT	04/30/13
0	FOR CONSTRUCTION	TT	05/16/13

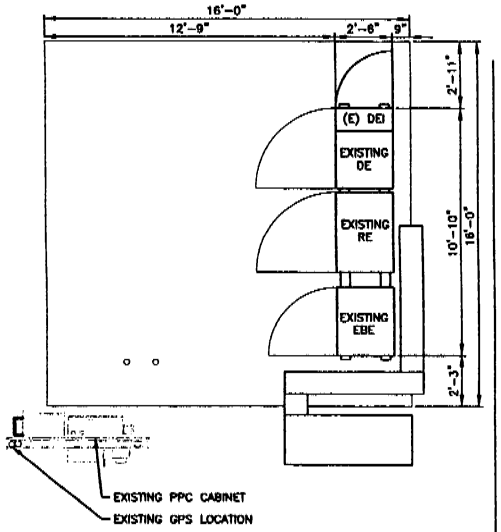
SHEET TITLE:
OVERALL SITE PLAN (FINAL)

SHEET NUMBER:
A1

NOTE:
1. FOLLOW THE RECOMMENDATION OF THE BOLT SUPPLIER REGARDING THE DEPTH OF THE HOLES.
2. STAINLESS STEEL WASHERS MUST BE USED

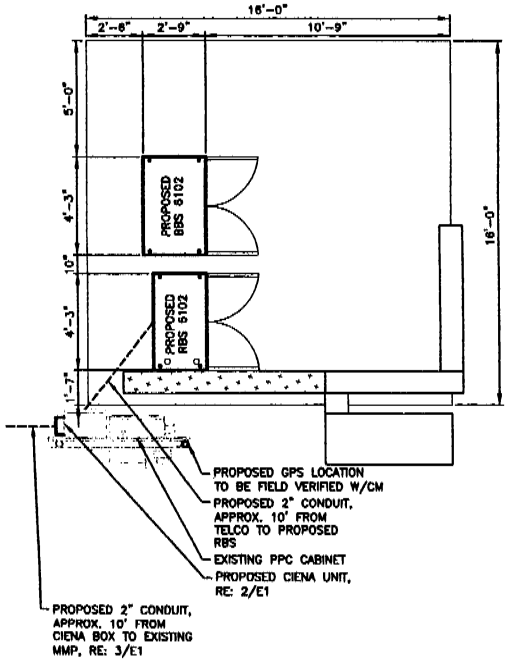


4 MOUNTING DETAIL
SCALE: N.T.S.



3 EQUIPMENT SITE PLAN (EXISTING)
SCALE:

2 NOT USED
SCALE:



1 EQUIPMENT SITE PLAN (FINAL)
SCALE:

TRUE NORTH

PREPARED FOR:
Sprint
6391 SPRINT PARKWAY
OVERLAND PARK, KS 66251

ERICSSON
6100 SPRINT PARKWAY
OVERLAND PARK, KS 66251

CONSULTANT:
CLSGroup TELECOMMUNICATIONS
609 S. KELLY AVENUE, STE. D
EDMOND, OK 73003
PH: (405) 348-5460
FAX:(405) 341-4625
COA 6087 EXP. 6/30/2014

SITE NAME:
CITY OF NORMAN WATER TOWER
SITE NUMBER:
OK23XC117
SITE ADDRESS:
453 W. ROBINSON
NORMAN, OKLAHOMA. 73069
CLEVELAND COUNTY

STAMP:
PROFESSIONAL ENGINEER
TIMOTHY K. FRANCE
18958
OKLAHOMA
LICENSED
05/16/2013
PE# 18958 EXP. 01/31/2014

DRAWN BY:	MH
APPROVED BY:	TKF
DATE DRAWN:	08/20/12

REVISION

NO	DESCRIPTION	BY	DATE
A	PRELIMINARY ISSUE	AW	10/22/12
B	PRELIMINARY ISSUE	JPR	11/05/12
C	PRELIMINARY ISSUE	TT	04/30/13
0	FOR CONSTRUCTION	TT	05/16/13

SHEET TITLE:
EQUIPMENT SITE PLANS

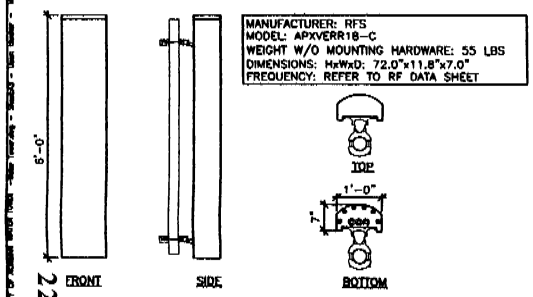
SHEET NUMBER:
A2

HYBRID CABLE TO BE PROTECTED TO WITHIN 2" OF CABINET OR TOWER BY PROPOSED 2" INTERDUCT TO BE INSTALLED BETWEEN ICEBRIDGE/CABLE TRAY AND TOWER OR EQUIPMENT, IF REQUIRED

PROPOSED HYBRID CABLE LENGTH			
SECTOR	ALPHA	BETA	GAMMA
HORIZONTAL	40'±	40'±	40'±
VERTICAL	140'±	140'±	140'±
10% EXTRA	+10%	+10%	+10%
TOTAL	208'±	208'±	208'±

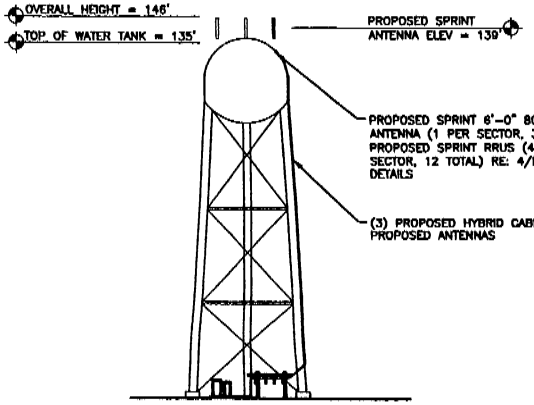
*ALL DIMENSIONS SHOULD BE FIELD VERIFIED

3 HYBRID SCHEDULE
SCALE: N.T.S.



MANUFACTURER: RFS
MODEL: APXVERR18-C
WEIGHT W/O MOUNTING HARDWARE: 55 LBS
DIMENSIONS: HxWxD: 72.0"x11.8"x7.0"
FREQUENCY: REFER TO RF DATA SHEET

2 DUAL 800/1900 MHZ ANTENNA DETAIL
SCALE: N.T.S.



1 SITE ELEVATION
SCALE: N.T.S.

NOTES:
1. CONTRACTOR TO FIELD VERIFY ANTENNA CABLE LENGTHS.
2. ALL MAIN CABLES WILL BE COLOR CODED AT THREE (3) LOCATIONS.
3. COLOR CODE ALL ANTENNA AND COAX WITH 2" WIDE BANDS OF COLORED TAPE WITH 1" SEPARATION BETWEEN BANDS.
4. COLOR CODE ALL TOP AND BOTTOM GROUND KITS WITH 1" WIDE BANDS OF COLORED TAPE WITH 1/2" SEPARATION BETWEEN BANDS.
5. START COLOR BANDS 2" BEYOND WEATHERPROOFING.
6. START SECTOR COLOR NEXT TO END CONNECTOR.
7. ALL MAIN CABLES WILL BE GROUNDED W/ COAXIAL CABLE GROUND KITS AT:
   - THE ANTENNA LEVEL
   - MID LEVEL IF TOWER IS OVER 200'
   - BASE OF TOWER PRIOR TO TURNING HORIZONTAL
   - TERMINATION OF COAX LINES TO JUMPERS
8. ALL NEW GROUND BAR DOWNLEADS ARE TO BE CADWELDED TO THE EXISTING ADJACENT GROUND BAR DOWNLEADS A MINIMUM DISTANCE OF 4FT BELOW GROUND BAR

COAXIAL ANTENNA CABLE NOTES:
1. THE ANTENNA COAXIAL CABLE INSTALLER SHALL BE RESPONSIBLE FOR PERFORMING AND SUPPLYING SPRINT WITH 3 TYPEWRITTEN SWEEP TESTS (ANTENNA RETURN LOSS TEST). THIS TEST SHALL BE PERFORMED TO THE SPECIFICATIONS AND PARAMETERS OUTLINED BY THE SPRINT RADIO FREQUENCY (RF) ENGINEER. THIS TEST SHALL BE PERFORMED PRIOR TO FINAL ACCEPTANCE OF THE SITE.
2. THE COAXIAL ANTENNA CABLE INSTALLER SHALL BE RESPONSIBLE FOR PERFORMING AND SUPPLYING SPRINT WITH 3 TYPEWRITTEN TIME DOMAIN REFLECTOMETER (TDR) TESTS TO VERIFY CABLE LENGTH AND TO CHECK FOR WATER DAMAGE.
3. VAPOR WRAP WILL BE USED TO SEAL ALL CONNECTIONS.
4. ALL JUMPERS TO THE ANTENNAS FROM THE MAIN TRANSMISSION LINE WILL BE 1/2" JUMPERS AND SHALL NOT EXCEED 6'-0". MAXIMUM LENGTH FOR THE JUMPERS AT WIMAX BTS UNITS WILL BE 6'-0".
5. IF COAX IS BEING RE-USED FOR THIS INSTALLATION, PRE AND POST ANTENNA LINE SWEEPS ARE REQUIRED.

ANTENNA MOUNTING NOTES:
1. DESIGN AND CONSTRUCTION OF ANTENNA SUPPORTS SHALL CONFORM TO CURRENT ANSI/EIA/TIA-222; APPENDIX B FOR WIND LOADING; "STRUCTURAL STANDARDS FOR STEEL ANTENNA TOWERS AND ANTENNA SUPPORTING STRUCTURES" OR APPLICABLE LOCAL CODES.
2. ALL STEEL MATERIALS SHALL BE GALVANIZED AFTER FABRICATION IN ACCORDANCE WITH ASTM A123 "ZINC (HOT-DIPPED GALVANIZED) COATINGS ON IRON AND STEEL PRODUCTS", UNLESS OTHERWISE NOTED.
3. ALL BOLTS, ANCHORS AND MISCELLANEOUS HARDWARE SHALL BE GALVANIZED IN ACCORDANCE WITH ASTM A153 "ZINC-COATING (HOT DIP) ON IRON AND STEEL HARDWARE", UNLESS OTHERWISE NOTED.
4. DAMAGED GALVANIZED SURFACES SHALL BE REPAIRED BY COLD GALVANIZING IN ACCORDANCE WITH ASTM A780.
5. ALL ANTENNA MOUNTS SHALL BE INSTALLED WITH DOUBLE NUTS AND SHALL BE INSTALLED SNUG TIGHT.
6. MINIMUM HORIZONTAL SPACING SHALL BE 2'-0" BETWEEN ALL ANTENNAS.

NOTES:
1. ALL AZIMUTHS ARE TO BE ESTABLISHED CLOCKWISE FROM THE TRUE NORTH HEADING.
2. CONTRACTOR SHALL VERIFY PROPOSED ANTENNA RAD CENTER AND ORIENTATIONS WITH SPRINT PRIOR TO INSTALLATION OF ANTENNAS.
3. PRIOR TO ATTACHING ANTENNAS AND MOUNTING SECTIONS, EXISTING TOWER AND TOWER FOUNDATION MUST BE ANALYZED BY A LICENSED STRUCTURAL ENGINEER TO VERIFY TOWER IS CAPABLE OF SUPPORTING THE PROPOSED LOADS. REFER TO STRUCTURAL ANALYSIS BY OTHERS.
4. REFER TO THE ANTENNA MOUNT ANALYSIS THAT CERTIFIES SPRINT'S ENTIRE ANTENNA STRUCTURE, INCLUDING TOWER PLATFORMS, ARMS AND ALL OTHER ASPECTS OF THE STRUCTURE WILL SUPPORT THE SPRINT NETWORK VISION EQUIPMENT DEPLOYMENT.
5. STRUCTURAL CALCULATIONS FOR THE TOWER WERE PREPARED BY OTHERS AND THOSE CALCULATIONS CERTIFY THE CAPACITY OF THE TOWER STRUCTURE FOR THE DEPLOYMENT OF THE SPRINT NETWORK VISION EQUIPMENT. CONTRACTOR TO COORDINATE WITH PROJECT MANAGER TO OBTAIN A COPY.
6. CONTRACTOR TO REFER TO STRUCTURAL CALCULATIONS OF THE TOWER FOR ADDITIONAL LOADS. NO ERECTION OR MODIFICATION OF THE STRUCTURE SHALL BE MADE WITHOUT APPROVAL OF THE STRUCTURAL ENGINEER.

PREPARED FOR:
Sprint
6391 SPRINT PARKWAY
OVERLAND PARK, KS 66251

ERICSSON
6100 SPRINT PARKWAY
OVERLAND PARK, KS 66251

CONSULTANT:
CLSGroup TELECOMMUNICATIONS
609 S. KELLY AVENUE, STE. D
EDMOND, OK 73003
PH: (405) 348-5460
FAX:(405) 341-4625
COA 6087 EXP. 6/30/2014

SITE NAME:
CITY OF NORMAN WATER TOWER
SITE NUMBER:
OK23XC117
SITE ADDRESS:
453 W. ROBINSON
NORMAN, OKLAHOMA, 73069
CLEVELAND COUNTY

STAMP:
LICENSED PROFESSIONAL ENGINEER
TIMOTHY K. FRANCE
18958
OKLAHOMA
05/16/2013

PE# 18958 EXP. 01/31/2014

DRAWN BY:	MH
APPROVED BY:	TKF
DATE DRAWN:	08/20/12

REVISION

NO	DESCRIPTION	BY	DATE
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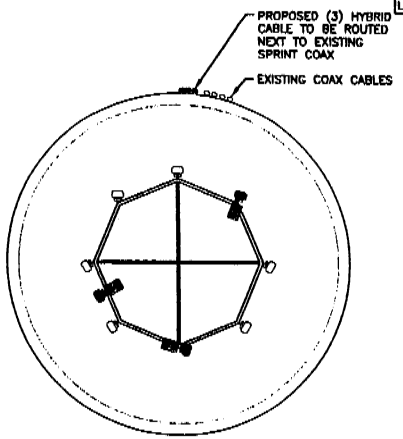
C	PRELIMINARY ISSUE	TT	04/30/13
0	FOR CONSTRUCTION	TT	05/16/13

SHEET TITLE:
SITE ELEVATION & ANTENNA DETAILS
SHEET NUMBER:
A3

DOCUMENT OF ASSIGNED WORK PRODUCT - DO NOT COPY - 2012 - 2013

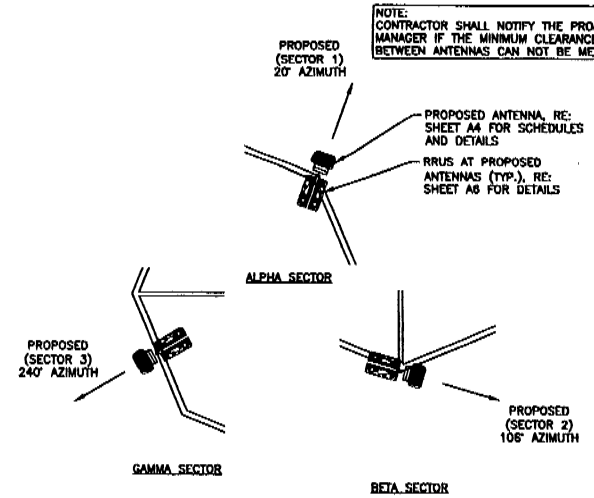
NOTE:
1. NO PLASTIC TIE WRAPS ALLOWED. SECURE WIRES AND GROUNDS WITH STAINLESS STEEL TIES AS NEEDED TO PREVENT MOVEMENT AND POTENTIAL HAZARDS.

NOTE:
REFER TO STRUCTURAL ANALYSIS FOR EXISTING AND PROPOSED LOCATIONS OF COAX.



4 COAX RUN DIAGRAM
SCALE: N.T.S.

NOTE:
CONTRACTOR SHALL NOTIFY THE PROJECT MANAGER IF THE MINIMUM CLEARANCE BETWEEN ANTENNAS CAN NOT BE MET.



TRUE NORTH

3 PROPOSED ANTENNA PLAN (FINAL)
SCALE: N.T.S.

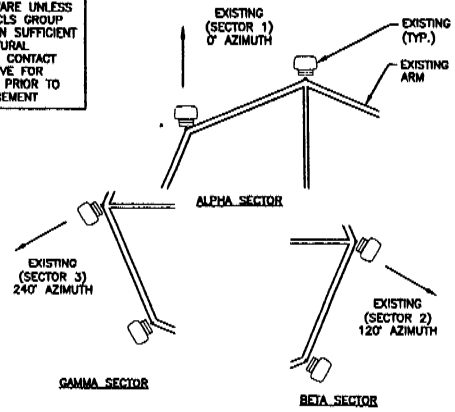
NOTE:
CONTRACTOR SHALL NOTIFY THE PROJECT MANAGER IF THE MINIMUM CLEARANCE BETWEEN ANTENNAS CAN NOT BE MET.

2 NOT USED
SCALE:

TRUE NORTH

DETAILS SHOWN ON THIS SHEET ARE FOR ANTENNA, ANTENNA EQUIPMENT, AND OTHER MISCELLANEOUS TELECOMMUNICATIONS EQUIPMENT PLACEMENT AND POSITIONING ONLY. THESE DETAILS ARE NOT NOR IMPLIED TO BE A STRUCTURAL ASSESSMENT OF THE ANTENNA MOUNTS, CONNECTORS, OR HARDWARE UNLESS OTHERWISE SPECIFICALLY NOTED. CLS GROUP DOES NOT NOR COULD NOT OBTAIN SUFFICIENT INFORMATION TO PERFORM STRUCTURAL ANALYSIS. THE CONTRACTOR IS TO CONTACT OWNER OR OWNERS REPRESENTATIVE FOR MOUNTS AND HARDWARE CAPACITY PRIOR TO ANTENNA INSTALLATION OR REPLACEMENT

NOTE:
EXISTING DIMENSIONS AND EXISTING PLATFORM ORIENTATION ARE NOT VERIFIED. CONTRACTOR SHALL FIELD VERIFY THE EXISTING ANTENNA AZIMUTHS



TRUE NORTH

1 EXISTING ANTENNA PLAN
SCALE: N.T.S.

PREPARED FOR:
Sprint
6391 SPRINT PARKWAY
OVERLAND PARK, KS 66251

ERICSSON
6100 SPRINT PARKWAY
OVERLAND PARK, KS 66251

CONSULTANT:
CLSGroup TELECOMMUNICATIONS
609 S. KELLY AVENUE, STE. D
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STAMP:
LICENSED PROFESSIONAL ENGINEER
TIMOTHY K. FRANCE
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DRAWN BY:	MH
APPROVED BY:	TKF
DATE DRAWN:	08/20/12

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0	FOR CONSTRUCTION	TT	05/16/13

SHEET TITLE:
ENLARGED ANTENNA PLANS AND COAX RUN DIAGRAM
SHEET NUMBER:
A8

LEASE AGREEMENT

This AGREEMENT made this 24th day of April 2007, by and between NORMAN UTILITIES AUTHORITY, A Public Trust, hereinafter called the LESSOR, and Sprint Spectrum L.P., a Delaware limited partnership, hereinafter called LESSEE.

WHEREAS, the LESSOR is the owner of a water tower located at Robinson Street & Highway 77, and more fully described in Exhibit "A" attached hereto and made a part hereof, and

WHEREAS, LESSEE desires to lease antenna space on said water tower and a ground lease area as shown on "Exhibit A" in which to maintain a 10' x 20' concrete pad and other pertinent telecommunications equipment.

NOW THEREFORE, in and for the covenants, conditions, agreements and rents hereinafter set forth, and other good and valuable consideration, the adequacy of which is hereby acknowledged, LESSOR hereby leases to LESSEE, and LESSEE takes from LESSOR, a 400 square foot ground lease area, including access thereto as shown on Exhibit "A", located in what is known as the Robinson Street Water Tower and antenna space on the structure of the said water tower.

The equipment space and antenna space on the water tower described above is hereinafter referred to as the "Leased Premises". In addition, LESSOR grants to LESSEE the right to construct the necessary conduit and/or duct space on the tower, for electrical wiring, telephone lines, and coaxial cable, pipes, tubes and appurtenances thereto, all of which are required by LESSEE as an integral part of its mobile communication facility. LESSEE shall be allowed to install, operate, maintain, replace and remove its communications equipment, and related cables, wires, conduit, antennas, air conditioning equipment, and other appurtenances as it may from time to time require. Although such equipment and appurtenances may become fixtures, they shall be and shall remain the property of LESSEE and LESSEE shall have the right to remove all of them at the expiration or termination of this lease. However, in the event of termination or default, LESSEE's equipment and appurtenances, if not removed from Leased Premises within sixty (60) days, LESSOR may remove and store equipment at LESSEE's expense, however any and all equipment shall be and shall remain the property of the LESSEE. LESSEE shall pay LESSOR within 15 days of receipt of charges for storage and removal of the property based upon the LESSOR's cost of said removal and storage.

ARTICLE I

The initial term of this agreement shall be five (5) years, commencing on the first day of May 2007, and extending through the 30th day of April, 2012. This Agreement may be renewed for four (4) additional terms of five (5) years each, unless LESSEE or LESSOR provides the other party with written notice of intention not to renew or renegotiate not less than one hundred (180) days prior to the expiration of the then-current five-year term.

In addition to other termination provisions contained herein, in the event of a substantial

change in circumstance, upon agreement by the parties, this agreement may be renegotiated in part or in whole. A substantial change shall be limited to, the LESSEE requesting to move equipment to a different location on the water tower for better reception and/or coverage; the LESSOR relocating and/or closing the accessibility to structure due to road and/or other municipal construction, changes in federal requirements or an event of force majeure.

The basic monthly rental rate payable by LESSEE to LESSOR shall be One Thousand Dollars ($1,000.00) The rentals payable hereunder shall be paid monthly on or before the tenth day of each month.

The monthly rental will be increased annually on the anniversary date of the beginning date of this agreement by three percent (3%).

ARTICLE II

Upon LESSOR approval of applicable utility easements, LESSOR shall permit the local electric and telephone utility companies providing services to LESSEE to extend their lines and facilities over, across and if necessary into LESSOR'S property for such purposes. LESSOR will cooperate with LESSEE in LESSEE's efforts to obtain utilities from any location provided by LESSOR or the servicing utility, including signing any easement(s) or other instrument(s) reasonably required by the utility company. If there is a loss of electrical service at the Site, LESSEE may, at its expense, install and maintain a temporary generator and fuel storage tank at the Site. The location of emergency generator and fuel must be within the fenced area of the Site. Lessee's fuel tank must be double walled or other containment provided in accordance with applicable federal regulations.

LESSEE shall have a separate power meter installed for its electric service and LESSEE shall pay all costs related to said electric service.

ARTICLE III

LESSEE agrees that it will operate its equipment in a manner which will not interfere with LESSOR'S existing communications systems or the existing equipment of any other tenant sharing the use of this location. Should such harmful interference be identified as being caused by LESSEE'S equipment, LESSEE shall immediately take every reasonable step to mitigate and eliminate said interference. LESSOR shall require that all future radio operators desiring to use this location will first coordinate with LESSEE to insure that their frequencies and antenna locations will be compatible with LESSEE'S so as to prevent such harmful interference.

If the Director of Utilities of LESSOR shall reasonably determine that any such harmful interference caused by LESSEE'S equipment adversely affects the ability of the police, the fire department or any other department of the City or other agency furnishing emergency services to carry out their duties and thereby endangers the health, safety and welfare of the public, LESSEE shall discontinue the use of its equipment until the interference has been eliminated.

ARTICLE IV

It is understood and agreed that LESSEE'S ability to use the Leased Premises is contingent upon its obtaining, either before or after the effective date of this Lease Agreement, all of the certificates, permits, and other approvals that may be required by any federal, state or local authorities. LESSEE shall make due and timely application for all such necessary certificates and approvals, and shall take no action which would adversely affect the status of the Leased Premises with respect to the proposed use there by LESSEE. LESSOR agrees to cooperate with LESSEE with respect to obtaining any required zoning or other governmental approvals for the Site and the Facilities. In the event that any of such applications is finally rejected or any certificate, permit, license or approval issued to LESSEE is canceled or otherwise withdrawn or terminated by governmental authority so that LESSEE in its sole discretion will be unable to use the Lease Premises for its specified purposes, the LESSEE shall have the right to terminate this Agreement. Notice of said termination shall be given to the LESSOR in writing by certified mail. All rental paid for the lease of the property to said termination date shall be retained by the LESSOR. Upon such termination, this agreement shall become null and void, and the parties shall have no further obligations, including the payment of money, to each other.

ARTICLE V

LESSOR and LESSEE each indemnifies and agrees to defend the other against and holds the other harmless from any and all costs (including reasonable attorneys' fees) and claims of liability or loss which arise out of the ownership, use and occupancy of the Site by the indemnifying party. This indemnity does not apply to any claims arising from the negligence or intentional misconduct of the indemnified party. The indemnity obligations under this Section will survive termination of this Agreement.

ARTICLE VI

LESSEE shall install and locate its telecommunication equipment within the lease area as shown on Exhibit "A".

The location of the equipment and property to be constructed and installed on the Leased Premises and on the water tower and LESSEE'S use of said premises and water tower shall in no way interfere with the LESSOR'S use thereof and the location of such equipment and property shall be approved by the Director of Utilities of the City of Norman before being installed or constructed by LESSEE.

LESSEE shall at its expense complete all make ready work and install its equipment and antennas in accordance with plans and specifications prepared by LESSEE and submitted to LESSOR for approval. LESSOR shall have thirty (30) working days to review said construction plans and approve them, or in the alternative, to advise LESSEE of necessary changes. LESSEE shall not commence construction until said approval has been received from LESSOR. LESSEE further agrees to comply with all applicable rules and regulations of the Federal Communications Commission and all applicable local building and electrical codes.

LESSEE shall, at its expense, repair all damages to LESSOR'S water tower which are a direct result of LESSEE'S activities. If LESSEE fails to make such repairs within fifteen (15) working days after the damage occurs, LESSOR shall have the right to make all necessary and reasonable repairs and LESSEE shall reimburse LESSOR for its reasonable expense within three (3) days of LESSOR presenting to LESSEE a statement showing the cost of such repairs.

LESSEE represents and agrees that the installation and operation of its property and equipment shall not cause damage of any kind to LESSOR'S water tower structure and that LESSEE shall in no way interfere with the use, repair and/or maintenance of such tower by LESSOR.

ARTICLE VII

LESSEE will procure and maintain a public liability policy, with limits of $2,000,000 for bodily injury, $3,000,000 for property damage, $5,000,000 aggregate, with a certificate of insurance to be furnished to LESSOR within thirty (30) days of a written request. Such policy will name LESSOR as an additional insured and provide that cancellation will not occur without at least thirty (30) days prior written notice to LESSOR. The coverage amounts set forth may be met by a combination of underlying and umbrella policies so long as in combination the limits equal or exceed those stated.

ARTICLE VIII

LESSEE shall not be deemed to have abandoned the Leased Premises even though LESSEE may cease using the communications facilities for a period of time so long as LESSEE continues to pay all rental.

ARTICLE IX

If any portion of said water tower is destroyed or becomes damaged by fire, wind, water or other natural disaster not caused by or arising from LESSEE'S gross negligence or willful misconduct so as to render the Leased Premises, in the sole judgment of the LESSEE, unfit in whole or in part for occupancy or use by the LESSEE, LESSOR shall restore or cause to be restored within a reasonable period of time not to exceed sixty (60) days of the occurrence of said damage or destruction. In the event the water tower cannot be restored in this time period, LESSOR or LESSEE shall have the option of terminating this Lease.

ARTICLE X

LESSEE shall have access to the water tower and the area around the water tower, at reasonable times which shall not interfere with the maintenance or use of said water tower and adjacent area by LESSOR, for the purpose of installing LESSEE'S equipment and constructing its facilities. Once installations are made, LESSEE shall have reasonable access to the area for the purpose of maintenance of equipment on the water tower and in the building. LESSOR will not have unsupervised access to LESSEE'S Facilities.

Presence and operation of proposed equipment must have minimal impact on the tank's

periodic maintenance work. This may include but shall not be limited to, tank inspections, painting and maintenance of Federal Aviation Administration required equipment and/or police, fire and other emergency communications system equipment. No cables, or other equipment of LESSEE may be installed on or near access ladders.

LESSEE shall be responsible to remove its telecommunication facilities during any required maintenance of water tower after 90 days written notice and then re-install at no cost to the LESSOR. If the LESSEE does not remove its facilities, the LESSOR shall have the right to either remove the LESSEE'S facilities by an approved contractor, and bill LESSEE for such costs or LESSEE agrees that facilities left in place following notice of upcoming maintenance may receive sandblasting and painting related maintenance actions.

LESSOR agrees that the Authorized Parties of the LESSEE may enter upon the Leased Property to perform maintenance, repair or renovations to LESSEE's equipment located on the water tower and the adjacent premises upon execution of this Agreement. However, LESSEE agrees that access for routine maintenance, repair or renovations will be denied unless LESSEE identifies, at least 24 hours prior to entry, those employees, agents and independent contractors whom are Authorized Parties of LESSEE. Authorized Parties must report to LESSOR prior to entry and may access the Leased Property only between the hours of 7:00 a.m. and 7:00 p.m.

However, for emergency repairs, Authorized Parties of the LESSEE shall have full and free access to LESSEE'S equipment and antennas twenty-four (24) hours per day, seven (7) days a week, upon first providing proper identification to the on-site water plant operator. LESSEE will coordinate said operations with LESSOR.

LESSEE shall have the option to maintain a city issued time-stamp or other key to the facility. LESSEE shall place a $200 deposit to the City for the issuance of such key. Upon completion or termination of the contract, the key must be returned within sixty (60) days for a refund on deposit.

LESSEE shall at all times comply with security and confidentiality regulations provided to them in effect at the LESSORS property. Information belonging to the LESSOR shall be safeguarded by the LESSEE to the same extent as the LESSEE safeguards their information of like kind relating to its own operation.

LESSOR shall provide parking privileges at no cost to LESSEE for at least one vehicle to be used by LESSEE'S maintenance personnel.

ARTICLE XI

Notwithstanding anything to the contrary contained herein, LESSOR'S prior written consent shall not be required, nor shall LESSOR have the right to cancel this Lease if LESSEE assigns or subleases, this Agreement or any interest herein or the Lease Premises, ground lease area or other rented area hereunder to any corporation, partnership or other entity which (i) is controlled by, controlling or under common control with LESSEE, or (ii) shall merge or consolidate with or into LESSEE, or (iii) shall succeed to all or substantially all the assets,

property and business of LESSEE. LESSEE may not assign or sublease their rights under this agreement to any independent or non-related entity without prior written approval of LESSOR.

ARTICLE XII

Should LESSEE fail to pay the rental herein above specified when the same shall become due and payable, or should LESSEE attempt to use the Leased Premises for any purpose other than that described herein above, or should the LESSEE attempt to assign or sublet this Lease without prior written consent of the LESSOR, except as provided for above, or should LESSEE in any way default or breach in its performance of any of the conditions of this Lease, LESSOR may, at its option, thereupon declare this Lease terminated, provided, however, LESSOR shall have first given LESSEE notice in writing of said default. Upon receipt of such notice, LESSEE shall have thirty (30) days to correct the condition or conditions and bring same into compliance with the terms of this Lease. If said conditions of default persist after (30) days of notice thereof by LESSOR to LESSEE, then LESSOR may declare this Lease terminated. This Agreement may not be terminated if LESSEE commences action to cure the default and LESSOR agrees in writing to grant LESSEE additional time within such 30 day period to fully cure the default. Upon written notice of said termination to LESSEE, LESSOR shall be entitled to possession of the above described Leased Premises; provided, however, that any such termination shall not relieve LESSEE of its obligations to pay any rental, damages, storage and removal expenses which may be due and payable to the date of said termination.

ARTICLE XIII

Any notice or demand made pursuant to this Agreement shall be sufficiently given if made by certified mail, in a sealed envelope, postage prepaid, and addressed as shown below:

LESSEE:

Sprint National Lease Management
6391 Sprint Parkway
Mailstop KSOPHT0101-Z2650
Overland Park, Kansas 66251-2650
Sprint PCS Site No.: OK23XC117

With a copy to:

Sprint Law Department
6391 Sprint Parkway
Mailstop: KSOPHT0101-Z2020
Overland Park, Kansas 66251-2020
Attn: Sprint PCS Real Estate Attorney
Sprint PCS Site No.: OK23XC117

LESSOR:

Norman Utilities Authority
P.O. Box 370
Norman, OK 73070
Attn: City Clerk

Tax ID: 52-1645638
Phone: (405) 366-5386
Fax: (405) 366-5389

With a copy to:

City of Norman
P.O. Box 370
Norman, OK 73070
Attn: Director of Utilities
Phone: (405) 366-5443
Fax: (405) 366-5447

Any such notice or demand shall be deemed to have been given or made at the time it is deposited in the United States Mail. LESSOR or LESSEE may from time to time designate any other address for this purpose by written notice to the other party.

ARTICLE XIV

LESSOR warrants that it has full right and power to execute and perform this Lease, and to grant the estate demised herein.

ARTICLE XV

Subject to the other terms of this Lease, LESSOR covenants that LESSEE shall, and may peacefully have, hold and enjoy the Leased Premises for the Lease Term free of any claims by any party claiming by, through or under LESSOR, provided that LESSEE pays the rent to be paid to LESSOR under this Agreement and performs all LESSEE'S covenants and agreements herein contained.

ARTICLE XVI

Should LESSOR fail to perform any of its obligations hereunder, LESSEE may (but shall not be obligated to), enter upon the Leased Premises and perform all or any part of such obligations. LESSEE may deduct the cost of such performance from subsequent rental payments. No action taken by LESSEE under this Section shall relieve LESSOR from any of its obligations under this Agreement or from any consequences or liabilities arising from the failure to perform such obligations. LESSEE shall give LESSOR 30 days notice in writing to correct defect as provided in article XIII.

ARTICLE XVII

LESSEE upon termination of this Agreement, shall within sixty (60) days, remove its personal property and restore the Leased Premises as nearly as reasonably possible to its original condition, reasonable wear and tear expected. In the event any equipment installed on the Leased Premises by LESSEE is not timely removed, LESSOR will have the right to remove such

equipment from the Leased Premises. LESSEE agrees to be responsible to LESSOR for the costs of such removal. LESSEE shall continue to pay rent to LESSOR until LESSEE's property is removed from the Leased Premises.

ARTICLE XVIII

Any sale by the LESSOR of all or part of the Leased Premises to a purchaser other than LESSEE shall be under and subject to this Lease Agreement and LESSEE'S rights hereunder.

ARTICLE XIX

This Agreement shall extend to and bind heirs, executors, administrators, successors and assigns of the parties hereto.

ARTICLE XX

At LESSOR'S option, this Agreement shall be subordinate to any mortgage by LESSOR which from time to time may encumber all or part of the Leased Premises; provided, however, every such mortgage shall recognize the validity of this Agreement in the event of a foreclosure of LESSOR'S interest and also LESSEE'S right to remain in occupancy of and have access to the Leased Premises as long as LESSEE is not in default of this Agreement. Lessee shall execute whatever instruments may reasonably be required to evidence this subordination clause.

ARTICLE XXI

This Lease Agreement and the performance thereof shall be governed, interpreted, construed, and regulated by the laws of the State of Oklahoma, and the parties hereto agree to the venue and personal jurisdiction of these courts.

ARTICLE XXII

The parties hereto declare that they have read and do understand each and every term, condition and covenant contained in this Agreement and in any document incorporated by reference. This lease includes the entire Agreement between the parties relating hereto and supersedes all prior or contemporaneous negotiations, commitments, representation, writings and/or oral understandings or Agreement. The parties signed this Agreement for the consideration herein expressed. Any addition to, variation or modification of this Agreement shall be void and ineffective unless in writing signed by the parties hereto.

ARTICLE XXIII

LESSEE represents that it is a Limited Partnership in good standing in the State of Delaware and qualified to do business as a Foreign Limited Partnership in the State of Oklahoma.

ARTICLE XXIV

LESSEE shall not have exclusive use or possession of any portion of the property and premises upon which the LESSOR'S water tower and other facilities are located, except the equipment shelter to be constructed and installed by LESSEE, and LESSEE'S rights hereunder shall be subject and subordinate to LESSOR'S right to use and occupy said property and premises for any municipal purpose or purposes, so long as LESSOR'S use does not unreasonably interfere with LESSEE'S use hereunder.

ARTICLE XXV

LESSOR represents and warrants to LESSEE that it has no knowledge of any substance, chemical or waste on the Site that is identified as hazardous, toxic or dangerous (collectively, "Substance") in any applicable federal, state or local law or regulation. LESSEE will not introduce or use any Substance on the Site in violation of any applicable law. LESSOR will have sole responsibility for the identification, investigation, monitoring and remediation and/or cleanup of any Substance discovered at the Site unless the presence or release of the Substance is caused by the activities of LESSEE.

ARTICLE XXVI

The provisions of this agreement shall be considered severable and, in the event any part or provision shall be held void by a court of competent jurisdiction, the remaining parts shall then constitute the agreement.

ARTICLE XXVII

Both parties to this agreement recognize that this is a property lease agreement. This agreement shall not be construed as creating any agency or third party beneficiary agreements in any form or manner whatsoever.

Both parties assume responsibility for its personnel, and will make all deductions for social security and withholding taxes, and contributions for employment compensation funds, and shall comply with all requirements of the Oklahoma Workers Compensation Act.

Both parties herein, shall be exclusively liable for loss resulting from its torts or the torts of its employees acting within the scope of their employment, the LESSOR subject to the limitations and exceptions specified in the Governmental Tort Claims Act, 51 OS 1990 Supp., Sec. 151-171# therefore, neither party shall be liable for the acts or omissions of the other party.

IN WITNESS WHEREOF, the parties hereto have duly executed this instrument the day and year first above written.

Approved by the NORMAN UTILITIES AUTHORITY, a Public Trust this 24th day of April, 2007.

LESSOR: NORMAN UTILITIES AUTHORITY, A PUBLIC TRUST

By: Harold Haralson
Name
Harold Haralson, Chairman

ATTEST: Brenda Hall
Brenda Hall
Assistant Secretary

APPROVED AS TO FORM AND LEGALITY THIS 3rd DAY OF April, 2007

By _____,
~~Joff Bryant~~, CITY ATTORNEY.
SUSAN ROGERS, ASST.

LESSEE: SPRINT SPECTRUM L.P., a Delaware limited partnership

By: _____
Name: VIO M. DIRVONIS
Title: National Property Manager

LESSEE NOTARY BLOCK:

STATE OF KANSAS

COUNTY OF JOHNSON

The foregoing instrument was acknowledged before me this 27th day of MARCH, 2007 by VIO M. DIRVONIS, who is authorized to execute contracts on behalf of Sprint Spectrum L.P., a Delaware limited partnership, who executed the foregoing instrument on behalf of such limited partnership.

(AFFIX NOTARIAL SEAL)

DIANE M. ADAMSON
Notary Public - State of Kansas
My Appt. Expires 12/2/2008

COMMISSION EXPIRES

_____
(OFFICIAL NOTARY SIGNATURE)

DIANE M. ADAMSON
PRINTED NAME OF NOTARY

Site Name: Robinson Water Tower
Contract Number: K-0607-142

EXHIBIT A*

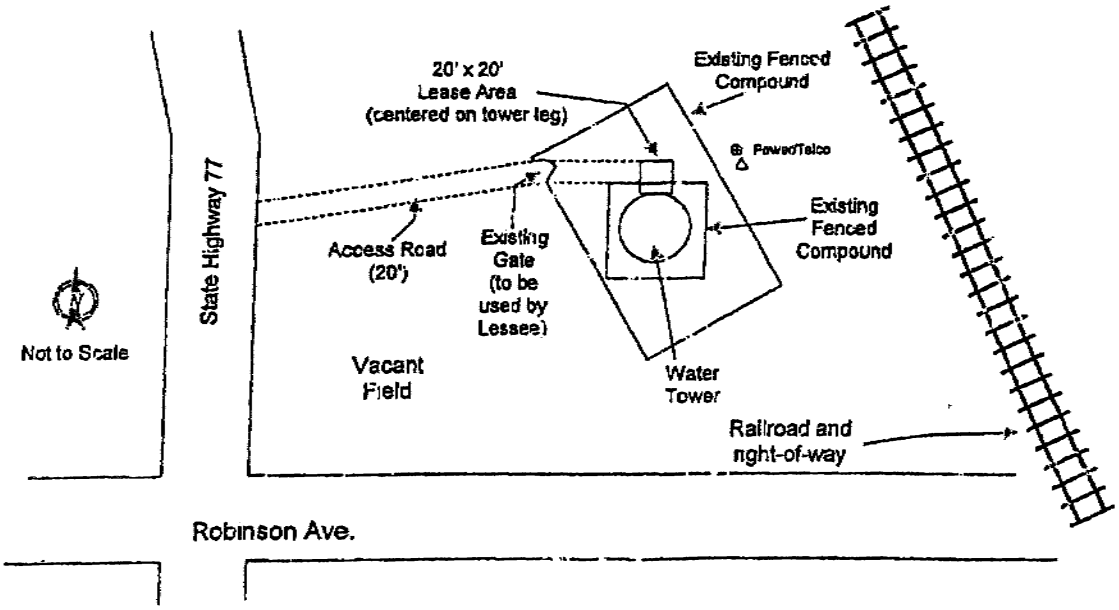
Site Name: City of Norman Water Tower Site I.D.: OK23XC117

Site Description

Site situated in the City of Norman, County of Cleveland, State of Oklahoma, more commonly described as follows:

Legal Description: A tract of land in the SW/4 of Section Nineteen (19), Township Nine (9) North, Range Two (2) West, I.M., dedicated and set apart for the City of Norman to use as a site for a water tower lying Southwest of the Southwest right-of-way line of the Oklahoma Railroad Company right-of-way, Cleveland County, Oklahoma.

Sketch of Site:



Owner Initials: _____

SSLP Initials: _____

Note: Owner and SSLP may, at SSLP's option, replace this Exhibit with an Exhibit setting forth the legal description of the property on which the Site is located and/or an as-built drawing depicting the Site.

*(Use this Exhibit A for PCS Site Agreement, Memorandum of PCS Site Agreement, Option Agreement and Memorandum of Option Agreement.)

City of Norman, OK

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

Master

File Number: K-1910-55EXP

File ID:	K-1910-55EXP	**Type:**	Authorization for Purchase	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 23	**In Control:**	City Council
Department:	Utilities Department	**Cost:**	$69,415.00	**File Created:**	07/08/2013
File Name:	Expenditure to Lemke for SMP FYE 13			**Final Action:**	

Title: AUTHORIZATION OF AN EXPENDITURE UNDER CONTRACT NO. K-0910-55 TO LEMKE LAND SURVEYING IN AN AMOUNT NOT-TO-EXCEED $69,415 TO PROVIDE SURVEYING AND DRAFTING SERVICES FOR THE FYE 13 SEWER MAINTENANCE PROJECT.

Notes: ACTION NEEDED: Motion to approve or reject an expenditure in an amount not-to-exceed $69,415 under Contract No. K-0910-55 with Lemke Land Surveying; and if approved, authorize the execution thereof.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 23

Attachments: Text File Expenditure Lemke, Agenda-SMP13 - Lemke $Prop, Agenda-SMP13 - 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:

Text of Legislative File K-1910-55EXP

Body

BACKGROUND: In 2001, the citizens of Norman approved a five dollar per month maintenance fee providing for the systematic replacement of aged and deteriorating sewer lines throughout our system. The Sewer Maintenance Project FYE13 (SMP13) is rehabilitative in nature. The project area is generally bounded by Lindsey Street to the North, Bishop Creek to the West, Imhoff Road to the South, and 24th Avenue SE to the East (map attached). The selected contractor will replace or rehabilitate about 210 manholes and install almost 33,000 feet (6¼ miles) of thick wall, high density polyethylene (HDPE) sewer pipe, using primarily the pipe-bursting technique.

On August 25, 2009, the Norman Utilities Authority (NUA) approved Contract No. K-0910-55 with Lemke Land Surveying for on-call surveying and drafting services. An RFP process was completed at that time. SMP13 is the type of project the on-call contract is meant to address.

DESCRIPTION: Staff desires to accept Lemke's estimate in an amount not to exceed $69,415 for surveying and drafting services to assist staff design of SMP13. The project scope and cost estimate is attached. The estimate is reasonable, in accordance with the terms and conditions of the on-call contract, and at the contract rates. The current year budget for SMP13, Project WW0200, includes an unencumbered balance of $73,635 in Design (account 321-9338-432.62-01), which is sufficient to fund the Expenditure. This expenditure under Contract K-0910-55 is being brought forward for NUA/Council approval because it exceeds $25,000.

RECOMMENDATION: Staff recommends approval of Authorization for Expenditure under Contract No. K-0910-55 with Lemke Land Surveying in an amount not to exceed $69,415 to provide on-call surveying and drafting services for the Sewer Maintenance Project FYE13.

LEMKE
LAND SURVEYING
www.Lemke-LS.com

Surveying & GIS
Services Provider

May 14, 2013

Mr. Charlie Thomas, PE
City of Norman Utilities Department
201 West Gray, Building C
Norman, OK 73069

Re: **Sewer Maintenance Plan – FYE 2013**
Norman, Oklahoma

Dear Mr. Thomas,

Thank you for requesting a proposal on the referenced project from Lemke Land Surveying under the current agreement for on-call City-wide surveying services. The terms and conditions of Contact K-0910-55 remain in effect.

Project Scope:

- Base Survey includes 255+/- sanitary sewer manholes
- The survey(s) will include:
  - Manhole location / coordinates
  - Rim elevation
  - Invert / flowline elevation (depth of manhole)
  - Pipe diameter sizes (from video inspections)
- Prepare report / exhibit / deliverables
  - Annotate a City GIS Map of the project area with:
    - Depth of each manhole
    - Length of pipe between manholes
    - Slope of pipe between manholes
    - Diameter of pipes (from video inspections)
  - Prepare profiles, based on city contour information, of those lines planning to be up-sized and/or replaced by open-trench method.

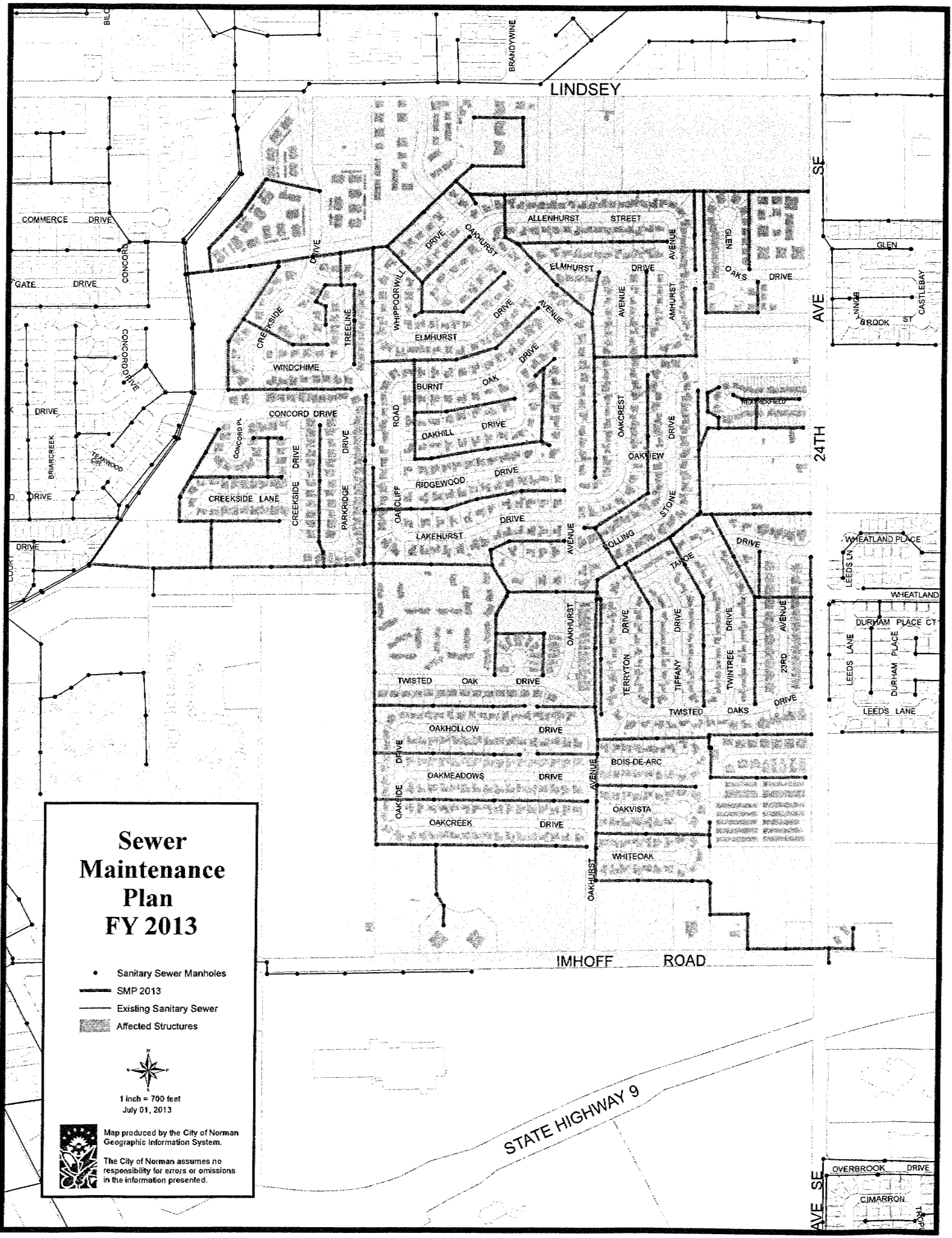
Total Cost Estimate: $69,415.00

Thanks again for this opportunity and should you have any questions, comments, or change in scope, please feel free to give me a call.

Respectfully,

Kelly J. Henderson, PLS, CFedS
Senior Project Manager

3226 Bart Conner Drive
Norman, OK 73072
Phone 405.366.8541
Fax 405.366.8540



Sewer Maintenance Plan FY 2013

- Sanitary Sewer Manholes
- SMP 2013
- Existing Sanitary Sewer
- Affected Structures

1 inch = 700 feet
July 01, 2013

Map produced by the City of Norman Geographic Information System.

The City of Norman assumes no responsibility for errors or omissions in the information presented.

Y:\Requests\CharlieThomas\062813_SMPFY2013ForAgendaItem\2013 SMP_8x11.mxd

City of Norman, OK

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

Master

File Number: K-0910-185 AMD 3

File ID:	K-0910-185 AMD 3	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 24	**In Control:**	City Council
Department:	Utilities Department	**Cost:**		**File Created:**	07/05/2013
File Name:	ACOG Contract Amendment No. 3			**Final Action:**	

Title: AMENDMENT NO. THREE TO CONTRACT NO. K-0910-185: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND THE ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG) EXTENDING THE CONTRACT UNTIL JUNE 30, 2014, FOR THE CANADIAN RIVER WASTELOAD ALLOCATION STUDY.

Notes: ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Amendment No. Three to Contract No. K-0910-185 with ACOG extending the contract until June 30, 2014; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 24

Attachments: Text File Amd 1 K-0910-185, Amendment 1 K-0910-185

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:

Text of Legislative File K-0910-185 AMD 3

Body

BACKGROUND: On June 22, 2010, the Norman Utilities Authority (NUA) approved Contract No. K-0910-185 with the Association of Central Oklahoma Governments (ACOG), to coordinate a study of the Canadian River as required by the Oklahoma Department of Environmental Quality (ODEQ). NUA approved Amendment One, extending the contact through June 30, 2012 on February 14, 2012, and Amendment Two, was approved July 24, 2012, extending the contact through June 30, 2013.

The NUA has partnered, through ACOG, with other communities which discharge to the Canadian River to study impacts on the river water quality. We selected a consultant who completed a sampling and testing plan, the Quality Assurance Project Plan (QAPP). The QAPP was approved by EPA, Region 6 in Dallas on March 25, 2010, which completed Phase 1. Phase 2 began with sampling for testing on July 1, 2010. An interim report of modeling progress was submitted to ODEQ during October 2011, then to EPA in December. EPA comments were received April 11, 2012. The Draft Final Report was received September 20, 2012. ODEQ

made comments and a final report was received February 6, 2013. However, ODEQ made additional modified comments. A revised final memorandum was received June 6, 2013, and is currently under review for comments.

DESCRIPTION: ACOG is only allowed by its charter to contract for a single fiscal year. Therefore, the contract needs renewal for Fiscal Year Ending (FYE) 2014, or through June 30, 2014. The only change by Amendment 3 is the time extension.

RECOMMENDATION: Recommend NUA approve Amendment No. 3 to Contract No. K-0910-185; and authorize the execution thereof.

THIRD AMENDMENT TO THE AGREEMENT
CONTRACT K-0910-185
BETWEEN
ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS
AND
THE NORMAN UTILITIES AUTHORITY

THIS THIRD AMENDMENT is made and entered into this ____ day of _____ 2012, by and between the ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (hereinafter "ACOG") and THE NORMAN UTILITIES AUTHORITY (hereinafter "NUA").

WITNESSETH:
WHEREAS, ACOG and NUA have previously entered into a certain "AGREEMENT BETWEEN ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS AND THE NORMAN UTILITIES AUTHORITY," dated June 22, 2010 (the "Original Agreement"), whereby NUA agreed to make certain payments and funding available to ACOG for performance of certain tasks as set forth in said Original Agreement; and;

WHEREAS, ACOG and NUA desire to extend the term of the Original Agreement for an additional period of time.

NOW, THEREFORE, for and in consideration of all the foregoing and all the mutual agreements and covenants contained herein, the parties to this First Amendment do hereby agree as follows:

1. EXTENSION OF CONTRACT TERM; EFFECTIVE DATES. The Original Contract is hereby amended and extended for an additional period of time, from July 1, 2013 through June 30, 2014, inclusive.

2. OTHER TERMS AND CONDITIONS. Except for the duration of the Original Agreement, which is revised and extended pursuant to Paragraph 1 hereof, all other terms, conditions and provisions set forth in the Original Agreement of June 22, 2010, in its entirety with all attachments shall remain unchanged and are incorporated by reference as though fully set forth herein. The parties shall continue to perform their obligations described in the Original Agreement in accordance with the new time for performance stated in Paragraph 1 hereof.

AGREED TO by and between the parties the day and year first above appearing.

APPROVED:

Association of Central Oklahoma Governments

By: _____
Executive Director, ACOG

ATTEST Tracy A Carr

Title: Assistant to Exec Dir.

NORMAN UTILITIES AUTHORITY: APPROVED as to form and legality this 17 day of July, 2013.

_____
AUTHORITY Attorney

Approved by the Trustees of the NORMAN UTILITIES AUTHORITY this ____ day of _____, 20____

NORMAN UTILITIES AUTHORITY

ATTEST

By: _____ _____

Title: Vice-Chairman Secretary

City of Norman, OK

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

Master

File Number: K-1112-42 CO #1

File ID:	K-1112-42 CO #1	**Type:**	Contract	**Status:**	Consent Item
Version:	2	**Reference:**	Item No. 25	**In Control:**	City Council
Department:	Public Works Department	**Cost:**	$36,558.66	**File Created:**	06/27/2013
File Name:	URBAN ROAD RECONSTRUCTION FYE 2011-FYE 2012			**Final Action:**	

Title: CHANGE ORDER NO. ONE TO NO. CONTRACT K-1112-42: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND SHELL CONSTRUCTION COMPANY, INC., DECREASING THE CONTRACT BY $89,174.13 FOR A REVISED CONTRACT AMOUNT OF $493,087.87 FOR THE 2010 ROAD RECONSTRUCTION BOND PROJECTS AND FINAL ACCEPTANCE OF THE PROJECT.

Notes: ACTION NEEDED: Motion to approve or reject Change Order No.One to Contract No. K-1112-42 with Shell Construction Company, Inc., decreasing the contract amount by $89,174.13 for a revised contract amount of $493,087.87; and, if approved, authorize the execution of the contract, accept the project, and direct final payment in the amount of $36,558.66 to Shell Construction Company, Inc.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 25

Attachments: Text File K-1112-42 Final, K-1112-42 CHANGE ORDER ONE, K-1112-42-FINAL INVOICES PAID

Project Manager: Greg Hall, Street Superintendent

Entered by: patsy.sayers@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1112-42 CO #1

Body

BACKGROUND: On October 11, 2011, City Council approved Contract No. K-1112-42 with Shell Construction Company for the first phase of total reconstruction projects included in the 2010 Street Maintenance Bond Program. There were four neighborhood streets included in this contract on Johnson Street, Himes Street, Mosier Street and Hayes Street, all located south of Robinson Street and east of Flood Avenue.

DISCUSSION: This contract was awarded to Shell Construction Company in the amount of $582,262. Payments were made throughout the construction process out of Urban Road Reconstruction Program

(account 050-9385-431.61-01; projects BP 0341 and BP0342). The project has been completed and on November 16, 2012 staff inspected this project and found it to be complete per specifications. It was mutually agreed to delete one of the four streets from this contract, Hayes Street from Flood Avenue to the Railroad tracks, due to delays on the adjacent Robinson Street Underpass Project and the anticipated disruption to the neighborhood. The reconstruction of Hayes Street will take place in 2013 as part of another contract. Funds are available in the Urban Road Reconstruction Bond Program (account 050-9385-431.61-01; projects BP0341 and BP0342).

Change Order No. 1 includes a net decrease to the contract amount of $89,174.31 or 15.3% for a final contract amount of $493,087.87. This change order reflects the deletion of Hayes Street from the contract and the addition of minor unit price items on Himes Street and Johnson Street.

STAFF RECOMMENDATION: Staff recommends final acceptance of Contract No. K-1112-42, and approval of Change Order No. 1 to Contract No. K-1112-42 with Shell Construction Company decreasing the contract amount by $89,174.13, and final payment of $36,558.66 be authorized.

CHANGE ORDER SUMMARY
CITY OF NORMAN
CLEVELAND COUNTY, OKLAHOMA

CHANGE ORDER NO.: 1 Date: June 24, 2013

CONTRACT NO.: K-1112-42

PROJECT: URBAN ROAD RECONSTRUCTION PROJECT

PROJECTS NOS.: BP0341, BP0342

CONTRACTOR: SHELL CONSTRUCTION COMPANY
P. O. Box 1178
Oklahoma City, OK 73101

ORIGINAL CONTRACT AMOUNT: $ 582,262.00

(Increase) this change order 0

DESCRIPTION	DECREASE	INCREASE
See Page 3 – Change Order Detail	($117,333.41)	$28,159.28

Note: This change order is based completely on the unit bid prices from the original contract.

NET CHANGE	($ 89,174.13)
REVISED CONTRACT AMOUNT	$ 493,087.87

CONTRACTOR: _____ DATE: 6-28-13

PROJECT MGR.: _____ DATE: 7/1/13

CITY ATTORNEY: _____ DATE: 7/17/13

ACCEPTED BY: _____ DATE: _____

Mayor Pro Tem

CHANGE ORDER DETAIL
CHANGE ORDER NO. 1
City of Norman
Cleveland County, Oklahoma

Contract No.:	K-1112-42	Project Mgr.: Greg Hall
Project Account Number:	050-9385-431.61-01	Street Superintendent
Project No.	BP0341, BP0342	P.O. Box 370
		405-329-2524

Change Order No. ONE Applies To:

URBAN ROAD RECONSTRUCTION PROJECT

A. Change Orders or addenda to public construction contracts of One Million Dollars ($1,000,000.00) or less shall not exceed a fifteen percent (15%) cumulative increase in the original contract amount.

B. Change orders or addenda to public construction contracts of over One Million Dollars ($1,000,000.00) shall not exceed the greater of One Hundred Fifty Thousand Dollars $150,000.00) or a ten percent (10%) cumulative increase in the original contract amount.

C. Change orders or cumulative change orders which exceed the limits of subsection A or B of this section shall require a readvertising for bids on the incomplete portions of the contract.

G.
1. All materials with cost per item;
2. Itemization of all labor with number of hours per operation and cost per hour;
3. Itemization of all equipment with the type of equipment, number of each type, cost per hour for each type, and number of hours of actual operation for each type.
4. Itemization of insurance cost, bond cost, social security, taxes, workers' compensation, employee fringe benefits and overhead cost; and
5. Profit for the contractor.

H.
1. If a construction contract contains unit bid pricing, and the change order pertains to the unit bid price, the change order will not be subject to subsection A or B of this section.

2. When the unit price change does not exceed Ten Thousand Dollar $10,000.00), the unit price change order computation may be based on an acceptable unit price basis in lieu of cost itemization as required in paragraphs 1,2,3,4 and 5 of subsection G of this section.

I. Alternates or add items bid with the original bid and contained in the awarded contract as options of the awarding public agency shall not be construed as change orders under the provisions of the Public Competitive Bidding Act of 1974.

DETAILED COST ITEMIZATION

ORIGINAL CONTRACT:

URBAN ROAD RECONSTRUCTION PROJECT

CHANGE ORDER NO. 1 Contract No. K-1112-42
Applied To: Project Nos. BP0341 AND BP0342

STREETS

PROJ #	STREET	LOCATION
BP0341	HAYES STREET, HIMES STREET, MOSIER STREET	
BP0342	JOHNSON STREET	FLOOD AVENUE – UNIVERSITY BOULEVARD

Original Bid Proposal and Pay Item Numbers

SHELL CONSTRUCTION COMPANY							
URBAN ROAD RECONSTRUCTION							
PROJECT	**ITEM**	**DESCRIPTION**	**UNIT**	**UNIT PRICE**	**INCREASE**	**DECREASE**	**TOTAL PRICE**
HAYES STREET							
BP0341		**Hayes Street**					**($ 102,663.00)**
HIMES STREET							
BP0341	**5**	**CKD**	**TON**	**$ 45.00**		**24.60**	**($ 1,107.00)**
BP0341	**6**	**6" Modified Subgrade**	**S.Y.**	**$ 2.00**		**2,654.00**	**($ 5,308.00)**
BP0341	**26**	**Quick Lime**	**TON**	**$ 190.00**	**24.60**		**$4,674.00**
BP0341	**27**	**8" Modified Subgrade**	**S.Y.**	**$ 2.50**	**2,654.00**		**$ 6,635.00**
JOHNSON STREET							
BP0342	**5**	**CKD**	**TON**	**$ 45.00**		**48.83**	**($ 2,197.35)**
BP0342	**6**	**6" Modified Subgrade**	**S.Y.**	**$ 2.00**		**3,029.03**	**$ (6,058.06**
BP0342	**26**	**Quick Lime**	**TON**	**$ 190.00**	**48.83**		**$ 9,277.70**
BP0342	**27**	**8" Modified Subgrade**	**S.Y.**	**$ 2.50**	**3,029.03**		**$ 7,572.58**
		TOTAL NET DECREASE					**($ 89,174.13)**

URBAN ROAD RECONSTRUCTION 2010 BOND PROGRAM	
INVOICES PAID	
K-1112-42 - SHELL CONSTRUCTION CO.	
BP0341, BP0342 050-9385-431.61-01	
Hayes Street, Himes Street, Mosier Street, Johnson Street	
APPLICATION NO. 1	$ 23,823.45
APPLICATION NO. 2	$ 57,639.06
APPLICATION NO. 3	$ 84,044.68
APPLICATION NO. 4	$ 17,574.28
APPLICATION NO. 5	$ 43,792.43
APPLICATION NO. 6	$ 29,191.87
APPLICATION NO. 7	$ 39,143.59
APPLICATION NO. 8	$ 81,462.90
APPLICATION NO. 9	$ 61,653.74
APPLICATION NO. 10	$ 13,488.87
APPLICATION NO. 10 - RETAINAGE	$ 23,069.79
CONSTRUCTION COSTS	$ 474,884.66
Completed reconstruction of Johnson Street, Himes Street, Mosier Street	
Change Order No. 1	
Hayes Street removed from Contract	
Date started 11-18-2011	
Completed Project 11-16-2012	

City of Norman, OK

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

Master

File Number: K-1112-107 CO#2

File ID:	K-1112-107 CO#2	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 26	**In Control:**	City Council
Department:	Public Works Department	**Cost:**	$2,186.40	**File Created:**	07/08/2013
File Name:	Bldg A Renovation Final Acceptance CO#2			**Final Action:**	

Title: CHANGE ORDER NO. TWO TO CONTRACT NO. K-1112-107: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND SUN CONSTRUCTION SERVICES, L.L.C., INCREASING THE CONTRACT BY $2,186.40 FOR A REVISED CONTRACT AMOUNT OF $244,133.40 FOR THE BUILDING "A" RENOVATION PROJECT, PHASE 1, AND FINAL ACCEPTANCE OF THE PROJECT.

Notes: ACTION NEEDED: Motion to approve or reject Change Order No. Two to Contract No. K-1112-107 with Sun Construction Services, L.L.C., increasing the contract amount by $2,186.40 for a revosed contract amount of $244,133.40 ; and, if approved, authorize the execution of the contract, accept the project, and direct final payment in the amount of $2,186.40 to Sun Construction Services, L.L.C.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 26

Attachments: Text File K-1112-107 FINAL, Change Order 2
K-1112-107

Project Manager: Scott Sturtz, City Engineer

Entered by: pam.jones@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-1112-107 CO#2

body

BACKGROUND: Building A on the City Hall campus was constructed in 1978 and currently houses the following two city departments including 61 employees: (1) Planning and Community Development and (2) Public Works. Improvements made to the building since it was originally constructed include roof repair and HVAC replacement. The building does not meet current accessibility standards of the Americans with Disabilities Act (ADA). In addition, customer service and public meetings are compromised due to a lack of adequate space. Employees are cramped in small working spaces. The original carpet (34 years old) still remained in building. Many of the customers of this building are developers, builders, business and property owners. Regular meetings in the building include Pre-Development, Flood Plain Permit Committee, Greenbelt

Commission, Board of Zoning Appeals, Board of Adjustment, Historic District Commission and Reapportionment Commission.

The Building A Renovations in 2011/2012 were constructed in two phases to accommodate Capital Fund budget limitations. In addition, service for City's customers was never allowed to be interrupted. The project eventually fulfilled all requirements including ADA accessibility, space utilization, and customer service enhancements. The project was designed and administered by The McKinney Partnership Architects.

Bid documents and specifications for Building A Improvements, Phase 1 were advertised according to State Law. Five (5) potential bidders acquired plans and specifications and four (4) bids were received on February 23, 2012.

The low bidder was Sun Construction, of Noble, Oklahoma, in the amount of $217,328, or approximately $29,463 less than the next lowest bidder. The Architect's estimate for the project was $200,800 and the low bid exceeded the estimate by approximately 8%. The main reason the Architect's estimate was lower than the low bid was the associated costs with the building remaining in full use during the construction creating multiple small work phases. Council approved the contract with Sun Construction Services, LLC on March 27, 2012.

The total project budget including the bid from Sun Construction Services, LLC and the owner supplied items required to complete the project was $225,828. Funding for this building improvement project was allocated from the City Hall Building A Improvements Construction (account No. 050-9677-419.61-01; project EF0120).

Change Order #1 to the contract was approved by Council on August 13, 2012. This change order covered several small changes and included construction phasing alternatives to accelerate the completion date of the overall project. The total amount of Change Order No. 1 was $24,619. Based on the total contract amount of $217,328, this was an increase of 11.5% in the Phase 1 contract, but lowered the cost of Phase 2 by 16%.

DISCUSSION: Change Order No. #2 involves additional work that was completed during construction. The change order addresses several requests from the contractor including additional cabinetry and countertops, additional light fixtures and electrical outlets, an additional reception (swing) gate at the permit area, extra plumbing, modification of a closet door and restroom modifications.

The total amount of Change Order No. 2 is $2,186.40 or approximately a 0.90% increase over the current contract amount of $241,947. The project is now complete and the current unencumbered balance for this account contains the funds to cover this change order. These funds are located in City Hall Building A Improvements Construction (account No. 050-9677-419.61-01; project EF0120).

RECOMMENDATION NO. 1: Staff recommends approval of Change Order 1 increasing Contract No. K-1112-107 by $2,186.40.

RECOMMENDATION NO. 2: Staff further recommends final acceptance of the Building A Improvements, Phase 1, for a total contract cost of $244,133.40 and final payment in the amount of $2,186.40.

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Change Order

PROJECT *(Name and address)*: City of Norman Building A Renovation	**CHANGE ORDER NUMBER:** 002R **DATE:** June 28, 2013	OWNER: ☒ ARCHITECT: ☒ CONTRACTOR: ☒
TO CONTRACTOR *(Name and address)*: Sun Construction Services 1000 S. Main Street Noble, OK	**ARCHITECT'S PROJECT NUMBER:** CM059109 **CONTRACT DATE:** July 23, 2012 **CONTRACT FOR:** General Construction	FIELD: ☐ OTHER: ☐

THE CONTRACT IS CHANGED AS FOLLOWS:
(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

Change Order Request # 8	Phase 1A Admin Tech Millwork	$633.00
Change Order Request # 9	Not approved	
Change Order Request # 10	Electric extras through Phase 2B	$346.50
Change Order Request # 11	Electric light fixtures	$906.00
Change Order Request # 12	Reception Gate	$428.00
Change Order Request # 13	Modify Top - Admin Tech 18	$126.00
Change Order Request # 16	Time and Material Items	$373.90
Change Order Request #17	Eliminate (2) Baby Changing Stations from Scope	($627.00)

Total Change Order Request $2,186.40

The original Contract Sum was	$	217,328.00
The net change by previously authorized Change Orders	$	24,619.00
The Contract Sum prior to this Change Order was	$	241,947.00
The Contract Sum will be increased by this Change Order in the amount of	$	2,186.40
The new Contract Sum including this Change Order will be	$	244,133.40

The Contract Time will be changed by Zero (0) days.
The date of Substantial Completion as of the date of this Change Order therefore is 120 days from the date notice to proceed.

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

The McKinney Partnership Architects	Sun Construction Services	City of Norman
ARCHITECT *(Firm name)*	**CONTRACTOR** *(Firm name)*	**OWNER** *(Firm name)*
3600 W. Main Street, Suite 200 Norman, Oklahoma 73072 **ADDRESS**	1000 S. Main Street Noble, Oklahoma 73068 **ADDRESS**	201 West Gray, Building A Norman, OK 73069 **ADDRESS**
BY *(Signature)*	**BY** *(Signature)*	**BY** *(Signature)*
Richard S. McKinney, Jr., AIA *(Typed name)*	Don Cretsinger *(Typed name)*	Jim Griffith, Mayor Pro Tem *(Typed name)*
June 28, 2013 **DATE**	June 28, 2013 **DATE**	June 28, 2013 **DATE**

APPROVED BY CITY OF NORMAN LEGAL DEPARTMENT
BY _____ DATE 7/10/13

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User Notes: (1751797581)

City of Norman, OK

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

Master

File Number: K-1213-47 CO#1

File ID:	K-1213-47 CO#1	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 27	**In Control:**	City Council
Department:	Public Works Department	**Cost:**	$1,308.60	**File Created:**	07/08/2013
File Name:	Bldg. A Renovation Project-Phse 2 CO#1			**Final Action:**	

Title: CHANGE ORDER NO. ONE TO CONTRACT NO. K-1213-47: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA AND SUN CONSTRUCTION SERVICES, L.L.C., INCREASING THE CONTRACT BY $1,308.60 FOR A REVISED CONTRACT AMOUNT OF $78,864.60 FOR THE BUILDING "A" RENOVATION PROJECT, PHASE 2, AND FINAL ACCEPTANCE OF THE PROJECT.

Notes: ACTION NEEDED: Motion to approve or reject Change Order No. One to Contract No. K-1213-47 with Sun Construction Services, L.L.C., increasing the contract amount by $1,308.60 for a revised contract amount of $78,864.60; and, if approved, authorize the execution of the contract, accept the project, and direct final payment in the amount of $1,308.60 to Sun Construction Services, L.L.C.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 27

Attachments: Text File K-1213-47, Change Order No. 1-Phase 2.pdf

Project Manager: Scott Sturtz, City Attorney

Entered by: pam.jones@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-1213-47 CO#1

body

BACKGROUND: Building A on the City Hall campus was constructed in 1978 and currently houses the following two city departments including 61 employees: (1) Planning and Community Development and (2) Public Works. Improvements made to the building since it was originally constructed include roof repair and HVAC replacement. The building did not meet current accessibility standards of the Americans with Disabilities Act (ADA). In addition, customer service and public meetings were compromised due to a lack of adequate space. Employees were cramped in small working spaces. The original carpet (34 years old) still remained in the building. Many of the customers of this building are developers, builders, business and property owners. Regular meetings in the building include Pre-Development, Flood Plain Permit Committee, Greenbelt

Commission, Board of Zoning Appeals, Board of Adjustment, Historic District Commission and Reapportionment Commission.

The Building A Renovations in 2011/2012 were constructed in two phases to accommodate Capital Fund budget limitations. In addition, service to the City's customers was never allowed to be interrupted. The project eventually fulfilled all needs including ADA accessibility, space utilization and customer service enhancements. The project was designed and administered by The McKinney Partnership Architects.

Bid documents and specifications for the Building A Renovation Project, Phase 2, were advertised according to State Law. Seven (7) potential bidders acquired plans and specifications and four (4) bids were received on August 17, 2012.

The low bidder was Sun Construction Services, LLC, Noble, Oklahoma, in the amount of $63,420, or approximately $2,788 less than the next lowest bidder.

There were two (2) bid alternates listed in the bid documents. These items were separated out from the base bid to insure that the base bid was within the project budget. Add Alternate Number One was the replacement of the four (4) exterior steel doors and hardware at the four corners of the building at a cost of $7,650. Replacing these doors and hardware made the building more secure. Add Alternate Number Two was the installation of four (4) interior glass and aluminum doors at a cost of $6,496. These doors provided security within the building and were recognized by the police department as effective security measures for staff and citizens. The total cost for both add alternates was $14,146.

The total cost for the base bid and the add alternates was $77,566. Funding for this project was allocated from City Hall Building A Improvements, Construction (account 050-9677-419.61-01; project EF0120).

DISCUSSION: Change Order No. 1 was submitted to the City by Sun Construction Services, LLC for additional work that was completed during construction. The change order includes the painting of existing paneling in one office, electrical work, modifications to exterior doors, additional millwork, removal of track lighting, installation of the northeast door and installation of closet shelving.

The total amount of Change Order No. 1 is $1,308.60 or approximately a 1.69% increase over the original contract amount of $77,566. The project is now complete and the current unencumbered balance for this account contains the funds to cover this Change Order. These funds are located in City Hall Building A Improvements, Construction (account No. 050-9677-419.61-01; project EF0120).

RECOMMENDATION NO. 1: Staff recommends approval of Change Order No. 1 increasing Contract No. K-1213-47 by $1,308.60.

RECOMMENDATION NO. 2: Staff further recommends final acceptance of the Building A Improvements Phase 2 in the amount of $78,874.60.

AIA® Document G701™ – 2001

Change Order

PROJECT *(Name and address)*: City of Norman Building A Renovation	**CHANGE ORDER NUMBER:** 003R **DATE:** June 28, 2013	OWNER: ☒ ARCHITECT: ☒ CONTRACTOR: ☒
TO CONTRACTOR *(Name and address)*: Sun Construction Services 1000 S. Main Street Noble, OK	**ARCHITECT'S PROJECT NUMBER:** CM059109 **CONTRACT DATE:** July 23, 2012 **CONTRACT FOR:** General Construction	FIELD: ☐ OTHER: ☐

THE CONTRACT IS CHANGED AS FOLLOWS:
(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

Change Order Request #7 Phase 2B Paint	$175.00
Change Order Request # 10 Electric extras through Phase 2B	$420.50
Change Order Request # 14 Change Hollow Metal Doors to match existing frames	$594.00
Change Order Request # 15 Millwork Deductions for Admin Tech 18 and Public Works areas	($417.00)
Change Order Request # 16 Time and Material Items	$536.10
Phase 2 Total Change Order Request	$1,308.60

The original Contract Sum was	$	77,566.00
The net change by previously authorized Change Orders	$	0
The Contract Sum prior to this Change Order was	$	77,566.00
The Contract Sum will be increased by this Change Order in the amount of	$	1,308.60
The new Contract Sum including this Change Order will be	$	78,874.60

The Contract Time will be changed by Zero (0) days.
The date of Substantial Completion as of the date of this Change Order therefore is 120 days from the date notice to proceed.

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

The McKinney Partnership Architects	Sun Construction Services	City of Norman
ARCHITECT *(Firm name)*	**CONTRACTOR** *(Firm name)*	**OWNER** *(Firm name)*
3600 W. Main Street, Suite 200 Norman, Oklahoma 73072	1000 S. Main Street Noble, Oklahoma 73068	201 West Gray, Building A Norman, OK 73069
ADDRESS	**ADDRESS**	**ADDRESS**
BY *(Signature)*	**BY** *(Signature)*	**BY** *(Signature)*
Richard S. McKinney, Jr., AIA	Don Cretsinger	Jim Griffith, Mayor Pro Tem
(Typed name)	*(Typed name)*	*(Typed name)*
June 28, 2013	June 28, 2013	June 28, 2013
DATE	**DATE**	**DATE**

APPROVED BY CITY OF NORMAN LEGAL DEPARTMENT
BY _____ **DATE** 7/1/13

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User Notes: (1215126113)

City of Norman, OK

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

Master

File Number: K1213-65 CO #1

File ID:	K1213-65 CO #1	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 28	**In Control:**	City Council
Department:	Utilities Department	**Cost:**		**File Created:**	07/03/2013
File Name:	Change Order & Final Apple Creek Water Line			**Final Action:**	

Title: CHANGE ORDER NO. ONE TO CONTRACT NO. K-1213-65: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND CENTRAL CONTRACTING SERVICES, INC., DECREASING THE CONTRACT BY $11,300 FOR A REVISED CONTRACT AMOUNT OF $362,540 FOR THE APPLE CREEK WATER LINE PROJECT AND FINAL ACCEPTANCE OF THE PROJECT.

Notes: ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Change Order No. One to Contract No. K-1213-65 with Central Contracting Services, Inc., decreasing the contract amount by $11,300 for a revised contract of $362,540; and, if approved, authorize the execution of the contract, accept the project, and direct final payment in the amount of $18,127 to Central Contracting Services, Inc.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 28

Attachments: Text File K-1213-65 Final, Change Order One
K-1213-65, PO Apple Creek

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 K1213-65 CO #1

Body

BACKGROUND: The Apple Creek Water Line Project (WA0041) provides for replacement of about 2,800 feet of ductile iron (DI) waterline with C900 polyethylene vinyl chloride (PVC) in the Apple Creek Apartment area of Prairie Creek Addition. The DI pipe is not compatible with the acidic soil and is failing, causing extensive damage to driveways, streets, and yards.

On August 25, 2009, the Norman Utilities Authority (NUA) approved Contract No. K-0910-62 with Cardinal Engineering for on-call engineering and drafting services, and Contract No. K-0910-55 with Lemke Land Surveying for on-call surveying services. The waterline replacement design was performed by staff with the assistance of Cardinal Engineering and Lemke Land Surveying.

On May 26, 2013, the NUA approved Contract No. K-1213-65 with Central Contracting Services, Inc. in the amount of $373,840 for the construction of the Apple Creek Waterline.

DESCRIPTION: A final inspection was performed and construction was found to meet city standards on June 21, 2013. Final Change Order No. 1 decreases the contract amount by $11,300 from $373,840 to $362,540. The 3% decrease was due to adjustment of bid quantities to final quantities installed.

RECOMMENDATION: Staff recommends the NUA authorize the Chairman to sign Final Change Order No. 1 to Contract No. K-1213-65 with Central Contracting Services, Inc., to accept the Apple Creek Waterline project and authorize final payment in the amount of $18,127 to Central Contracting Services, Inc.

NORMAN UTILITIES AUTHORITY
CITY OF NORMAN
CLEVELAND COUNTY, OKLAHOMA

DATE: June 27, 2013

FIELD CHANGE NO.: 1

CONTRACT NO.: Contract # K-1213-65

PROJECT: Applecreek Waterline Project

CONTRACTOR: Central Contracting Services, In
17300 S Sunnylane
Norman, OK 73700

	Contract Time	Contract Amount
ORIGINAL:	150 calendar days	$373,840.00
PREVIOUS CHANGE ORDERS:	0 calendar days	$0.00
THIS CHANGE ORDER:	0 calendar days	-$11,300.00
REVISED AMOUNT:	150 calendar days	$362,540.00

ORIGINAL START DATE: April 21, 2013

ORIGINAL COMPLETION DATE: September 18, 2013

PREVIOUS COMPLETION DATE: September 18, 2013

NEW COMPLETION DATE: September 18, 2013

DESCRIPTION:	$ Increase	$ Decrease
Additional Scope of Work	0.00	
Change in Bid Quantities		-11,300.00

SUBMITTED BY CONTRACTOR: Central Contracting Services, Inc. Date:

RECOMMENDED BY PROJECT ENGINEER: Jim C. Speck, P.E. , Capital Projects Engineer Date: 7-15-13

ACCEPTED BY NORMAN UTILITIES AUTHORITY: City Attorney Date: 7/15/13

ACCEPTED BY NORMAN UTILITIES AUTHORITY: Vice-Chairman Date:

Change Order No. 1
Contract # K-1213-65
Central Contracting Services, Inc.
17300 S Sunnylane
Norman, OK 73700

Item 1: Adjust "as Bid to "as Built" quantities.

Bid Item	Description	Unit	Quantity	Unit Price	Total Price
	Additions				
34	Remove and Replace Hot Mix Asphalt Concrete (HAC) Pavement	SY	-600	$31.00	-$18,600.00
35	Removal and Replacement of Existing High-Early P.C. Concrete Drive	SY	200	$45.00	$9,000.00
36	Removal and Replacement of Existing Sidewalk	SY	-50	$34.00	-$1,700.00
	Total Decrease				**-$11,300.00**

P U R C H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
P W - UTILITIES DIRECTOR
201-C WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 229762
DATE: 04/05/13

VENDOR #
2892

CENTRAL CONTRACTING SERVICES
C/O DALE TIPTON
17301 S SUNNYLANE
NORMAN, OK 73071

SHIP TO:
City of Norman
P W - UTILITIES DIRECTOR
201-C WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
04/30/13	BEST WAY	DESTINATION	NET

CONFIRM BY
DALE - CELL 370-1621

FREIGHT

ACCOUNT NO.
0319360462610 1

REQUISITIONED BY
WEBB G

REQ. NO.
214408

REQ. DATE
03/13/13

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	373840.00	DOL	APPLE CREEK WATER LINE PROJECT	1.0000	373840.00

SUB-TOTAL		373840.00
TOTAL		373840.00
Change Order No. 1 to Contract K-1213-65 Contingent on NUA approval 7-23-13	-	11,300.00
Less payments made to date	-	344,413.00
Final payment due		18,127.00

City of Norman, OK

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

Master

File Number: K-1213-76 Final

File ID:	K-1213-76 Final	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 29	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**	$966,302.00	**File Created:**	07/09/2013
File Name:	K-1213-76 Final Accpt Roof Projects			**Final Action:**	

Title: CONSIDERATION OF FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT NO. K-1213-76 WITH STANDARD ROOFING COMPANY, INC., FOR THE FYE 2013 ROOF REPLACEMENT PROJECT FOR FIRE STATION NO. 6, FIRE STATION NO. 7 (TRUCK BAY), IRVING RECREATION CENTER (UPPER GYM), MUNICIPAL BUILDING A, SANTA FE DEPOT (FLAT PORTIONS), SOONER THEATRE, AND THE WATER RECLAMATION FACILITY MAIN CONTROL BUILDING (UPPER ROOF).

Notes: ACTION NEEDED: Acting as the City Council and the Norman Utilities Authority, motion to accept or reject the project; and, if accepted, direct final payment in the amount of $129,876 to Standard Roofing Company, Inc.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 29

Attachments: Text File Final on Roofs, Before and After Roof Pictures, Standard Roofing PO

Project Manager: Matthew Smith, Facility Maintnenance Supt.

Entered by: brenda.hall@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1213-76 Final

Body

BACKGROUND: The City Council and the Norman Utilities Authority, in their meeting of October 8, 2012, approved Contract K-1213-76 with Standard Roofing Company, Inc., in the amount of $966,302 for the replacement of the roofs on Fire Station No. 6 located at 7405 East Alameda; Fire Station No. 7 (Truck Bay) located at 2207 Goddard Avenue; Irving Recreation Center (Upper Gym) located at 125 Vicksburg; Municipal Building A located at 201 West Gray; Santa Fe Depot (Flat Portions) located at 200 South Jones; Sooner Theatre located at 101 East Main; and the Water Reclamation Facility Main Control Building (Upper Roof) located at 3500 South Jenkins.

DISCUSSION: The roof at Fire Station No. 6 was completed in early January and final inspection was made on January 17, 2013. The roofs at Sooner Theatre, Santa Fe Depot, Building A, and Main Control Building at the Water Reclamation Facility were completed in late February early March and final inspections were made on March 15, 2013. The roof at Fire Station No. 7 was completed in early May and final inspection was made on

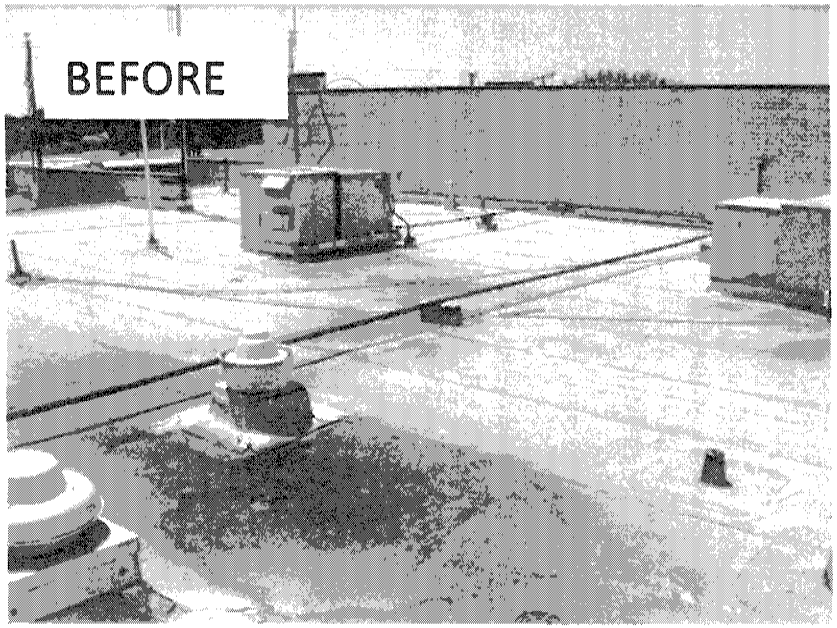
May 14, 2013. The roof at Irving Recreation Center was completed in late June and final inspection was made on July 5, 2013. The work on all roofs meets or exceeds all bid specifications.

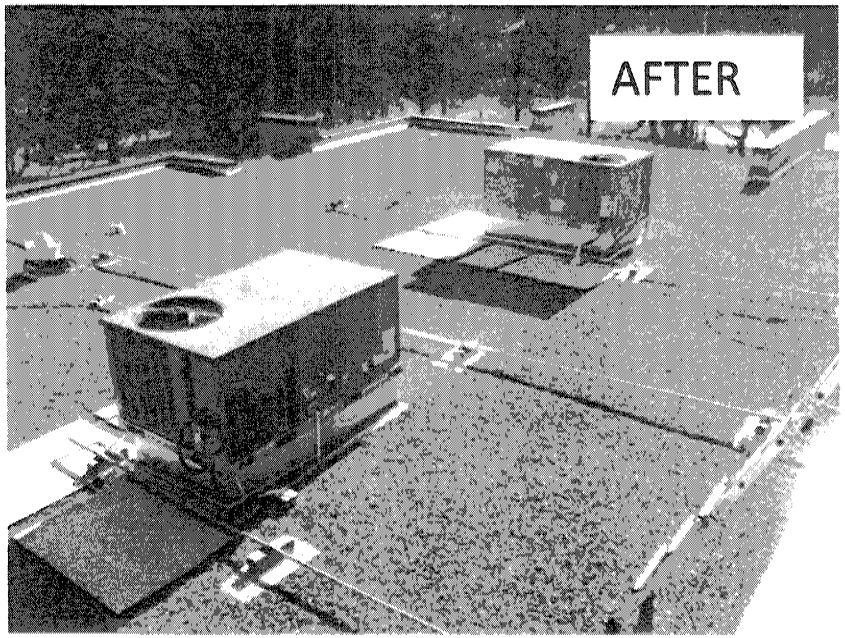
Upon formal acceptance of the projects, the contractor will provide a two-year maintenance warranty on the installation and the manufacturer will provide 20-year warranty on materials for Fire Station No. 6, Irving Recreation Center, Municipal Building A, Santa Fe Depot, and the Main Control Building at the Water Reclamation Facility. Inspection of the roofs will be conducted by the manufacturer the second, fifth, tenth, and fifteenth year of the warranty and an executive summary of those findings will be provided to the City. The contractor will provide a two-year maintenance warranty on the installation and the manufacturer will provide 15-year warranty on materials for the white single ply roofs at Fire Station No. 7 and Sooner Theatre. The manufacturer will perform all maintenance and repairs required during the warranty period as well as respond to any leakage, within 48 hours.

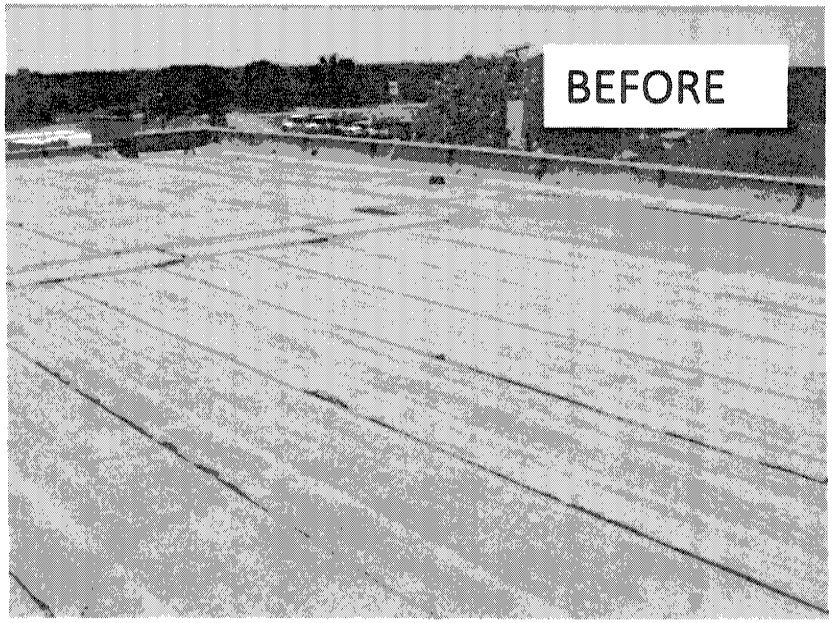
Funds were budgeted in the FYE 2013 Capital Budget, Building Roofs, Construction (account 050-9540-419.61-01; project EF1002).

STAFF RECOMMENDATION: Staff recommends that the roof replacement projects at Fire Station No. 6, Fire Station No. 7 (Truck Bay), Irving Recreation Center (Upper Gym), Municipal Building A, Santa Fe Depot (Flat Portions), Sooner Theatre, and the Water Reclamation Facility Main Control Building (Upper Roof) be accepted and final payment in the total amount of $129,876 be authorized.

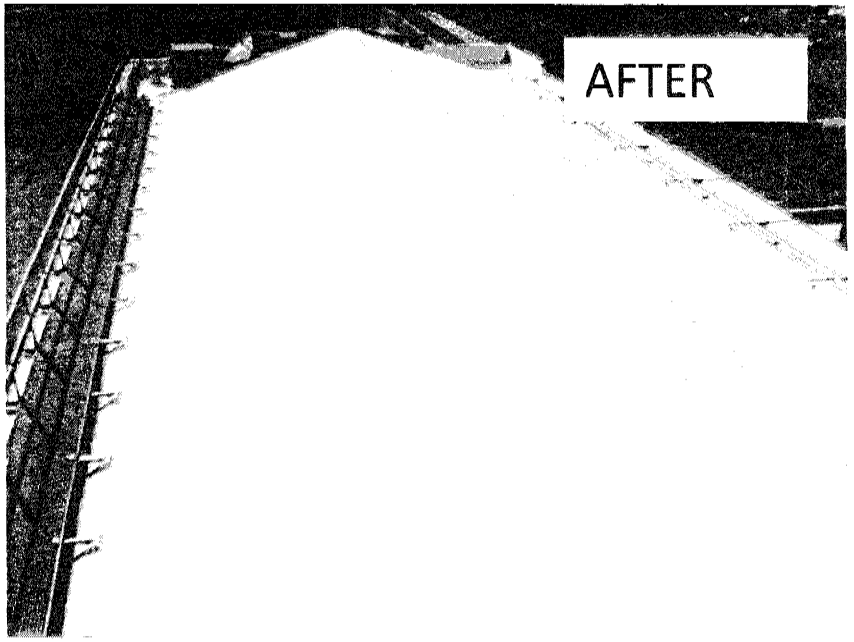
Fire Station No. 6

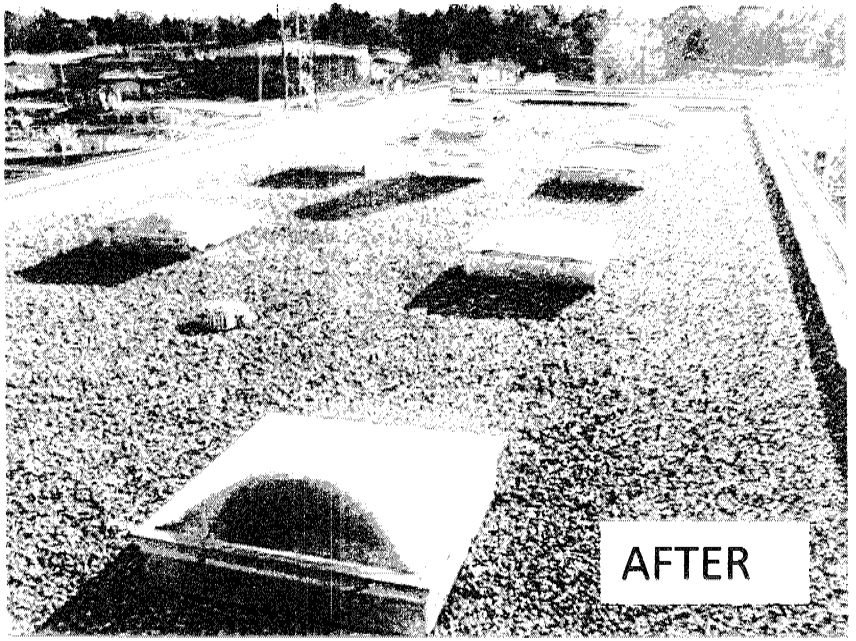




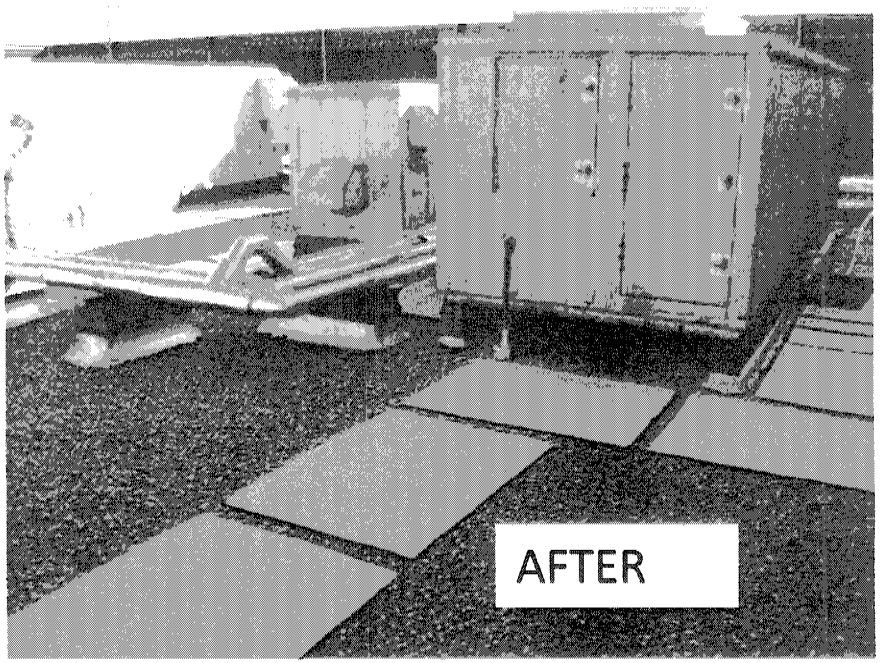


Sooner Theatre

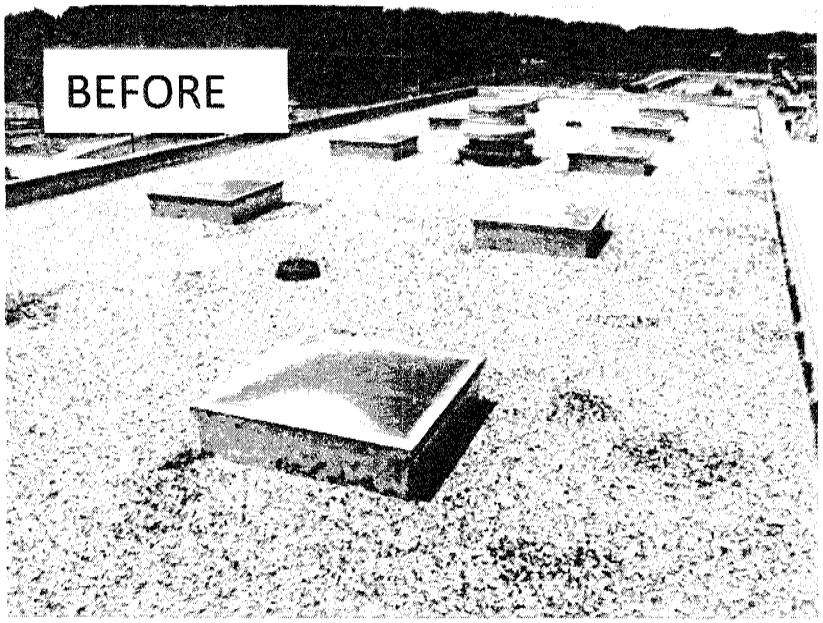


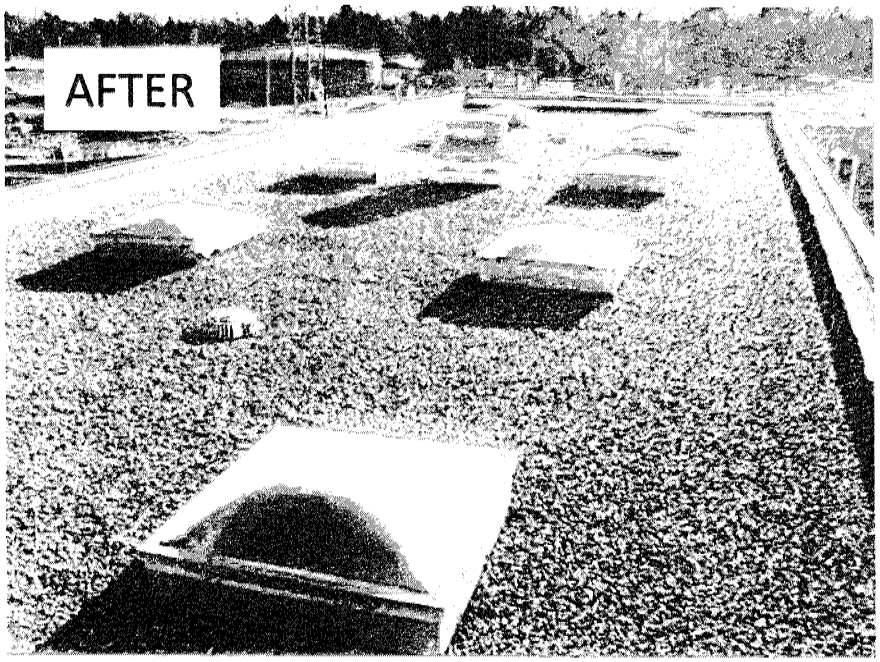


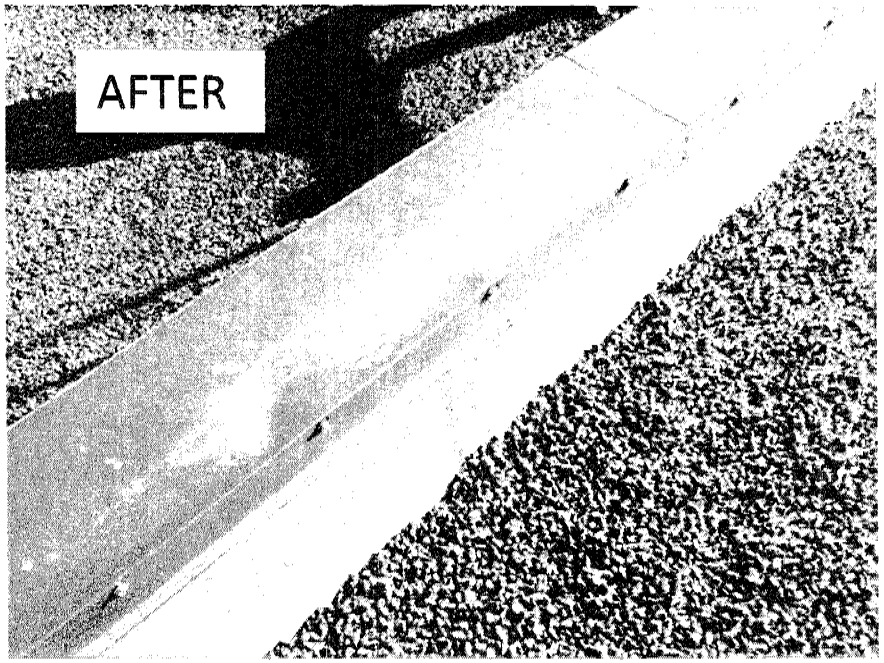
Building A



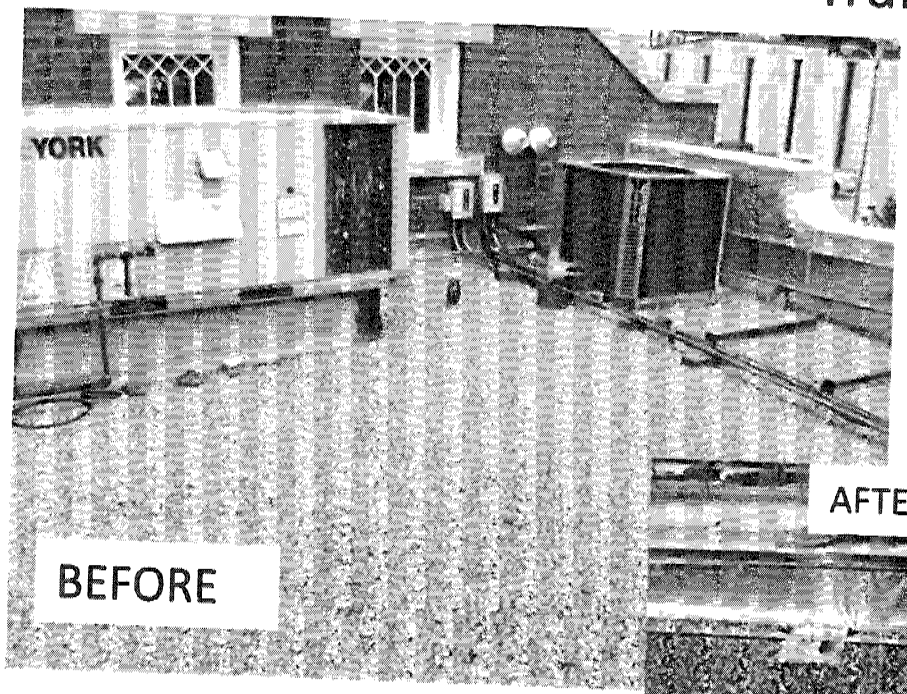
Water Reclamation – Main Control Bldg.

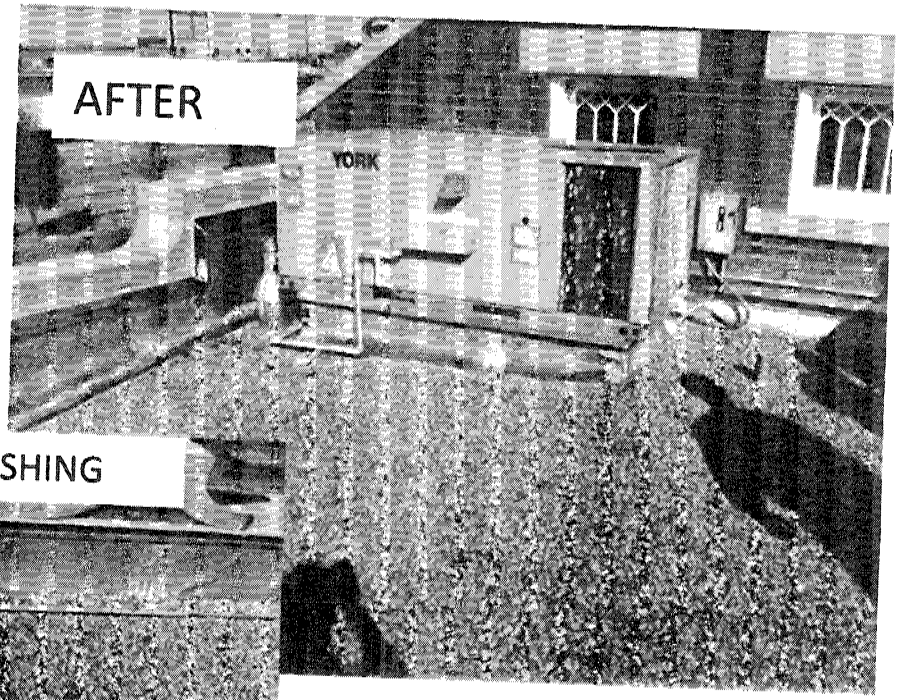




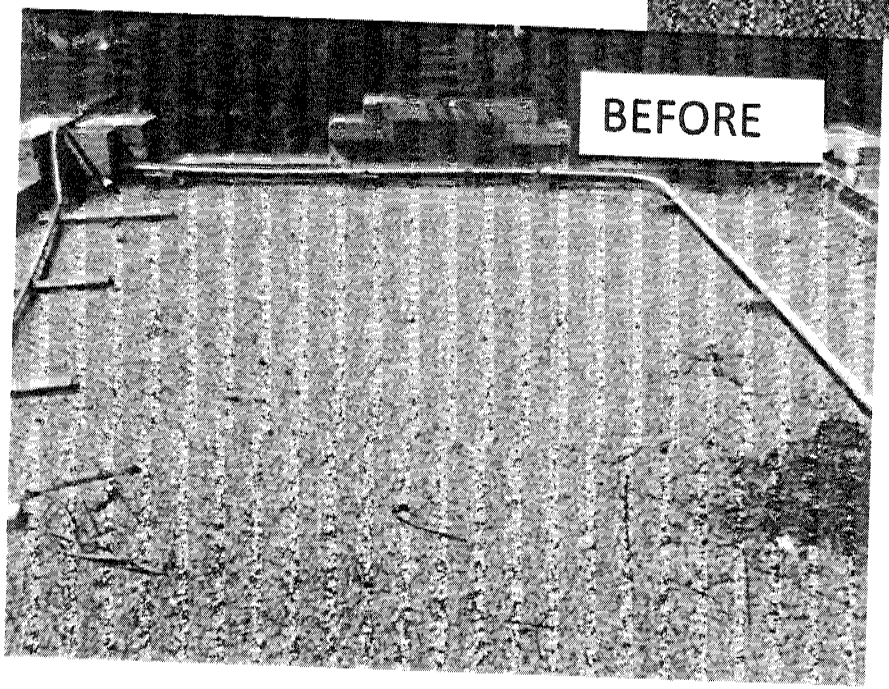


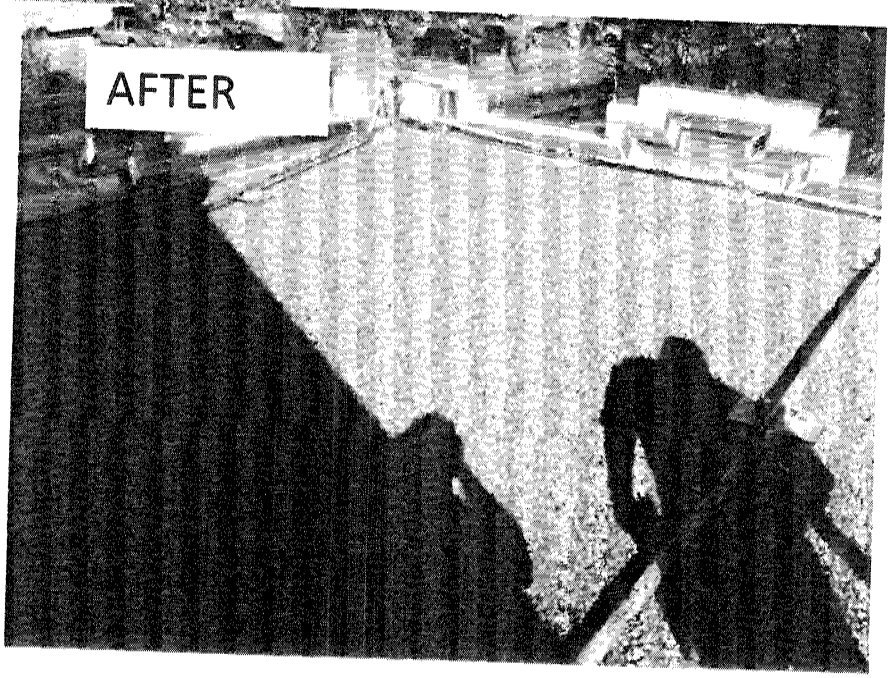
Train Depot



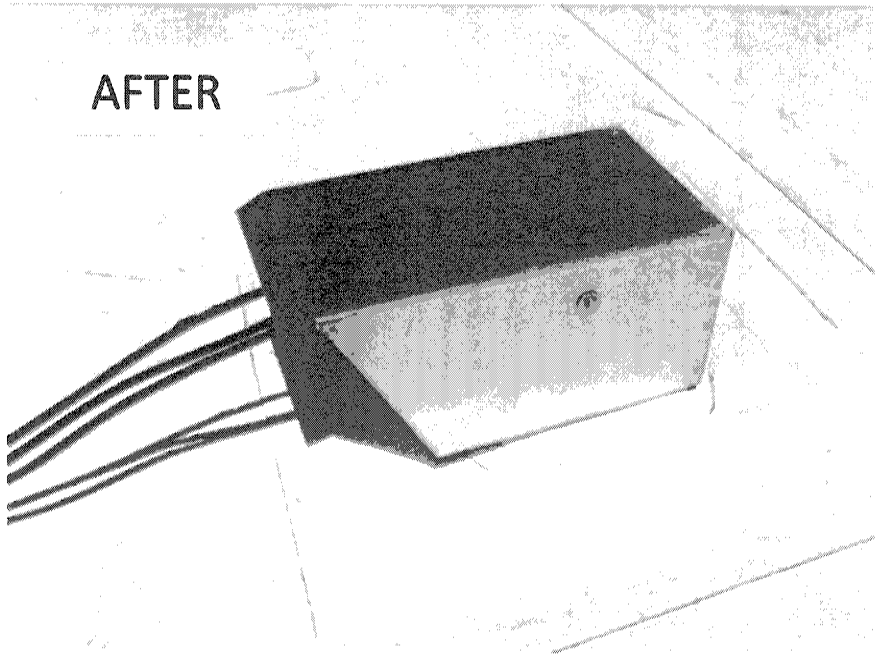


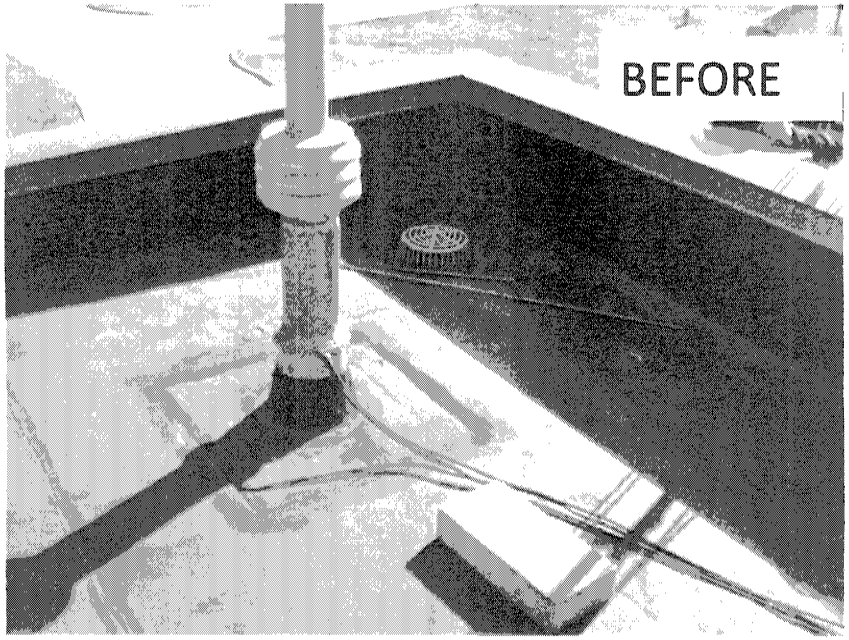
AFTER FLASHING

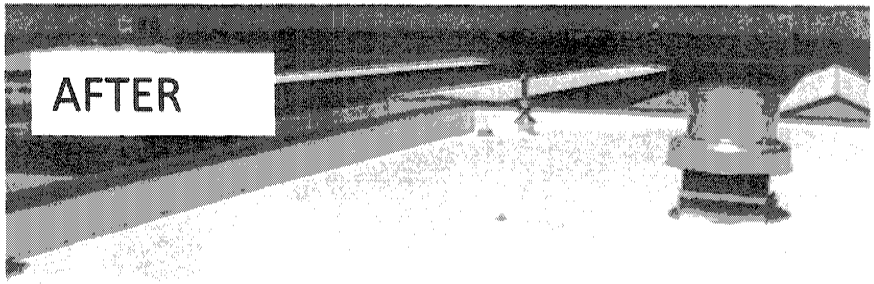




Fire Station No. 7

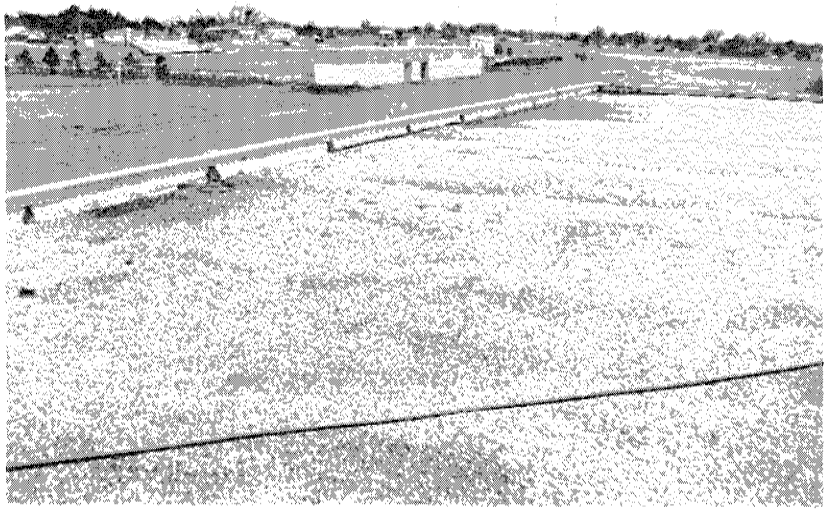


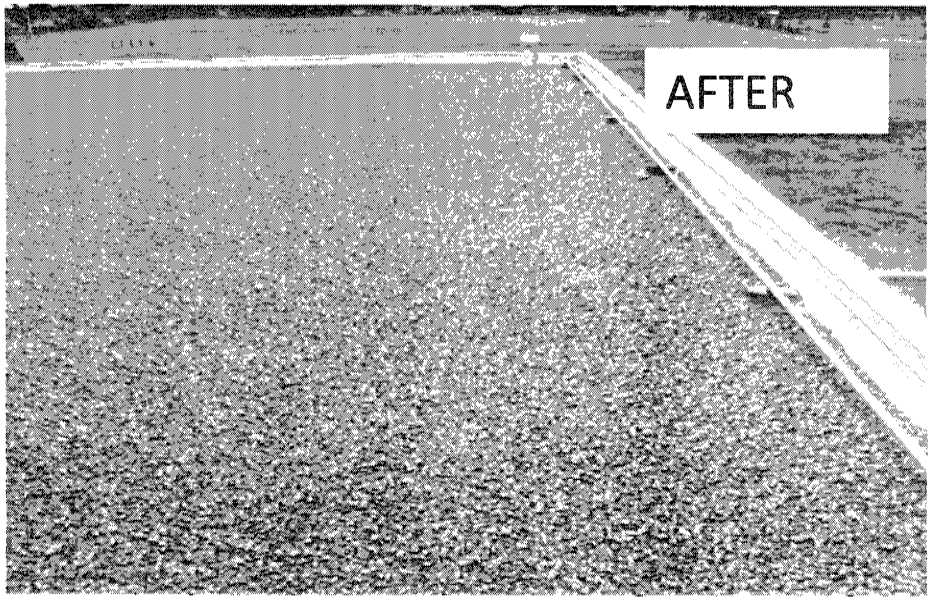


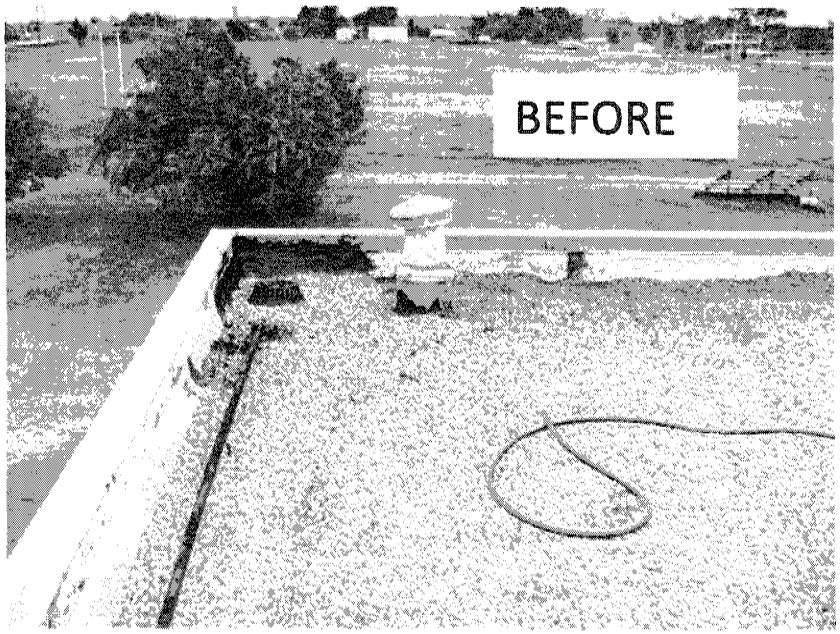


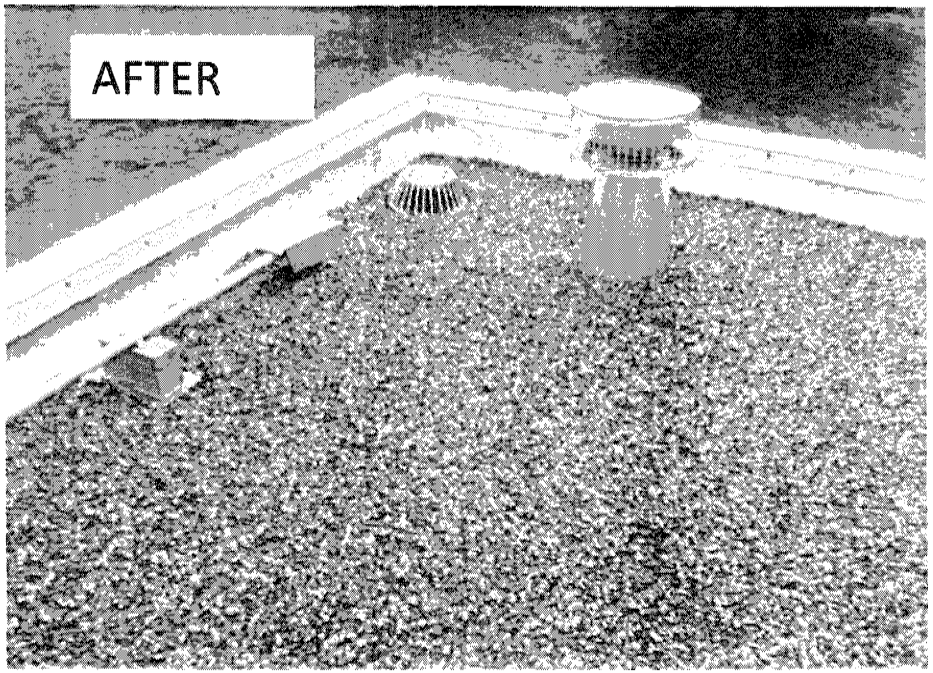
Irving Recreation Center

BEFORE









PURCHASE ORDER

The City of NORMAN

INVOICE TO:
City of Norman
BUILDING MAINTENANCE
121 N PETERS
NORMAN, OK 73069

P.O. #: 227497
DATE: 02/08/13

VENDOR #
10349

STANDARD ROOFING CO INC
19 NW 16TH STREET
OKLAHOMA CITY, OK 73103

SHIP TO:
City of Norman
BUILDING MAINTENANCE
121 N PETERS
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
10/25/12	BEST WAY	DESTINATION	NET

CONFIRM BY FREIGHT

ACCOUNT NO. REQUISITIONED BY REQ. NO. REQ. DATE
SEE BELOW

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	FIRE 6&7-BLDG A-SOONER THEATRE-DEPOT ROOF PROJECTS CONTINGENT UPON COUNCIL APPROVAL ON 10-23-12	795623.0000	795623.00
2	1.00	EA	IRVING REC CENTER UPPER GYM ROOF CONTINGENT UPON COUNCIL APPROVAL ON 10-23-12	120000.0000	120000.00
3	1.00	EA	WTF - MAIN CONTROL BUILDING UPPER ROOF CONTINGENT UPON COUNCIL APPROVEL ON 10-23-12	50679.0000	50679.00
				SUB-TOTAL	966302.00
				TOTAL	966302.00

DATE	ACTION	INVOICE NO.	PAYMENT AMOUNT	BALANCE
2/08/13	Partial Payment	12259 DW	$113.614	$852,688
2/08/13	Partial Payment	12261 DW	$ 50,679	$802,009
3/14/13	Partial Payment	12369 DW	$ 48,405	$753,604
3/14/13	Partial Payment	12346 DW	$238,855	$514,749
3/14/13	Partial Payment	12345 DW	$299,728	$215,021
5/01/13	Partial Payment	12400 DW	$ 85,145	$129,876
7/23/13	Final Payment		$129,876	$00.00

Contingent upon Council approval on July 23, 2013

City of Norman, OK

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

Master

File Number: K-1314-24

File ID:	K-1314-24	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 30	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**	$460,500.00	**File Created:**	07/08/2013
File Name:	CART Contract			**Final Action:**	

Title: CONTRACT NO. K-1314-24: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CLEVELAND AREA RAPID TRANSIT (CART) IN THE AMOUNT OF $460,500 FOR TRANSPORTATION SERVICES THROUGH JUNE 30, 2014.

Notes: ACTION NEEDED: Motion to approve or reject Contract No. K-1314-24 with CART in the amount of $460,500 through June 30, 2014; and, if approved, authorize the execution thereof.

ACTION TAKEN:_____

Agenda Date: 07/23/2013

Agenda Number: 30

Attachments: Text File K-1314-24, K-1314-24, PR CART

Project Manager: Linda Price, Revitalization Manager

Entered by: linda.price@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-24

Body

BACKGROUND: Beginning in 1980 as a campus shuttle service for the University of Oklahoma, Cleveland Area Rapid Transit (CART) has become the third largest transit system in the State of Oklahoma. The University expanded the service into a public transportation bus system in 1986, and since 1993 the City of Norman has partnered in funding this essential public service.

Transporting more than one million passengers annually, CART features six Norman city routes, three University of Oklahoma campus routes, a route that serves to transport people to the Social Security Office in Moore as well as a six-times-daily commuter route to Oklahoma City, the "Sooner Express." CART offers users mobility throughout the city, including access to many medical facilities, residential areas, retail businesses and restaurants. Additionally, CARTaccess, an origin-to-destination service for those who are unable to ride the fixed route bus system, travels all 191 square miles of Norman.

CART ridership decreased by 3% this past year after showing an increase last fiscal year. CARTaccess,

CART's origin-to-destination service for those who cannot ride the regular bus routes because of disabilities and/or age, ensures mobility for approximately 30,000 riders per year, the majority of whom are Norman citizens with no University affiliation. CARTaccess ridership decreased 1% from the previous year. CART provided 3 days less service in FY13 when compared to FY12.

DISCUSSION: Funding for CART is provided by the Federal Transit Administration, the University of Oklahoma, the City of Norman, and the Oklahoma Department of Transportation. The proposed contract for services for FYE 14 represents the twentieth year of City subsidy for transit services.

For a number of years the City share in the funding of CART remained relatively level in spite of increasing costs of providing the service. In 2007 the Transportation Committee of the City Council recommended that the City try to achieve a budget share of at least 11% of the costs, a percentage last met in 2005. City Council did approve an increase of $50,000 to $230,000 in FYE 08 that equaled 8.2% of CART's budget. The FYE 09 budget of $290,500 approved on June 10, 2008, represented an additional increase of $50,000 plus $10,500 specified for bus passes as needed. The $280,000 budget for FYE 09 (not including the funding for bus passes) equaled 9.2% of the total CART budget for the fiscal year.

The FYE 10 budget of $400,500 included an increase of $20,000 to continue current services plus $90,000 for partial year funding of the new northwest circulator route, and $10,500 specified for bus passes. The $390,000 budget for FYE 10 (not including the funding for bus passes) equaled 8.8% of the total CART budget for the fiscal year.

The FYE 11 budget of $310,500 included a decrease of $90,000, but retained $10,500 for bus passes. The $300,000 budget for FYE 11 (not including the funding for bus passes) equaled 9.7% of the total CART budget for the fiscal year.

The FYE 12 budget of $310,500 was the same as the FYE 11 budget. The $300,000 budget for FYE 12 (not including the funding for bus passes) equaled 12.88% of the total CART budget for the fiscal year.

The FYE 13 budget of $460,500 was a $150,000 increase over the FYE 12 budget. The $450,000 budget for FYE 13 (not including the funding for bus passes) equaled 11.08% of the total CART budget for the fiscal year.
The FYE 14 budget of $460,500 is the same as the FYE 13 budget. The $450,000 budget for FYE 14 (not including the funding for bus passes) equals 10.26% of the total CART budget for the fiscal year.

Contract No. K-1314-24 is for the general mass transportation services provided by CART. The set aside for bus passes is also included in this contract. Bus shelter and bench locations are discussed in the attached addendum.

RECOMMENDATION: The City Council approved the funding for the FYE 14 budget on June 11th. Staff has reviewed the proposed contract and recommends approval. Funds in the amount of $460,500 are available in Miscellaneous Services/CART (account 010-1001-411.47-66).

Contract No. K-1314-24

This Agreement, made and entered into this **23rd day of July, 2013**, by and between the **City of Norman, Oklahoma**, a municipal corporation, hereinafter referred to as "City" and **CART**, hereinafter referred to as "Agency."

WHEREAS, there exists a need for public mass transportation services between the City of Norman and the City of Oklahoma City; and,

WHEREAS, there exists a need for public mass transportation services within the City of Norman; and,

WHEREAS, Agency has been designated the public mass transportation provider for Norman Area; and,

WHEREAS, City and Agency are desirous of entering into an Agreement for the Provision of Funding of said service; and,

Agency further agrees that the above-mentioned activities will be completed and that all necessary information and activities will be completed by Agency and reported to City no later than June 30, 2014.

Budget

Local Route and Paratransit Service	$ 450,000
Bus Passes	$10,500
Total Budget	$ 460,500

Local Route and Paratransit Service

1. Description of Service – Agency shall provide the following:
    a. Transit commuter service between Oklahoma City and Norman and local transit service within the City of Norman;
    b. Regular paratransit service in accordance with provisions of the Agency 504/ADA Implementation Plan approved by the Agency Board of Trustees;
    c. Telephone information service about transit services in a. and b. above;
    d. Service shall not be provided on national holidays which fall on days of service;
    e. Bus stop signs and poles at all designated stops which comply with City ordinances;
    f. Bus benches and shelters, in the number and locations approved by existing Agency budgets, which comply with City ordinances and the

Administrative Guide for Bus Stop Locations and Bench and Shelter Advertising;

g. Written notice, 30 days in advance, of all changes in service to a. through f. above.

2. Method of Payment – Agency shall invoice City on a monthly basis for $1/12^{th}$ of $450,000. Agency shall invoice City for bus passes as needed. Upon receipt and acceptance of invoices, City shall process said claims in the usual and customary manner and shall forward to Agency a check in amount stated on the invoice submitted.

3. Term of Agreement – This Agreement shall be considered to cover the period from July 1, 2013, through June 30, 2014.

4. Expiration or Termination – Either City or Agency may terminate this agreement by providing written notice at least 30 calendar days in advance of the proposed termination date.

5. Excusable Default – Agency shall not be held in default of this agreement if it is prevented from performing hereunder by conditions entirely beyond its control, such as, but not limited to, acts of God, strikes, war, insufficient allocation of fuel, or other emergencies including existing road conditions making performance impossible or illegal.

6. Integration – It is understood and agreed that this contract contains all the covenants, stipulations, and provisions agreed upon by the parties hereto and neither party is, or shall be, bound by any statement or representation not in conformity herewith. This agreement may not be modified except in writing signed by both parties.

7. Law Controlling – It is the understanding of the parties that this contract shall be governed by the laws of the State of Oklahoma and by the laws of the United States applicable in whole or in part to mass transportation systems. It is further understood and agreed that any such applicable law shall be deemed to be part of this contract, binding on parties hereto as if such law were set out fully herein.

8. Insurance – Agency shall provide City with a certificate of insurance indicating that Agency has in force, a policy of liability insurance for the operation of said buses. Said policy shall be of a face value of at least $1,000,000 aggregate for all claims for a single occurrence, $100,000 bodily injury for a single claimant and $25,000 property damage per claim. It is further understood and agreed by the parties hereto that failure to obtain and maintain such policy of insurance shall be considered a material breach of this contract.

9. Required Assurances

a. Compliance with Regulations – Agency shall comply with the regulations

relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (DOT) Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, which are herein incorporated by reference and made part of this agreement.

b. Audit and Inspection of Records – Agency shall permit the authorized representatives of City and/or HUD or DOT to inspect and audit all data and records of Agency relating to performance under the agreement until expiration of 3 years after final payment under this agreement. Agency further agrees to include in all subcontracts hereunder, a provision to the effect that the subcontractor agrees to the same inspection and record keeping requirements. Agency and its subcontractors also agree to make available for access and examination any records relevant to any litigation or dispute which may arise out of this agreement during the 3 year period and shall continue to maintain and make available any relevant records until such litigation is concluded.

c. Interests of Members – No member of, or delegate to, the Congress of the United States shall be permitted to any share or part of this agreement or to any benefit arising therefrom.

d. Prohibited Interest – No member, officer or employee of Agency or of a local public body during their tenure or one year thereafter shall have any direct or indirect interest in the agreement or the proceeds thereof.

e. Equal Employment Opportunity – In connection with the execution of this agreement, Agency shall not discriminate against any employees or applicants for employment because of race, religion, color, sex, age, disability, or national origin.

f. Solicitation for Subcontract Including Procurement of Materials & Equipment – In all solicitations either by competitive bidding or negotiation made by Agency for work to be performed under a subcontract, all requirements for nondiscrimination identified in e. shall be fully disclosed and adhered to by subcontractors.

g. Sanctions for Noncompliance – In the event of Agency's noncompliance with the nondiscrimination provisions of this agreement, City shall impose such sanctions as determined appropriate, including, but not limited to withholding of payments and cancellation, termination or suspension of the agreement in whole or in part.

h. Disadvantaged Business Enterprise – Disadvantaged businesses as defined in 49 CFR, Part 23, shall have the maximum opportunity to participate in the performance of contracts financed with federal funds under this agreement. Agency shall advice contractors and bidders of this information and that failure to carry out these requirements shall constitute a breach of contract and

may result in termination of the agreement or such remedy as deemed appropriate.

This contract made and entered into by and between the parties the day and year first above written and shall be binding upon the successors and assigns thereof.

OU/CART

Douglas W. Myers

Douglas W. Myers, Director

OFFICIAL SEAL
BETTY LOVE
NOTARY PUBLIC SEAL STATE OF OKLAHOMA
Commission #10005322
Expires July 1, 2014

Subscribed and sworn to before me this 24 day of June, 2013.

Betty Love
Notary Public

My Commission expires: July 1, 2014
Commission Number: 10005322

The City of Norman, Oklahoma

Jim Griffith, Mayor Pro Tem

Attest:

Brenda Hall, City Clerk

Approved as to form and legality this _____ day of _____, 2013.

Jeff Bryant, City Attorney

ADDENDUM A

Bus Stops, Benches & Shelters by Route

CART Bus Stops
in the City of Norman

GPS#	Main St/N10	Physical Address		Notes
1	South Oval **	352 W. Brooks St.	G	Stop abandoned 5-13-12 to construct Scholar's Walk. Stop moved to Campus Depot on Asp.
107	Brooks Street Transfer Station	398 E. Brooks	N	New Transfer Facility opened 5-28-13
36	Brooks/Monnett (WB)	199 E. Brooks	N	Stop moved from Brooks/Jenkins at stop sign to Brooks/Monnett (farside) effective May 28, 2013
199	Jenkins/Brooks (Stop Sign)			Stop abandoned due to route change and traffic light at Brooks/Jenkins.
184	Jenkins/Felgar (Sarkeys Energy Center)	899 Jenkins Ave.	N	
2	Jenkins/Boyd	799 Jenkins Ave.	N	
3	Jenkins/Duffy (stop sign)	703 Jenkins Ave.	N	
4	Webster/Apache	497 S. Webster Ave.	N	
14	Webster/Main	199 S. Webster Ave.	N	
5	Norman Public Library	299 N. Webster Ave.	N	
6	Main/Lahoma **	699 W. Main St.	N	
7	Norman High School **	911 W. Main St.	N	
	Berry/Kansas			Propose new stop. Pending City approval and ADA review.
8	Berry/Denison	827 N. Berry Rd.	N	Effective 4-14-11: Norman Housing Authority stop (625 N. Berry Rd.) moved to N. of Denison by City of Norman. Re: ADA/cross walk issues
9	Berry/Dorchester	1117 N. Berry Rd.	N	
10	Robinson/Woods **	1699 W. Robinson St.	N	
11	Robinson/24th Ave NW **	2601 W. Robinson St.	N	Also W. Norman Link bus stop
12	Rambling Oaks/Northwest Blvd. #	1196 Rambling Oaks	N	Also W. Norman Link bus stop
15	Northwest Blvd./Interstate Dr. (Stop Sign)	3002 Northwest Blvd.	N	Also W. Norman Link bus stop
17	Interstate Drive/Copperfield **	598 N. Interstate Dr.	N	Also W. Norman Link bus stop
133	River Oaks/Interstate Drive	3001 River Oaks Dr.	N	Also W. Norman Link bus stop
19	River Oaks/Cotswold (Sooner Mall) #	3301 River Oaks Dr.	N	Privately Owned Bench
20	Sooner Station Post Office **	290 36th Ave. NW	N	
64	Main/36th Ave NW **	3398 W. Main St.	N	
208	Norman Public Library West	298 Norman Center Ct.	N	New stop. Pending ADA improvements.
21	Norman Center Ct./Ed Noble **	299 Norman Ctr. Ct.	N	
22	Ed Noble/Parkway Plaza **	698 Ed Noble Parkway	N	
23	Ed Noble/Lindsey #	998 Ed Noble Parkway	N	
24	24th Ave SW/Lindsey **	1199 24th Ave. SW	N	
25	24th Ave SW/Boyd **	599 24th Ave. SW	N	
26	Main/24th Ave. NW **	2198 W. Main St.	N	
27	Main/Sherry #	1702 W. Main St.	N	
28	Norman High School #	998 W. Main St.	N	Stop to be moved from Homeland east to spot at far east end of Homeland's building. Pending permit approval.
29	Main/Park #	496 W. Main St.	N	Privately Owned Bench -- needs to be replaced
65	Webster/Main	198 S. Webster Ave.	N	
30	Webster/Eufaula (stop sign)	220 S. Webster Ave.	N	
31	Webster/Apache	498 S. Webster Ave.	N	
200	Duffy/Asp (Campus Corner)	398 W. Duffy	N	New stop. Site approval 7-1-11. Pending ADA improvements. Verify City Address. Not on City's GIS Map.
181	Jenkins/Felgar	910 Jenkins Ave.	N	
111	Brooks/Jenkins (EB)	198 E. Brooks	N	Stop moved from Jenkins/Brooks stop sign (southbound stop) to Brooks/Jenkins (farside) effective May 28, 2013
1	South Oval **	352 W. Brooks St.	G	Stop abandoned 5-13-12 to construct Scholar's Walk. Stop moved to Campus Depot on Asp.
107	Brooks Street Transfer Station	398 E. Brooks	N	New Transfer Facility opened 5-28-13. Stop formerly known as Duck Pond Stop.

= Bench Stop N = City of Norman G = Google Map Address

** = Sheltered Stop

Updated 7/1/2013

Green	new stop
red	deleted stop
white	existing stop
blue	proposed new stop

CART Bus Stops
in the City of Norman

GPS#	Lindsey East/N11	Physical Address		Notes
1	South Oval **	724 Van Vleet	G	Stop abandoned 5-13-12 to construct Scholar's Walk. Stop moved to Campus Depot.
107	Brooks Street Transfer Station	398 E. Brooks	N	New Transfer Facility opened 5-28-13
38	Lindsey/Houston (Springfield Apts.) **	1098 E. Lindsey St.	N	CART Owned Shelter. Relocation & new bus shelter design permit approved. Moving west of current location approximately 29'. New bus shelter design to be installed. New Address assigned by City 4-4-12
159	Lindsey/Biloxi (Riverbend Apts.) **	1596 E. Lindsey St.	N	
39	Creekside/Lindsey (Twin Creek Apts.) **	1396 Creekside Dr.	N	Privately Owned Shelter
	Biloxi/Lindsey (Sooner Crossing			Farside stop only. Needs City approval and ADA review to become an official stop.
41	Biloxi/Brooks (Colonial Estates Park)	1009 Biloxi Dr.	N	
42	Biloxi/Beaumont (Kennedy School) (Stop Sign)	729 Biloxi Dr.	N	
43	Campus Lodge Apts**	1798 Beaumont Dr.	N	Privately Owned Shelter
44	Vicksburg/Vicksburg Cir.	303 S. Vicksburg Ave.	N	
45	Irving Middle School	197 S. Vicksburg Ave.	N	New bench to be added pending City approval of Tyler advertising bench permit..
46	Alameda/Vicksburg **	1997 Alameda	N	
47	Alameda/Crestland**	1799 Alameda	N	
48	Alameda/Shiloh #	1599 Alameda St.	N	
49	Alameda/Triad Village**	1211 Alameda St.	N	
50	12th Ave. SE/Alameda #	196 12th Ave. SE	N	
51	12th Ave. SE/Triad Village **	396 12th Ave. SE	N	
52	12th Ave. SE/Brooks (Summer Pointe Apts. **	896 12th Ave. SE	N	CART Owned Shelter
34	Brooks/Barkley (Stop Sign)	899 E. Brooks St.	N	
35	Brooks/Oklahoma (Stop Sign)	603 E. Brooks St.	N	
36	Brooks/Jenkins (Stop Sign)	101 E. Brooks St.		Stop moved from Brooks/Jenkins at stop sign to Brooks/Monnett (farside) effective May 28, 2013. Bus stop no longer used for this route. Used for routes 10, 12, 21, 32, 52.
1	South Oval **	724 Van Vleet	G	Stop abandoned 5-13-12 to construct Scholar's Walk. Stop moved to Campus Depot.
107	Brooks Street Transfer Station	398 E. Brooks	N	New Transfer Facility opened 5-28-13

= Bench Stop N = City of Norman G = Google Map Address

** = Sheltered Stop Updated 7/1/13

Green	new stop
red	deleted stop
white	existing stop
blue	proposed new stop

CART Bus Stops
in the City of Norman

GPS#	Lindsey West/N12	Physical Address		Notes
1	South Oval **	720 Van Vleet	G	Stop abandoned 5-13-12 to construct Scholar's Walk. Stop moved to Campus Depot on Asp.
107	Brooks Street Transfer Station	398 E. Brooks	N	New Transfer Facility opened 5-28-13
36	Brooks/Monnett (WB)	199 E. Brooks	N	Stop moved from Brooks/Jenkins at stop sign to Brooks/Monnett (farside) effective May 28, 2013
	Lindsey/Van Vleet			Proposed new bus stop pending City approval and ADA improvements.
61	Lindsey/Flood	999 W. Lindsey St.	N	
62	Lindsey/Berry **	1199 W. Lindsey St.	N	
63	Lindsey/Wylie #	1499 W. Lindsey St.	N	
58	Lindsey/Crown Point (Mr. Shortstop) #	1999 W. Lindsey St.	N	
24	24th SW/Lindsey **	1199 24th Ave. S.W.	N	
54	Brooks/24th SW	2198 W. Brooks St.	N	
55	Whittier Middle School	1998 W. Brooks St.	N	
56	Brooks/McGee (Stop Sign)	1802 W. Brooks St.	N	
57	McGee/Lindsey	1142 McGee Dr.	N	
59	Lindsey/Wylie **	1510 W. Lindsey St.	N	
66	Lindsey/Berry **	1198 W. Lindsey St.	N	
60	Lindsey/Lahoma	798 W. Lindsey St.	N	
	Lindsey/Van Vleet			Proposed new bus stop pending City approval and ADA improvements.
111	Brooks/Jenkins (EB)	198 E. Brooks	N	Stop moved from Jenkins/Brooks stop sign (southbound stop) to Brooks/Jenkins (farside) effective May 28, 2013
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107	Brooks Street Transfer Station	398 E. Brooks	N	New Transfer Facility opened 5-28-13

= Bench Stop N = City of Norman G = Google Map Address

** = Sheltered Stop Updated 7/1/13

Green	new stop
red	deleted stop
white	existing stop
blue	proposed new stop

CART Bus Stops
in the City of Norman

West Norman Link/N20	Physical Address		Notes
River Oaks Dr./Cotswold Dr. #	3301 River Oaks Dr.	N	Privately Owned Bench (Also Main St. stop)
36th Ave. NW/Quail Dr. **	499 36th Ave. NW	N	
36th Ave. NW/Robinson **	1399 36th Ave. NW	N	
36th Ave. NW/Bob Busch Dr. **	2499 36th Ave. NW	N	
36th Ave. NW/Crail Dr. **	3097 36th Ave. NW	N	
Norman Regional HealthPlex #	3296 Healthplex Parkway	N	
24th Ave. NW/Conference DR.	2190 24th Ave. NW	N	
24th Ave. NW/Mt. Williams DR.	1490 24th Ave. NW	N	
Robinson/24th Ave NW **	2601 W. Robinson St.	N	Also Main St. stop
Rambling Oaks/Northwest Blvd. #	1196 Rambling Oaks	N	Also Main St. stop
Northwest Blvd./Interstate Dr. (Stop Sign)	3002 Northwest Blvd.	N	Also Main St. stop
Interstate Drive/Copperfield **	598 N. Interstate Dr.	N	Also Main St. stop
River Oaks/Interstate Drive	3001 River Oaks Dr.	N	Also Main St. stop
River Oaks Dr./Cotswold Dr. #	3301 River Oaks Dr.	N	Privately Owned Bench (Also Main St. stop)

= Bench Stop N = City of Norman G = Google Map Address

** = Sheltered Stop Updated: 7/1/2013

CART Bus Stops
in the City of Norman

GPS#	Alameda/N21	Physical Address		Notes
1	South Oval **	350 W. Brooks St.	G	Stop abandoned 5-13-12 to construct Scholar's Walk. Stop moved to Campus Depot on Asp.
107	Brooks Street Transfer Station	398 E. Brooks	N	New Transfer Facility opened 5-28-13
36	Brooks/Monnett (WB)	199 E. Brooks	N	Stop moved from Brooks/Jenkins at stop sign to Brooks/Monnett (farside) effective May 28, 2013
184	Jenkins/Felgar (Sarkeys Energy Center)	899 S. Jenkins Ave.	N	also a Main Street stop
67	Boyd/Barkley	900 E. Boyd St.		
68	12th Ave. SE/Boyd **	499 12th Ave. SE	N	
69	Triad Village Drive #	397 Triad Village Dr.	N	
49	Alameda/Triad Village **	1211 Alameda St.	N	also a Lindsey East stop
70	12 Ave NE/Alameda **	199 12th Ave. NE	N	
71	12th NE/Main (Community Services Bldg.) **	700 Veterans Dr.	N	
72	Griffin Memorial Hospital **	901 E. Main St.	N	
73	Findlay/Gray (Stop Sign)	125 N. Findlay St.		
74	Findlay/Oliver-Norman Regional Hospital	799 N. Findlay St.	N	
75	Robinson/Porter **	499 E. Robinson St.	N	
191	Berry/Westheimer (Stop Sign)	1600 N. Berry Rd.		
192	Westheimer/Halley (YMCA)	1329 Westheimer Dr.	G	
78	Westheimer/Lexington (Westheimer Terminal) (Stop Sign) **	1798 Westheimer Dr.	N	
79	Goddard/Flood	2320 Goddard Ave.	G	
80	Norman North High School #	1898 Stubbeman Ave.	N	
81	Peters/Johnson	1004 N. Peters Ave.		
82	Peters/Hughbert	624 N. Peters Ave.		
83	Peters/Tonhawa	302 N. Peters Ave.		
84	Peters/Comanche	116 S. Peters Ave.		
85	Peters/Symmes (Senior Center)	316 S. Peters Ave.		
181	Jenkins/Felgar	910 S. Jenkins Ave.	N	Also a stop on Main Street and Campus Loop routes
111	Brooks/Jenkins (EB)	198 E. Brooks	N	Stop moved from Jenkins/Brooks stop sign (southbound stop) to Brooks/Jenkins (farside) effective May 28, 2013
1	South Oval **	350 W. Brooks St.	G	Stop abandoned 5-13-12 to construct Scholar's Walk. Stop moved to Campus Depot on Asp.
107	Brooks Street Transfer Station	398 E. Brooks	N	New Transfer Facility opened 5-28-13

= Bench Stop N = City of Norman G = Google Map Address

** = Sheltered Stop

Updated 7-1-13

Green	new stop
red	deleted stop
white	existing stop
blue	proposed new stop

A-5

CART Bus Stops in the City of Norman

GPS#	Sooner Express/N24	Physical Address		Notes
1	South Oval **	730 Van Vleet	G	Stop abandoned 5-13-12 to construct Scholar's Walk. Stop moved to Campus Depot on Asp.
63	Lindsey/Wylie #	1499 W. Lindsey St	N	Stop no longer used for Sooner Express due to route change. Sooner Express will run on Main St. instead of Lindsey.
25	24th Ave. SW/Boyd **	599 24th Ave. SW	N	Stop no longer used for Sooner Express due to route change. Sooner Express will run on Main St. and will not travel on 24th St. south of Main.
107	Brooks Street Transfer Station	398 E. Brooks	N	New Transfer Facility opened 5-28-13
14	Webster/Main	199 S. Webster Ave.	N	Existing stop for Main Street. New stop for Sooner Express.
7	Norman High School **	911 W. Main St.	N	Existing stop for Main Street. New stop for Sooner Express.
142	Westport Dr./24th Ave. NW (S. of Homeland)	2791 Westport Dr.	G	to Metro Transit Center, OKC
207	Robinson/Reno			OKC Metro Transit
214	Robinson/Main			OKC Metro Transit
215	Robinson/4th NW			OKC Metro Transit
120	NE 13th/Lincoln			OKC Metro Transit
121	NE 13th and Phillips (eastbound)			OKC Metro Transit
143	NE13th at Childrens's Hospital			OKC Metro Transit
144	Bird Library			OKC Metro Transit
145	Oklahoma Health Department			OKC Metro Transit
122	Physcian's Buidling			OKC Metro Transit
146	NE 13th and Phillips (westbound)			OKC Metro Transit
147	Lincoln and NE 19th (State Capitol)			OKC Metro Transit
123	State Office Bldgs North			OKC Metro Transit
148	State Capitol at Seqyoyah Building/State Offices**			OKC Metro Transit
149	N. Stiles/OK Dept. of Trans. **			OKC Metro Transit
124	Robinson and NW 7th			OKC Metro Transit
150	Hudson and 4th/Downtown Transit Center**			OKC Metro Transit
151	NW 4th and Robinson/Federal Courthouse			OKC Metro Transit
125	Robinson and Park Ave.			OKC Metro Transit
152	Westport Dr./24th Ave. NW (S. of Homeland)	2791 Westport Dr.		to Brooks St. Station, Norman
28	Norman High School #	998 W. Main St.	N	Stop to be moved from Homeland east to spot at far east end of Homeland's building. Pending permit approval. Stop for Main St. route and Sooner Express route.
65	Webster/Main	198 S. Webster Ave.	N	Existing stop for Main Street. New stop for Sooner Express.
107	Brooks Street Transfer Station	398 E. Brooks	N	New Transfer Facility opened 5-28-13. Stop formerly known as Duck Pond Stop.
126	24th Ave. SW/Boyd	540 24th Ave. SW		Stop no longer used for Sooner Express due to route change. Sooner Express will run on Main St. instead of Lindsey.
59	Lindsey/Wylie **	1510 W. Lindsey St.	N	Stop no longer used for Sooner Express due to route change. Sooner Express will run on Main St. and will not travel on 24th St. south of Main.
1	South Oval **	730 Van Vleet	G	Stop abandoned 5-13-12 to construct Scholar's Walk. Stop moved to Campus Depot on Asp.

32 # = Bench Stop N = City of Norman G = Google Map Address

** = Sheltered Stop

Updated 7-1-13

CART Bus Stops
in the City of Norman

GPS#	Apartment Loop/N32	Physical Address		Notes
1	South Oval **	724 Van Vleet	G	Stop abandoned 5-13-12 to construct Scholar's Walk. Stop moved to Campus Depot on Asp.
1	Campus Depot (Asp at Gould Hall); Temporary Depot on Asp at Lindsey until 8/13			Temporary Transfer Facility opened on Asp South of Lindsey 5-13-13; Permanent Transfer Facility opens at Asp south of Lindsey.
111	Brooks/Jenkins (EB)	198 E. Brooks	N	Stop moved from Jenkins/Brooks stop sign (southbound stop) to Brooks/Jenkins (farside) effective May 28, 2013
107	Brooks Street Transfer Station	398 E. Brooks	N	New Transfer Facility opened 5-28-13
36	Brooks/Monnett (WB)	199 E. Brooks	N	Stop moved from Brooks/Jenkins at stop sign to Brooks/Monnett (farside) effective May 28, 2013
93	George/Lindsey	1304 George Ave.		Stop abandoned due to route change. Apartment loop will run on Jenkins and will not travel on George and Stinson.
94	George/Stinson (Stop Sign)	1420 George Ave.		Stop abandoned due to route change. Apartment loop will run on Jenkins and will not travel on George and Stinson.
95	Stinson/Jenkins (Stop Sign)	101 Stinson St.	G	Stop abandoned due to route change. Apartment loop will run on Jenkins and will not travel on George and Stinson.
95	Jenkins/Stinson (at stop light)	need address		Stinson/Jenkins bus stop moved to Jenkins/Stinson at traffic light. Pending City approval and ADA improvements.
190	Timberdell/Asp (Stop Sign)	299 W, Timberdell Rd.	N	
96	Law Center	499 W. Timberdell Rd.	N	Also Campus Loop stop
97	Timberdell/Chautauqua (Stop Sign), History Museum	699 W. Timberdell Rd.	N	Also Campus Loop stop
98	Traditions West Apts. **	2798 Chautaugua Ave.	N	
198	Chautauqua/Imhoff	2902 Chautauqua Ave.	N	New Stop. Effective 8-2011 . Site approval 7-1-11. ADA compliant.
86	Post Oak Apts.**	798 Ridgecrest Ct.	N	Privately Owned Shelter
88	Asp/Imhoff	2799 Asp Ave.	N	
89	Kraettli South/Traditions Apts.	2699 Asp Ave.	N	
90	Kraettli North/Traditions Apts. **	2599 Asp Ave.	N	
91	OCCE	1699 Asp Ave.	N	Also Research Shuttle and LNC/Research Shuttle
92	Asp/3rd (Walker Tower) **	1499 Asp Ave.	N	
1	Campus Depot (Asp at Gould Hall); Temporary Depot on Asp at Lindsey until 8/13			Temporary Transfer Facility opened on Asp South of Lindsey 5-13-13; Permanent Transfer Facility opens at Asp south of Lindsey.
1	South Oval **	724 Van Vleet	G	Stop abandoned 5-13-12 to construct Scholar's Walk. Stop moved to Campus Depot on Asp.

= Bench Stop N = City of Norman G = Google Map Address

** = Sheltered Stop Updated 7-1-13

Audit of ADA Accessibility For CART Routes in the City of Norman

GPS#	Lloyd Noble Shuttle/N40
113	Lloyd Noble Center (LNC)
1	South Oval
1	Campus Depot (Asp at Gould Hall); Temporary Depot on Asp at Lindsey until 8/13

= Bench Stop
** = Sheltered Stop

N = City of Norman

Updated 7-1-13

Green	new stop
red	deleted stop
white	existing stop
Blue	proposed new stop

CART Bus Stops
in the City of Norman

GPS#	Research Shuttle/N42	Physical Address		Notes
1	South Oval **	350 W. Brooks	G	Stop abandoned 5-13-12 to construct Scholar's Walk. Stop moved to Campus Depot on Asp.
1	Campus Depot (Asp at Gould Hall); Temporary Depot on Asp at Lindsey until 8/13			Temporary Transfer Facility opened on Asp. South of Lindsey 5-13-13; Permanent Transfer Facility opens at Asp south of Lindsey.
108	Asp/3rd (Walker Tower) (Stop Sign) #			OU Bench (Stop added 7/20/12)
112	College of Continuing Education	1700 Asp Ave.		(Stop added 7/20/12)
160	SLSRC **	101 Stephenson Parkway		Stephenson Life Sciences Research Center
114	NWC/SRC **	228 David L. Boren Blvd.	G	National Weater Center/Stephenson Resarch Ctr.
185	Two Partners Place (stop sign)	496 David L. Boren Blvd.	G	
115	TMD TOC **	2809 Monitor Dr.	G	Theta M. Dempsey Transportation Operations Ctr.
91	College of Continuing Education	1699 Asp Ave.	N	(Stop added 7/20/12)
92	Asp/3rd (Walker Tower) **	1499 Asp Ave.	N	(Stop added 7/20/12)
1	Campus Depot (Asp at Gould Hall); Temporary Depot on Asp at Lindsey until 8/13			Temporary Transfer Facility opened on Asp. South of Lindsey 5-13-13; Permanent Transfer Facility opens at Asp south of Lindsey.
1	South Oval **	350 W. Brooks	G	Stop abandoned 5-13-12 to construct Scholar's Walk. Stop moved to Campus Depot on Asp.

\# = Bench Stop N = City of Norman G = Google Map Address

** = Sheltered Stop Updated 7-1-13

Green	new stop
red	deleted stop
white	existing stop
Blue	proposed new stop

GPS#	Research Shuttle/N	Physical Address		Notes
1	South Oval **	350 W. Brooks	G	Stop abandoned 5-13-12 to construct Scholar's Walk. Stop moved to Campus Depot on Asp.
1	Campus Depot (Asp at Gould Hall); Temporary Depot on Asp at Lindsey until 8/13			Temporary Transfer Facility opened on Asp. South of Lindsey 5-13-13; Permanent Transfer Facility opens at Asp south of Lindsey.
108	Asp/3rd (Walker Tower) (Stop Sign) #			OU Bench (Stop added 7/20/12)
112	College of Continuing Education	1700 Asp Ave.		(Stop added 7/20/12)
113	Lloyd Noble Center (LNC) **			
160	SLSRC **	101 Stephenson Parkway		Stephenson Life Sciences Research Center
114	NWC/SRC **	228 David L. Boren Blvd.	G	National Weater Center/Stephenson Resarch Ctr.
185	Two Partners Place (stop sign)	496 David L. Boren Blvd.	G	
115	TMD TOC **	2809 Monitor Dr.	G	Theta M. Dempsey Transportation Operations Ctr.
91	College of Continuing Education	1699 Asp Ave.	N	(Stop added 7/20/12)
92	Asp/3rd (Walker Tower) **	1499 Asp Ave.	N	(Stop added 7/20/12)
1	Campus Depot (Asp at Gould Hall); Temporary Depot on Asp at Lindsey until 8/13			Temporary Transfer Facility opened on Asp. South of Lindsey 5-13-13; Permanent Transfer Facility opens at Asp south of Lindsey.
1	South Oval **	350 W. Brooks	G	Stop abandoned 5-13-12 to construct Scholar's Walk. Stop moved to Campus Depot on Asp.

= Bench Stop N = City of Norman G = Google Map Address

** = Sheltered Stop Updated 7-1-13

Green	new stop
red	deleted stop
white	existing stop
blue	proposed new stop

GPS#	Social Security #44	Physical Address		Notes
1	Campus Depot (Asp at Gould Hall); Temporary Depot on Asp at Lindsey until 8/13			Temporary Transfer Facility opened on Asp. South of Lindsey 5-13-13; Permanent Transfer Facility opens at Asp south of Lindsey.
107	Brooks Street Transfer Station	398 E. Brooks	N	New Transfer Facility opened 5-28-13
5	Norman Public Library	299 N. Webster Ave.	N	
71	12th NE/Main (Community Services Bldg.) **	700 Veterans Dr.	N	
	Social security Administration - Moore		G	
71	12th NE/Main (Community Services Bldg.) **	700 Veterans Dr.	N	
5	Norman Public Library	299 N. Webster Ave.	N	
107	Brooks Street Transfer Station	398 E. Brooks	N	New Transfer Facility opened 5-28-13
1	Campus Depot (Asp at Gould Hall); Temporary Depot on Asp at Lindsey until 8/13			Temporary Transfer Facility opened on Asp. South of Lindsey 5-13-13; Permanent Transfer Facility opens at Asp south of Lindsey.

= Bench Stop N = City of Norman G = Google Map Address
** = Sheltered Stop Updated 7-1-13

Green	new stop
red	deleted stop
white	existing stop
blue	proposed new stop

CART Bus Stops
in the City of Norman

GPS#	Campus Loop/N52	Physical Address		Notes
1	South Oval **	746 Van Vleet	G	Stop abandoned 5-13-12 to construct Scholar's Walk. Stop moved to Campus Depot on Asp.
1	Campus Depot (Asp at Gould Hall); Temporary Depot on Asp at Lindsey until 8/13			Temporary Transfer Facility opened on Asp. South of Lindsey 5-13-13; Permanent Transfer Facility opens at Asp south of Lindsey.
108	Asp/Third (Stop Sign) #	1486 Asp Ave.	G	OU Bench
109	Asp/Fourth (Stop Sign)	1590 Asp Ave.	G	
112	OCCE	1700 Asp Ave.		College of Continuing Education
96	Law Center	499 W. Timberdell Rd.	N	
97	Timberdell/Chautauqua (Stop Sign)	699 W. Timberdell	N	
99	Delta/Chautauqua	1400 College Dr.		
100	Elm/Delta	1501 Elm Ave.		
101	Elm/Emerald Way	1405 Elm Ave.		
102	Elm/Elmwood (Stop Sign)	1201 Elm Ave.		
103	Elm/Lindsey	921 Elm Ave.	G	
104	Elm/Brooks (stop sign)	701 Elm Ave.		
105	Physical Sciences Center/Fine Arts	611 Elm Ave.		
165	University/Boyd	581 S. University Blvd.		Whitehand Hall
106	University/Symmes (Stop Sign)	401 S. Universiy Blve.		
31	Webster/Apache	498 S. Webster Ave.	N	
200	Duffy/Asp (Campus Corner)	398 W. Duffy	N	New stop. Site approval 7-1-11. Pending ADA improvements.
33	Asp/Felgar (Student Union) (Stop Sign)	890 Asp Ave.	G	
181	Jenkins/Felgar (Sarkeys Energy Center)	910 Jenkins Ave.	N	
111	Brooks/Jenkins (EB)	198 E. Brooks	N	Stop moved from Jenkins/Brooks stop sign (southbound stop) to Brooks/Jenkins (farside) effective May 28, 2013
107	Brooks Street Transfer Station	398 E. Brooks	N	New Transfer Facility opened 5-28-13
107	Duck Pond (Parking Lot)	336 E. Brooks St.	G	
1	South Oval **	746 Van Vleet	G	Stop abandoned 5-13-12 to construct Scholar's Walk. Stop moved to Campus Depot on Asp.

= Bench Stop N = City of Norman G = Google Map Address

** = Sheltered Stop Updated 7-1-13

Green	new stop
red	deleted stop
white	existing stop
blue	proposed new stop

PURCHASE REQUISITION NBR: 0000219993

STATUS: ALL ITEMS ON ORDER
REQUISITION BY: JMCCART REASON: CART DATE: 7/08/13

SHIP TO LOCATION: COMMUNITY DEVELOPMENT SUGGESTED VENDOR: 4684 CART DELIVER BY DATE: 7/08/13

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	CART COMMODITY: GRANTS SUBCOMMOD: CDBG	460500.00	DOL	1.0000	460500.00	

REQUISITION TOTAL: 460500.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	01010014114766	Miscellaneous Services CART		100.00	460500.00
					460500.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

City of Norman, OK

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

Master

File Number: K-1314-25

File ID:	K-1314-25	**Type:**	Contract	**Status:**	Consent Item
Version:	2	**Reference:**	Item No. 31	**In Control:**	City Council
Department:	Utilities Department	**Cost:**	$5,900.00	**File Created:**	07/01/2013
File Name:	Contract K-1314-25 woth USGS/OWRB			**Final Action:**	

Title: CONTRACT NO. K-1314-25: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY, THE OKLAHOMA WATER RESOURCES BOARD AND THE UNITED STATES GEOLOGICAL SURVEY IN THE AMOUNT OF $5,900 FOR THE MUSTANG ROAD AND INTERSTATE 35 (I-35) GAUGING STATIONS ALONG THE SOUTH CANADIAN RIVER THROUGH JUNE 30, 2014.

Notes: ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Contract No. K-1314-25 with the Oklahoma Water Resources Board and the United States Geological Survey in the amount of $5,900 through June 30, 2014; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 31

Attachments: Text File K-1314-25, FYE14 USGS-OWRB Stream Monitoring Agreement, PR Water Resources

Project Manager: Mark Daniels, Utilities Engineer

Entered by: mark.daniels@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-1314-25

Body

BACKGROUND: In July 2003, the Water Resources Division of the U.S. Geological Survey (USGS) requested the City of Norman (City) provide partial funding for certain river gauging stations that would otherwise be eliminated because of funding shortfalls within State and Federal agencies. The gauging stations provide water flow, depth, velocity, and water quality data for use by the Water Reclamation Facility (WRF). The Norman WRF, and other similar facilities, utilizes the data to help determine the maximum allowable levels for discharge of pollutants under our Oklahoma Pollution Discharge Elimination System (OPDES) permit.

On September 14, 2004, the City executed Contract K-0405-64 with the Oklahoma Water Resources Board (OWRB) agreeing to provide $6,450 toward funding of the Bridgeport gauging station. The City continued this agreement by executing Contract K-0506-50 and providing $7,050 to fund the Bridgeport gauging station.

On November 14, 2006, the City executed Contract K-0607-93 with OWRB and the USGS with the City providing one third of the cost to construct and maintain two gauging stations along the Canadian River at

Mustang Road and the bridge at I-35. These stations are more useful than the Bridgeport station due to their close proximity. The City share was $14,000. Since 2006, annual contracts have been approved for operating costs of the Mustang Road and I-35 Bridge gauging stations. The cost was significantly lower than in 2006 since there was no new construction.

- Contract K-0708-34 - $4,800;
- Contract K-0809-38 - $5,100;
- Contract K-0910-01 - $5,300;
- Contract K-1011-43 - $5,600;
- Contract K-1112-03 - $5,600;
- Contract K-1213-36 - $5,600.

DISCUSSION: Proposed Contract K-1314-25 for the Fiscal Year Ending June 30, 2014 (FYE14) requires the City to contribute $5,900 for continued operational costs of the Mustang Road and the I-35 Bridge gauging stations. A similar agreement with Moore is pending. $9,000 is available in the Wastewater Treatment Administration Operation and Maintenance budget (account number 032-5541-432.41-23; Services & Maintenance/Hydrological Monitoring) for the Canadian River gauging stations.

RECOMMENDATION: Staff recommends approval of Contract No. K-1314-25, a cooperative agreement between the OWRB, the USGS, and the City for maintaining the Canadian River gauging stations at Mustang Road and the I-35 Bridge during FYE14.

MEMORANDUM AGREEMENT

THIS AGREEMENT, dated as of the date of the last signature herein but to be effective as provided below, by and between the Oklahoma Water Resources Board, hereinafter referred to as "Board", and the City of Norman, hereinafter referred to as "Cooperator",

WITNESSETH:

WHEREAS, Title 27A O.S. Section 1-3-101 and other state statutes provide to the effect that the Board is the State agency possessing primary jurisdiction, authority and control of water resources management and development, and the coordination of activities in connection therewith, within the state of Oklahoma, and the Board is authorized to coordinate with other public entities of water resource investigations conducted by the federal United States Geological Survey ("USGS") for water quality and quantity monitoring in the state; and,

WHEREAS, in order to carry out its functions, the Board cooperates with the USGS in a program of collection of data concerning the water resources of the state of Oklahoma; and

WHEREAS, the Cooperator has an important interest in said cooperative program, particularly regarding the determination of available water supplies in its general vicinity.

NOW, THEREFORE, in consideration of the above, it is agreed:

1. The water data collection activities required by the Cooperator shall be included in the cooperative program being maintained by the Board and the USGS.

2. Within thirty (30) days after receipt of an invoice from the Board, the Cooperator shall contribute and pay to the Board in one lump sum the amount of Five Thousand Nine Hundred Dollars ($5,900.00) to cover costs of necessary field and office work directly related to the collection and computation of continuous record of inflow, storage and outflow from the Canadian River near Mustang and Norman, or other water data collection sites or activities as may be agreed by the respective representatives of the Cooperator and the Board, for the fiscal year beginning July 1, 2013.

3. Funds advanced by the Cooperator for the above purposes will be supplemented by matching funds appropriated by Congress of the United States for cooperation with the States on water resources investigations, insofar as available funds will permit, and will be covered by the cooperative agreement between the Board and the USGS; and the same being contemplated within the "Proposed Cooperative Program between the Oklahoma Water Resources Board and the U.S. Geological Survey for the Cities of Moore and Norman for the Fiscal Year Ending June 30, 2014", which attached proposal is incorporated by reference herein and made a part hereof for all purposes.

Proposed
Cooperative Program
between the **Oklahoma Water Resources Board**
and the **U.S. Geological Survey**
for the **Cities of Moore and Norman**
for the Fiscal Year Ending June 30, 2014

Program Description:

The existing program, initiated June 2006, is for two surface-water discharge stations on the Canadian River. This information supplied by this station will benefit the Cities of Moore, Norman, and Oklahoma City* by providing river discharge statistics to compute current seven-day, two year low flows required for permitted discharges of the Cities of Moore, Norman and Oklahoma City. Critical information provided by this station is for flood predictions and warnings, furnished by the National Weather Service to all downstream communities.

This station provides real-time and historic information that is served on the U.S. Geological Survey Web pages for the water user community and the general public.

We propose the continuation of the above data collection program for the period July 1, 2013 through June 30, 2014 as summarized in below:

Station No.	Station Name	O&M
07228940	Canadian River near Mustang	$15,600
07229050	Canadian River near Norman	$15,600
	Total Program	$31,200*

City of Moore's share through the OWRB	$5,900
U.S. Geological Survey Federal Matching Funds	$4,500
City of Norman's share through the OWRB	$5,900
U.S. Geological Survey Federal Matching Funds	$4,500
City of Moore, Norman and USGS Total	$20,800

*Includes City of Oklahoma City's share of $10,400 under separate agreement.

4. This Agreement, or any portion thereof, may be terminated by either party upon thirty (30) days' prior written notice to the other party.

5. This Agreement shall be governed by and subject to the laws of the State of Oklahoma.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates shown below.

OKLAHOMA WATER RESOURCES BOARD

F. Ford Drummond, Chairman Date

ATTEST:

Tom Buchanan, Secretary Date

(SEAL)

CITY OF NORMAN

Vice-Chairman Date

ATTEST:

Secretary Date

(SEAL)

U.S. GEOLOGICAL SURVEY

David N. Mott, Director
USGS, Oklahoma Water Science Center

PURCHASE REQUISITION NBR: 0000220522

STATUS: DIVISION APPROVAL

REQUISITION BY: WEBB G
REASON: MAINTIAIN CANADIAN RIVER GAUGING STATIONS
DATE: 7/18/13

SHIP TO LOCATION: P W - UTILITIES DIRECTOR
SUGGESTED VENDOR: 3016 OKLAHOMA WATER RESOURCES BOARD
DELIVER BY DATE: 8/01/13

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	MAINTAIN CANADIAN RIVER GAUGING STATIONS COMMODITY: CONTROLLING, INDICATING, SUBCOMMOD: GAUGES: ALTITUDE, PRESSUR	5900.00	DOL	1.0000	5900.00	

REQUISITION TOTAL: 5900.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	03255414324123	Business Services Hydrological Monitoring		100.00	5900.00
					5900.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

CONTRACT K-1314-25 CONTINGENT ON NUA APPROVAL
7-23-13.

City of Norman, OK

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

Master

File Number: K-1314-27

File ID:	K-1314-27	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 32	**In Control:**	City Council
Department:	Legal Department	**Cost:**		**File Created:**	07/11/2013
File Name:	K-1314-27 Dispute Mediation Contract between the City of Norman and the Alternative Dispute Resolution System of the State of Oklahoma			**Final Action:**	

Title: CONTRACT NO. K-1314-27: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE ALTERNATIVE DISPUTE RESOLUTION SYSTEM OF THE STATE OF OKLAHOMA TO PROVIDE A DISPUTE MEDIATION PROGRAM FOR THE CITY OF NORMAN THROUGH JUNE 30, 2014.

Notes: ACTION NEEDED: Motion to approve or reject Contract No. K-1314-27 with the Alternative Dispute Resolution System of the State of Oklahoma through June 30, 2014; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 32

Attachments: Text File Dispute Mediation, FY14 Dispute Mediation Contract K-1314-27

Project Manager: Jayme Rowe, Legal Administrative Tech

Entered by: jayme.rowe@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-27

body

BACKGROUND: In April 1988, the City of Norman, through the City Council, approved and directed the implementation of the Dispute Mediation Program to be administered by the City Attorney's Office. On June 14, 1988 the City of Norman entered into the first contract between the City and the Alternative Dispute Resolution System of the State of Oklahoma.

This contract formally recognizes our Program as part of the Alternative Dispute Resolution System of the State of Oklahoma. This contract allows our Program and the volunteers who mediate for our Program to fall under the protection of the State Statutes regarding mediation which includes immunity from testifying in any court proceeding regarding matters that have gone through our mediations. Additionally, as a part of the ADR system of the State of Oklahoma, we are able to train volunteers to mediate our cases at no cost to the City or the volunteers. Finally, participation in the Program allows us access to staff at the Administrative Offices of the

Courts which is the governing body of all judicial branches of the State of Oklahoma.

DISCUSSION: This Program is designed to offer resolutions to disputes to all citizens before they reach the stage of general litigation. Through the mediation program, disputes may be addressed much quicker and resolutions reached before a case can be heard on the court docket. There are no costs for mediation services for citizens of the City of Norman utilizing these services, and the entire process is both voluntary and confidential. The City of Norman Program is somewhat unique as compared to the rest of the State in that 95% of our referrals come to us through our Municipal Court. In FYE13, we received a total of 715 referrals and resolved a total of 291 cases by conducting 98 mediations and addressing the conflict in an additional 193 cases through contact by mediation staff with both parties involved in the conflict. The number of referrals and resolutions indicate an increase of approximately 10% over FYE12. In addition, in more than half of the referrals, the initiating party to the conflict chose not to respond to our contact attempts. This is often an indication that the parties have resolved the conflict on their own. Combining all efforts made by Program staff, statistics show that more than 81% of the total cases referred for mediation required no further action on the part of either Municipal Court or the City Attorney's office.

Our Program handles disputes between citizens of Norman where there are conflicts over situations ranging from barking dogs, destruction of private property, assault and battery, landlord/tenant, consumer/merchant and property disputes, as well as District Court referrals for contract disputes and small claims actions. While our primary focus and referral base involves mediations involving community matters, we also mediate situations concerning Norman citizens with disabilities, guardianships, parent/teen conflicts and divorce modification. The Norman Program differs from the other state programs since those programs are multi-county programs and they are operated and funded by their respective counties and the State of Oklahoma.

Our cases are referred primarily from the Police Department and Norman Municipal Court, with additional referrals from other City of Norman departments, individual citizens, various juvenile agencies, Cleveland County District Court and Norman Board of Realtors.

Our mediators are volunteers from all walks of life. The training is provided by the State of Oklahoma at no charge to the participant or to the City. Each mediator completes a minimum of 24 hours of training, with most of our mediators having completed advanced levels of training. We currently have 12 active mediators on our roster, some of whom have been with our Program over ten years. Basic training sessions are held in partnership with Early Settlement-Central and the OU School of Law. Because Norman has been so progressive in the field of mediation, we have become a model program for other cities.
The Program operates within and conforms to the Dispute Resolution Act, 12 O.S. Supp. 1985, Sections 1801-1813, and the Oklahoma Rules and Procedures for the Dispute Resolution Act of the State of Oklahoma. Our Program is under administrative supervision of the Administrative Director of the Courts and the Dispute Resolution Advisory Board. Ted Roberts, former Presiding Municipal Court Judge for the City of Norman, and Phil Cotten, former Police Chief for the City of Norman, are members of this Board. Statistical information on the status of the Norman Mediation Program is submitted monthly in the Department Reports as a part of the activities of the Office of the City Attorney.

RECOMMENDATION: This Agreement between the City of Norman and the Alternative Dispute Resolution System of the State of Oklahoma for the period July 1, 2013 through June 30, 2014 has been reviewed by the City Attorney and is approved as to form and is recommended for approval.

AGREEMENT

This Agreement is between the Alternative Dispute Resolution System of the State of Oklahoma (hereinafter "ADRS"), and the City of Norman (hereinafter "Dispute Mediation Program: or "DMP"), and is for the purpose of certification by the Administrative Director of the Courts of a dispute mediation program known as Early Settlement as provided in 12 O.S. Supp. 1991, Section 1803 through 1813.

In consideration of the mutual promises herein contained, the parties agree that:

I. TERM OF AGREEMENT

This Agreement shall be effective July 1, 2013 when signed by the party for the DMP and the Administrative Director of the Courts (hereinafter "Director"), and shall be terminated pursuant to the provisions of the Articles herein.

II. SCOPE OF SERVICES

DMP agrees to provide dispute mediation services according to the Dispute Resolution Act, its Rules and Procedures, and other directives and forms provided by the Administrative Director of the Courts or his designee. Dispute mediation services shall be provided within the geographical limits of the City of Norman and involving matters that are within the jurisdiction of the Municipal Court of the City of Norman or between parties of which at least one is a citizen of the City of Norman. Mediation services shall not be provided by the City of Norman in any instance where such service would be an infringement upon the engagement of legitimate private enterprise conducted within the City of Norman by citizens of the City of Norman.

III. MONITORING AND REPORTING REQUIREMENTS

(a) The Director or his designee shall have the right to conduct on-site inspections and monitoring of the project and office of the DMP at his own discretion, and the DMP shall cooperate in facilitating such inspections and monitoring.

(b) The DMP shall monthly provide statistical data as outlined in the Oklahoma Rules and Procedures for the Dispute Resolution Act. From time to time, in addition thereto as may be requested by the Director, or his designee, the DMP shall submit to the Director additional operational, statistical or program reports.

(c) The DMP shall give immediate notice to the Director of (1) any material changes in the scope of the services provided pursuant to this Agreement; (2) any change in the personnel performing the services provided pursuant to this Agreement.

IV. RETENTION OF RECORDS

(a) DMP agrees to retain the following records for the following periods of time:

(1) Financial records of the DMP pertaining to this Agreement shall be retained for a minimum of five years after expiration of this Agreement.

(2) A copy of the written agreement or decision subscribed to by the parties shall be retained for a period of five years after the execution.

(3) A record of each case containing names of parties, category of dispute and resolution outcome shall be retained for a period of five years after termination of the case.

(b) All other records may be disposed of at the discretion of the DMP. The Director reserves the right in his discretion to add to the list of records which must be retained or alter the period of retention.

V. EXTENSION AND TERMINATION

(a) This Agreement terminates June 30, 2014 at the end of the fiscal year 2014, and may be extended only by written agreement of the parties.

(b) This Agreement may be terminated upon the discretion of the Director by the ADRS with 10 days written notification or by the DMP upon 45 days written notification.

(c) The ADRS may withdraw certification pursuant to this Agreement at any time the Director determines that the DMP is not adequately providing services pursuant to this Agreement or that any of the provisions of the Agreement are being violated.

VI. STATUS OF CENTER AND ITS EMPLOYEES

(a) Nothing in this agreement shall cause any persons or other entities employed or engaged by the DMP as employees, servants, agents or independent contractors, to be considered employees or agents of the ADRS, the AOC or the Oklahoma Supreme Court. Nothing in this Agreement shall be construed to create any obligation upon the ADRS, the AOC or the Oklahoma Supreme Court for payment of any wages, taxes, unemployment insurance, workers compensation, or other employment-related benefit or contribution, to or for the benefit of any DMP agent or employee. The DMP is responsible for the work, compensation and personal conduct of such employees and agents while employed by the DMP.

(b) It will be the duty of the Mediation Coordinator of the Early Settlement Norman Mediation Program to abide by any programmatic directives provided by the ADRS. It will further be the duty of the Mediation Coordinator or a party representing the City of Norman to appear as mutually agreed before the Dispute Resolution Advisory Board or the Director to answer questions regarding program performance.

VII. INDEMNIFICATION

(a) Nothing contained in this Agreement shall impose any liability or duty upon the ADRS, its agents or employees, to persons or other entities employed or engaged by the DMP as employees, servants, or agents or in any other capacity, nor shall make the ADRS, its agents or employees, liable for the acts, omissions, liabilities, obligations or taxes of whatever nature, including without limitation, unemployment insurance and workmen's compensation, of the DMP or its employees, servants, agents or independent contractors.

(b) DMP agrees to indemnify the ADRS against all liability, losses, costs, and expenses (including reasonable counsel fees) which the ADRS may incur by reason of: (1) the breach by the DMP of any terms, provision, covenant, warranty, or representation contained herein;

(2) DMP's performance or failure to perform under this Agreement; and (3) the enforcement of this Agreement or any of its provisions.

VIII. NOTICES

All notices under this Agreement shall be deemed duly given upon delivery, if delivered by hand against a receipt, or three days after posting, if sent by regular mail, to a party at the following addresses:

Alternative Dispute Resolution System
Administrative Office of the Courts
2100 N. Lincoln Blvd., Suite 3
Oklahoma City, OK 73105
Attention: Sue D. Tate

Dispute Mediation Program
Early Settlement
City of Norman
201 West Gray, Box 370
Norman, OK 73070
Attention: Jayme Rowe

IX. SEVERABILITY

If any term or provision of this Agreement shall be found to be illegal or unenforceable, then that term or provision shall be deemed stricken, and the remaining provisions of this Agreement shall remain in full force and effect.

X. AMENDMENT OF AGREEMENT

The terms and conditions contained in this Agreement represent the full understanding of the parties and no part thereof shall be deleted or changed without the express written consent of both parties.

XI. APPLICABLE LAW

(a) This Agreement shall be governed by and construed in accordance with the laws of the State of Oklahoma.

(b) DMP and the ADRS agree that each shall perform its obligations hereunder in accordance with all applicable Oklahoma laws, rules and regulations now or hereafter in effect, including 12 O.S. Supp. 1991, Sections 1801-1813 and the Oklahoma Rules and Procedures for the Dispute Resolution Act.

XII. OTHER TERMS AND CONDITIONS

The headings used in this Agreement are for reference purposes only and are not controlling.

WHEREFORE, the Alternative Dispute Resolution System and the City of Norman have caused this Agreement to be executed as follows:

For: Alternative Dispute Resolution System

By: Michael D. Evans
Michael D. Evans
Administrative Director of the Courts

Date: 6-24-13

For: The City of Norman and Early Settlement

By: _____
Jim Griffith, Mayor Pro Tem
City of Norman, Oklahoma

Date: _____

APPROVED BY CITY OF NORMAN LEGAL DEPARTMENT
BY _____ DATE _____

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: K-1314-30

File ID:	K-1314-30	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 33	**In Control:**	City Council
Department:	Legal Department	**Cost:**	$100,000.00	**File Created:**	07/15/2013
File Name:	CCFI Contract			**Final Action:**	

Title: CONTRACT NO. K-1314-30: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CENTER FOR CHILDREN AND FAMILIES, INC., IN THE AMOUNT OF $100,000 FOR USE IN THE NEIGHBORHOOD CENTERS PROGRAM.

Notes: ACTION NEEDED: Motion to approve or reject Contract No. K-1314-30 with Center for Children and Families, Inc., in the amount of $100,000; and, if approved, authorize the execution thereof.

ACTION TAKEN:_____

Agenda Date: 07/23/2013

Agenda Number: 33

Attachments: Text File CCFI, Fund Disbursement Agreement-Ctr for Child & Family FY14

Project Manager: Leah Messner, Assistant City Attorney

Entered by: denise.johnson@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-30

Body

BACKGROUND: During the budgeting process a number of requests for funding assistance from nonprofit agencies are specifically reviewed, discussed and approved by Council. Pursuant to those discussions, funding agreements were prepared and submitted to the various agencies for their execution. One of those agencies is Center for Children and Families, Inc. Their funding agreement is now returned to Council for its consideration.

DISCUSSION: The agreement which comes before Council at this time is the same basic form agreement for all agencies. The agreement is specific in that it lists the services which the agency is to perform. Highlights of the funding agreement include a procedure for the agency to report expenditures to the Council. There is a requirement in each agreement that a representative of the City be allowed to serve as an *ex officio* member of the board of the organization if the City so desires. The agreement also provides for cancellation by either party, and specifically provides for cancellation and return of any unexpended funds should the agency fail to use the funds for the purpose for which they are intended, or should the agency be dissolved or cease to exist any time during the contract period.

In addition, the contract is for a one-year period only. The contract does not automatically roll over and the funding request will be subject to Council's review as a part of next year's budget should the agency submit another request for funding. Funding for this year's contract is budgeted in City Council, Contributions-Organizations (010-1001-411.47-41).

RECOMMENDATION: Based upon the above, it is Staff's recommendation that the funding agreement with the Center for Children and Families, Inc., be approved.

Contract #K-1314-30

FUND DISBURSEMENT AGREEMENT

This agreement is made and entered into on the _____ day of July, 2013, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "City" and

Center for Children and Families, Inc.

(Name of Organization)

party of the second part, and hereinafter referred to as "the Organization", witnesseth:

A. That in consideration for the performance by the organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse to the Organization the sum of $100,000.00 to be used in the Neighborhood Centers Program. Said funds shall be used for this purpose and for no other purpose.

2. Disbursement of funds shall be made annually to the Organization at the beginning of the City's fiscal year subject to, and contingent upon, the City Council appropriating funds annually to fund this agreement.

B. That in consideration for the performance of the covenants and agreements of the City as stated herein, the Organization covenants and agrees:

1. To expend funds granted by the City for the purpose as listed above.

2. Allow a representative of the City to hold an ex-officio position on the Organization's Board of Directors if requested by the City.

3. To provide a written annual report on the activities of the Organization to the City, said report to be sent to the attention of the Norman City Clerk.

C. It is further understood and agreed by both parties:

1. In the event the Organization is dissolved all such funds not yet expended for the purposes provided herein shall immediately revert back to the City and the Organization shall immediately deliver such unexpended funds to the City.

2. In the event the Organization should mishandle the expenditure of funds as provided herein, such action will be considered a breech of this agreement, and any unexpended funds as provided by this agreement, from the date of notice by the City, shall immediately revert back to the City and the Organization shall immediately deliver such unexpended funds to the City.

3. This agreement may be canceled by either party upon the giving of thirty (30) days written notice of cancellation to the other. Upon cancellation any unexpended funds as provided by this agreement, from the date of notice of cancellation, shall immediately revert back to the City, and the Organization shall immediately deliver such unexpended funds to the City.

D. It is further understood and agreed by both parties that the Organization and any employee of the Organization is a separate entity from the City and the Organization and its employees are responsible for its actions and that the Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, action, loss, and expense from liability of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with the Organization's management, operation and services.

E. There are no other terms, either express or implied, than those expressly stated herein.

F. In witness hereof, the parties hereto have executed this agreement on the day first above written.

CENTER FOR CHILDREN & FAMILIES, INC.

Board President

ATTEST:

SECRETARY

Approved as to form and legality by the office of the City Attorney this 16th day of July, 2013.

Office of the City Attorney

Approved by the Norman City Council this _____ day of July, 2013.

MAYOR PRO TEM

ATTEST:

CITY CLERK

PURCHASE REQUISITION NBR: 0000220554

STATUS: DIVISION APPROVAL
REQUISITION BY: BHALL REASON: NEIGHBORHOOD CENTERS DATE: 7/18/13

SHIP TO LOCATION: CITY CLERK OFFICE SUGGESTED VENDOR: 1335 CENTER FOR CHILDREN & FAMILIES DELIVER BY DATE: 7/25/13

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	FYE 2014 DISBURSEMENT FOR NEIGHBORHOOD CENTERS COMMODITY: GRANTS SUBCOMMOD: YOUTH & FAMILY	1.00	EA	100000.0000	100000.00	

REQUISITION TOTAL: 100000.00

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	01010014114741	Miscellaneous Services Contributions-Organizatin		100.00	100000.00
					100000.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

CONTRACT NO. K-1314-30
CONTINGENT UPON COUNCIL APPROVAL ON 7/23/13

City of Norman, OK

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

Master

File Number: K-1314-32

File ID:	K-1314-32	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 34	**In Control:**	City Council
Department:	Legal Department	**Cost:**	$58,800.00	**File Created:**	07/16/2013
File Name:	Firehouse Art Center Contract			**Final Action:**	

Title: CONTRACT K-1314-32: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND FIREHOUSE ARTS CENTER IN THE AMOUNT OF $58,800 FOR OPERATION OF THE FIREHOUSE ARTS CENTER.

Notes: ACTION NEEDED: Motion to approve or reject Contract No. K-1314-32 with Firehouse Art Center in the amount of $58,800; and, if approved, authorize the execution thereof.

ACTION TAKEN:_____

Agenda Date: 07/23/2013

Agenda Number: 34

Attachments: Text File Firehouse, K-1314-32 Firehouse Art Center

Project Manager: Leah Messner, Assistant City Attorney

Entered by: jayme.rowe@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-32

Body

BACKGROUND: During the budgeting process for FYE 2014, a number of requests were specifically reviewed, discussed and approved by Council. Pursuant to those discussions, funding agreements were prepared and submitted to the various agencies for their execution. One of those agencies is the Firehouse Arts Center. Their funding agreement is now returned to Council for its approval.

DISCUSSION: The agreement provides that the Firehouse Arts Center will use City funds of $58,800 to operate the Center. The agreement includes a reporting procedure by the agency to the Council of expenditures of the funds in an amount not to exceed $58,800. Additionally, under the agreement the Center will provide a presentation to the Norman Parks Board regarding its activities. The agreement also provides for cancellation by either party and specifically provides for cancellation and return of any unexpended funds should the agency fail to use the funds for the purpose for which they are intended or should the agency be dissolved or cease to exist any time during the contract period.

The previous agreement with the Firehouse Arts Center included a clause allowing the agreement to renew automatically subject to Council's appropriation of funding when adopting the budget. That clause has been included in the new agreement.

RECOMMENDATION: Based upon the above and foregoing background and discussion, it is staff's recommendation that the funding agreement submitted herewith be approved. Funds should be disbursed from the following account to accomplish this: $58,800 from Parks & Recreation-Contributions and Organizations (account 010-7081-451.47-41).

Contract #K-1314-32

FUND DISBURSEMENT AGREEMENT

This agreement is made and entered into on the _____ day of _____, 2013, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "City" and

Firehouse Art Center, Inc.

(Name of Organization)

party of the second part, and hereinafter referred to as "the Organization", witnesseth:

A. That in consideration for the performance by the organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse to the Organization the sum of $58,800 for the purpose of providing a grant to assist with the operation of the Firehouse Art Center.

2. Disbursement of funds shall be made annually to the Organization at the beginning of the City's fiscal year subject to, and contingent upon, the City Council appropriating funds annually to fund this agreement.

B. That in consideration for the performance of the covenants and agreements of the City as stated herein, the Organization covenants and agrees:

1. To expend funds granted by the City for the purpose as listed above.

2. Allow a representative of the City to hold an ex-officio position on the Organization's Board of Directors.

3. Provide at least one oral presentation per year on the activities of the Organization to the Norman Board of Parks Commissioners and to provide a written report on the activities of the Organization to the City, said report to be sent to the attention of the Director of Parks and Recreation. This annual report shall include a summary of all activity along with revenue and expenditure summaries for all activity of the preceding year. All detailed records associated with the Firehouse Arts Center shall be made available for review within ten days by the Firehouse Arts Center upon request from the City of Norman.

C. It is further understood and agreed by both parties:

1. In the event the Organization is dissolved all such funds not yet expended for the purposes provided herein shall immediately revert back to the City and the Organization shall immediately deliver such unexpended funds to the City.

2. In the event the Organization should mishandle the expenditure of funds as provided herein, such action will be considered a breech of this agreement, and any unexpended funds as provided by this agreement, from the date of notice by the City, shall immediately revert back to the City and the Organization shall immediately deliver such unexpended funds to the City.

3. This agreement shall automatically renew annually upon City Council approval of the annual budget subject to and contingent upon the appropriate of funds to fund this agreement.

4. This agreement may be canceled by either party upon the giving of thirty (30) days written notice of cancellation to the other. Upon cancellation any unexpended funds as provided by this agreement, from the date of notice of cancellation, shall immediately revert back to the City, and the Organization shall immediately deliver such unexpended funds to the City.

D. It is further understood and agreed by both parties that the Organization and any employee of the Organization is a separate entity from the City and the Organization and its employees are responsible for its actions and that the Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, action, loss, and expense from liability of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with the Organization's management, operation and services.

E. There are no other terms, either express or implied, than those expressly stated herein.

F. This contract will supersede any previous contract, agreement or resolution; however, this agreement shall not modify in anyway the lease agreement between the parties signed in 1984.

G. In witness hereof, the parties hereto have executed this agreement on the day first above written.

FIREHOUSE ART CENTER, INC.

Stacy Zemke
President

ATTEST:

Theresa A. [illegible]
SECRETARY

Approved as to form and legality by the office of the City Attorney this 16th day of July, 2013.

Office of the City Attorney

Approved by the Norman City Council this _____ day of _____, 2013.

MAYOR PRO TEM

ATTEST:

CITY CLERK

City of Norman, OK

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

Master

File Number: K-1314-33

File ID:	K-1314-33	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 35	**In Control:**	City Council
Department:	Legal Department	**Cost:**	$13,000.00	**File Created:**	07/16/2013
File Name:	Aging Services Contract Kiwanis Kruiser			**Final Action:**	

Title: CONTRACT K-1314-33: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND AGING SERVICES, INC., IN THE AMOUNT OF $13,000 FOR OPERATION OF THE KIWANIS KRUISER.

Notes: ACTION NEEDED: Motion to approve or reject Contract No. K-1314-33 with Aging Services, Inc., in the amount of $13,000; and, if approved, authorize the execution thereof.

ACTION TAKEN:_____

Agenda Date: 07/23/2013

Agenda Number: 35

Attachments: Text File Aging, K-1314-33 Aging Services

Project Manager: Leah Messner, Assistant City Attorney

Entered by: jayme.rowe@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-33

Body

BACKGROUND: During the budgeting process for FYE 2014, a number of requests were specifically reviewed, discussed and approved by Council. Pursuant to those discussions, funding agreements were prepared and submitted to the various agencies for their execution. One of those agencies is Aging Services. Their funding agreement is now returned to Council for its approval.

DISCUSSION: The agreement which comes before Council at this time is the same basic form agreement used with other outside agencies. The agreement provides that Aging Services will use the City funds of $13,000 to operate the Kiwanis Kruiser. The agreement includes a reporting procedure by the agency to the Council of expenditures of the funds in an amount not to exceed $13,000. The agreement also provides for cancellation by either party and specifically provides for cancellation and return of any unexpended funds should the agency fail to use the funds for the purpose for which they are intended or should the agency be dissolved or cease to exist any time during the contract period.

The previous agreement with Aging Services, Inc. included a clause allowing the agreement to renew automatically subject to Council's appropriation of funding when adopting the budget. That clause has been included in the new agreement.

RECOMMENDATION: Based upon the above and foregoing background and discussion, it is staff's recommendation that the funding agreement submitted herewith be approved. Funds should be disbursed from the following accounts to accomplish this: $7,500 from City Council-Fleet Fuel (account 010-1001-411.38-01), $3,500 from City Council-Fleet Parts (account 010-1001-411.38-02) and $2,000 from City Council-Fleet Auto Repair (account 010-1001-411.48-02) for a total of $13,000.

Contract #K-1314-33

FUND DISBURSEMENT AGREEMENT

This agreement is made and entered into on the _____day of _____, 2013, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "City" and

Aging Services, Inc.

(Name of Organization)

party of the second part, and hereinafter referred to as "the Organization", witnesseth:

A. That in consideration for the performance by the Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To provide the below listed in kind services to the Organization in an amount not to exceed $13,000 to be used in the operation of the Kiwanis Kruiser for public transportation. Said funds shall be used for this purpose and for no other purpose.

B. That in consideration for the performance of the covenants and agreements of the City as stated herein, the Organization covenants and agrees:

1. To provide a written annual report on the transportation activities of the Organization to the City, said report to be sent to the attention of the Norman City Clerk. This annual report shall include a summary of all activity along with revenue and expenditure summaries for all activity of the preceding year. All detailed records associated with Aging Services, Inc. shall be made available for review within ten days by Aging Services, Inc. upon request from the City of Norman.

C. It is further understood and agreed by both parties:

1. In the event the Organization is dissolved all such funds not yet used for the purposes provided herein shall immediately revert back to the City.

2. In the event the Organization should mishandle the use of funds as provided herein, such action will be considered a breach of this agreement, and any funds as provided by this agreement, from the date of notice by the City, shall immediately revert back to the City.

3. The term of this agreement, commencing on July 1, 2013, shall automatically renew on each successive July 1, provided that the Norman City Council appropriates the necessary funding for each successive year.

4. In the event that funding is not appropriated by the Norman City Council for a successive year, this agreement will terminate on June 30 of the current agreement year. Otherwise, this agreement may be canceled by either party upon the giving of thirty (30) days written notice of cancellation to the other. Upon cancellation any

funds as provided by this agreement, from the date of notice of cancellation, shall immediately revert back to the City.

D. It is further understood and agreed by both parties that the Organization and any employee of the Organization is a separate entity from the City and the Organization and its employees are responsible for its actions and that the Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, action, loss, and expense from liability of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with the Organization's management, operation and services.

E. There are no other terms, either express or implied, than those expressly stated herein.

F. In witness hereof, the parties hereto have executed this agreement on the day first above written.

AGING SERVICES, INC.

President

ATTEST:

SECRETARY

Approved as to form and legality by the office of the City Attorney this 16th day of July, 2013.

Office of the City Attorney

Approved by the Norman City Council this _____ day of _____, 2013.

MAYOR PRO TEM

ATTEST:

CITY CLERK

City of Norman, OK

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

Master

File Number: K-1314-35

File ID:	K-1314-35	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 36	**In Control:**	City Council
Department:	Parks and Recreation Department	**Cost:**		**File Created:**	07/17/2013
File Name:	Westwood Golf Professional Contract			**Final Action:**	

Title: CONTRACT NO. k-1314-35: A CONTRACT BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY AND DAVID P. LISLE AS PROFESSIONAL/MANAGER OF WESTWOOD GOLF COURSE

Notes: ACTION NEEDED: Acting as the Norman Municipal Authority, motion to approve or reject Contract No. K-1314-35 with David Lisle; and, if approved, authorize the execution thereof.

ACTION TAKEN:_____

Agenda Date: 07/23/2013

Agenda Number: 36

Attachments: Text File David Lisle, K-1314-37

Project Manager: Jud Foster, Director of Parks and Recreation

Entered by: suzanne.terry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-35

Body

BACKGROUND: Westwood Golf Course is an 18 hole public golf facility originally constructed in 1966. The course was closed in 2002 for a renovation project that was funded by twenty year revenue bonds. The bond debt is currently being paid annually with a portion of Room Tax revenues. Major projects in the renovation included rebuilding the greens, tees and irrigation system. The FYE-14 expenditure budget for the golf and maintenance operations is $1,114,602.

On 8 November 2011, the Norman Municipal Authority approved Contract No. K-1011-165 with David P. Lisle for golf professional services at the Westwood Golf Course for the Parks and Recreation Department. That contract provided Mr. Lisle an eighteen month term and expired on 8 May 2013. On 8 May 2013, and again on 24 June 2013, temporary contract extensions were executed while the proposed contract was being discussed. This item brings Contract No. K-1314-35 to Council for consideration for a term of two years.

DISCUSSION: During the previous contract term, Mr. Lisle was tasked with increasing tournament rounds and creating additional programs and players that will grow the golf business in Norman. The results have been

very positive. Two years ago we saw an increase in tournament rounds of approximately six percent. Last year we had an increase of more than 26%.

Mr. Lisle has created new opportunities and programs for youth. He has helped to establish the First Tee Program in Oklahoma City and Norman which is a national program established to teach the fundamentals of golf, character building and life skills to youth. Our local First Tee Program has grown to over 60 youth in the past three years. Mr. Lisle was recently recognized as a Chesapeake Energy Community All-Star for his work with the First Tee Program in the Metro area. He has also been instrumental in setting up the Norman Junior Golf Association (NJGA) which has grown to over 80 kids in the past two years. This includes summer league play and a Junior Championship Tournament.

In addition to other new youth programs, Mr. Lisle has developed additional men's and women's clinics and expanded our promotional efforts at the golf course. Further, the revenue/expenditure picture has improved steadily over the last four years, reducing the General Fund subsidy to the Westwood Golf operation from approximately $191,000 in 2010 down to approximately $60,000 in 2013. As a result of this progress, staff is recommending that Contract No. K-1314-35 be approved for a term of two years and that a salary increase be considered, as provided in Section 8-A of the proposed Contract.

Mr. Lisle has been receiving a fixed fee of $39,600 per year, plus health benefits, since 2003 when the course was reopened after renovation. Salary data provided by the PGA of America shows that the average salary for Head Professionals in our region is $44,238 for municipal facilities similar to Westwood Park. Adjusting Mr. Lisle's salary to $42,500 would place him near the market rate. Our contract provides that upon annual review, the City Manager may recommend an adjustment to the fixed fee based on demonstrated progress by the professional. Based on the progress we have seen over the past few years, an adjustment is warranted.

In addition to the fixed fee mentioned above, the Professional receives 100% of the gross receipts from the rentals of lockers which are furnished by him; 100% of the gross receipts derived by the Professional from the servicing, storage and repair of golf clubs, bags and pull carts, the latter of which are furnished by him; 100% of the gross receipts derived by the Professional from the rental of golf clubs and bags, which are furnished by him; 100% of the gross receipts derived by the Professional from the Professional Shop, the merchandise for which is furnished and supplied by him. These provisions are commonly found in municipal golf professional contracts in our region of the country.

We will continue an annual goal setting and evaluation process as we move forward with the Westwood Golf Course operation. Areas of focus for the term of the proposed contract will include retaining recent gains in tournament activity, increasing the number of golf rounds, continuing to reduce the amount of subsidy required and investigate the option of potential sponsorships that may offset current expenditures.

RECOMMENDATION: It is recommended that Contract No. K-1314-35 be approved as submitted.

Contract Number K-1314-35

EMPLOYMENT AGREEMENT

THIS AGREEMENT made and entered into this ____day of _____,2013, by and between the Trustees of the Norman Municipal Authority, a Public Trust, hereinafter referred to as "Authority," and David P. Lisle, Golf Professional-Manager, hereinafter referred to as "Professional."

W I T N E S S E T H:

WHEREAS, the Authority owns and possesses a Municipal Golf Course known as "Westwood Park" situated in Norman, Oklahoma, including the grounds and clubhouse with restaurant thereon and all other improvements appurtenant thereto, and,

WHEREAS, the Professional is desirous of maintaining, managing and operating said Golf Course and facilities (excluding the grounds thereof) (hereinafter called "Westwood Park") for the Authority.

NOW, THEREFORE, in consideration of the mutual covenants, promises and agreements hereinafter set forth, it is agreed as follows:

1. Authority hereby employs Professional and Professional accepts employment for a period of two years from the date above written, with annual review by the City Manager, to maintain, promote, market, manage and operate said Golf Course and facilities, and the Professional must assume full responsibility for the general management and operation of said Golf Course (excluding the grounds thereof), clubhouse, driving range, and golf carts and rentals thereof, and provide to the general public services for golf lessons and for the rental and selling of golf supplies, golf equipment and repairs to golfers' equipment, subject to the overall direction of the Director of Parks and Recreation and the Authority. The Director of Parks and Recreation shall have supervision over the performance of the acts and things herein contained and covenanted.

2. Professional agrees to keep accurate records of all receipts and collections of Westwood Park income in a manner approved by the Authority and/or its designated agent or auditor, the cost thereof to be paid by the Authority. Professional shall make such records available for inspection by the Authority or the Director of the Norman Parks and Recreation Department at any time upon demand and shall submit such records to whomever the Authority or Director of Parks and Recreation Department may designate hereafter for the purpose of auditing such records on or before the tenth day of each month for the preceding month. Additionally, the Finance Director shall provide a semi-annual audit of golf activity and submit a report to the Authority as directed.

3. Professional agrees to keep accurate records of all golf professional income and expenses for (a) sales and rental of golf merchandise and equipment, (b) servicing, storage and repairs to golfer's personal equipment and supplies, (c) golf lessons, and (d) locker rentals, in a manner approved by the Authority and/or its designated agent, the cost thereof to be paid by the Professional. Professional shall make such records available for inspection by the City Manager or the Director of Norman Parks and Recreation Department at any time after reasonable notice. Additionally, the Professional shall provide to the City Manager or the Director of Norman Parks and Recreation Department, a semi-annual financial statement of the Professional's personal business activities, said semi-annual periods to be agreed upon by the City Manager or his designee and the Professional. Authority recognizes that the personal business records of the Professional contains information that is proprietary in nature, is being voluntarily supplied and therefore may be returned to Professional upon proper request under the provision of the Oklahoma Open Records Act, 51 Okla. Statutes §24A.10.

4. A schedule of fees and prices applying to green fees, advanced green fees, lockers, golf carts and driving range shall be established by the Authority.

5. The Golf Course, clubhouse, driving range and all other facilities described above shall be open for full operation daily. The specific hours of such operations shall be established by the Director of Parks and Recreation Department. Professional agrees to abide by such established hours of operation and to assure that professional services and employees will be available to the patrons during all the hours of operation.

6. Income and disbursements will be administered in the following manner:

(A) Professional will receive all gross receipts from (a) the sales and rental of golf merchandise, the latter to be purchased at his own cost and expense, (b) the charges for repairs to golfers' personal equipment and supplies used and sold in the Repair Shop, which Repair Shop the Professional shall equip and maintain at his own cost and expense, and (c) from golf lessons given by the Professional to patrons of Westwood Park Golf Course;

(B) Authority shall receive all gross receipts from green fees, driving range, advance fees, golf cart rentals, restaurant sales, self-service machines, pay telephones and any and all merchandising machines, excluding self-service machines that dispense golf merchandise sold in the golf shop. The income of the Authority shall be deposited daily in such bank as is hereafter designated by the Parks and Recreation Department and the Authority.

7. Yearly audits of all activities of the park under the Professional's supervision and control shall be performed in order to determine profit and loss, which audit shall be supplied by the Authority.

8. As consideration for the Professional's supervision and management of Westwood Park Golf Course, driving range, lockers, golf carts and other activities appurtenant to the golf course (not including the swimming pools or snack bar therewith connected and appurtenant), the Professional shall receive, as remuneration, the following:

(A) A fixed fee of $42,500 per year, paid monthly at a rate of $3,541.67 for each month of service completed, provided that it is recognized that the Director of Parks and Recreation and the Professional are jointly preparing a Business Plan for the operation of the Westwood Park Golf Course and that upon the anniversary date of the effective date of this contract the City Manager may recommend an appropriate adjustment to this fixed fee for the remainder of the contract term based on implementation of said Business Plan and demonstrated progress towards Business Plan goals in areas that are the responsibility of the Professional;

(B) The Professional shall receive 100% of the gross receipts from the rentals of lockers which shall be furnished by the Professional; 100% of the gross receipts derived by the Professional from the servicing, storage, and repair of golf clubs, bags and pull carts, the latter of which shall be furnished by the Professional; 100% of the gross receipts derived by the Professional from the rental of golf clubs and bags, which he shall furnish; 100% of the gross receipts derived by the Professional from the Professional Shop, the merchandise for which shall

be furnished and supplied by him;

(C) The Professional shall be provided the same health care benefit that is provided to the employees of the City of Norman.

9. Neither the Professional nor the Professional's staff shall have any sole or exclusive right to provide golf lessons. Members of the general public may provide golf lessons on the golf course, driving range and other facilities.

10. All items of equipment for maintenance of and improvement to the Golf Course, driving range, warehouse facilities, golf carts, clubhouse and restaurant, shall be owned by the Authority, and the expenses for the maintenance and operation of said Authority property shall be paid for by the Authority. Adequate labor and supplies, to properly maintain and operate Westwood Park, shall be provided by the Authority. The Authority shall maintain Westwood Park in a manner similar to other first class municipal golf courses in Oklahoma.

11. Professional agrees that such management and operation of said Golf Course including said golf lessons and said golf sales and rentals shall be conducted in accordance with the highest modern professional golfing standards employed at top flight clubs and golf courses in the community. Further, the Professional agrees to apply his professional golf management expertise to (a) increasing the number of rounds played annually at Westwood Park, (b) efficiently scheduling golf shop staff to optimize productivity, (c) managing tee times and speed of play on the course for optimum income, (d) analyze, on an ongoing basis, the fee structure and the Norman public golf market for revenue enhancement opportunities, and (e) actively promote the game of golf and the golf facilities at Westwood Park in the City of Norman, OK.

12. Professional shall assure that the premises and grounds are maintained in good and substantial repair and in a clean and orderly condition.

13. In the operation and management of said Authority and properties, Professional shall have the right to select and employ all necessary assistants and personnel at rates of pay within the limitation of funds provided for that purpose in a Budget approved by the Director of Parks and Recreation Department and by the Authority, and said employees shall be paid from funds of The City of Norman, and the Professional shall establish employment conditions and regulations for all employees delineating duties and responsibilities which shall be approved by the Director of Parks and Recreation Department.

(A) Professional shall provide loss and damage insurance necessary to protect Professional's golf merchandise and Professional's equipment in the Repair Shop and property and equipment of patrons in the possession of Professional. Professional assumes all risks incident to or in connection with Professional's sale of golf merchandise, repairs referred to above, the giving of golf lessons to golf patrons while on said golf course, and shall indemnify, defend and save the Authority and the City of Norman harmless from damages or injuries of whatever nature or kind to persons or property arising directly or indirectly out of the above-specified activities. In this connection, the Professional shall carry Comprehensive General Public Liability Insurance in the amount of $100,000 for one person and $300,000 for any one accident involving injury to more than one person with Property Damage Insurance of not less than $25,000 for any one accident. Professional further agrees to save the Authority and The City of Norman harmless from any and all damages arising out of any act or omission by him outside the scope of his employment.

(B) Authority shall provide insurance for Comprehensive General Public Liability and Property Damage for the clubhouse and restaurant herein (except the areas of golf merchandise sales and golfers' repair shop), its equipment and grounds equipment, golf carts, and to protect the Authority, its agents and employees including the Professional from any and all accidents in the general operation of said golf course and facilities, except those stated in Paragraph 12 (A) above. The Authority shall provide insurance against fire and theft on the clubhouse, its equipment and grounds equipment and golf carts.

(C) Professional shall qualify for a Corporate Surety Bond in the amount as specified in Section 8-109(2)C of the Code of the City of Norman to be procured by the Authority at its cost and expense. Conditions of said bond shall be the faithful performance of all the covenants and obligations imposed on the Professional by this Agreement.

14. All expenditures of Authority funds for supplies and equipment shall be approved by the Director of Parks and Recreation, and any expenditure exceeding $12,500 shall be approved by the governing body of The City of Norman.

15. Authority agrees to furnish at the above-named Golf Course to the Professional: office space, office equipment, storage area and suitable area in which to sell golf equipment and supplies, free of rent.

16. Professional agrees to abide by the Ordinances of The City of Norman and the Statutes of the State of Oklahoma and rules and regulations established by the Director of Parks and Recreation and the Authority in the performance of his duties and responsibilities under this contract.

17. Provided further that this contract is subject to the annual appropriation by the City Council of the funds allocated herein. Should the City Council fail to appropriate funds sufficient to fulfill the uses and purposes of this agreement, then this contract shall terminate.

18. In the event the Authority or Professional shall fail to perform, keep and observe any of the terms, covenants and conditions herein contained, Authority or Professional may give the other written notice to correct such condition or cure such default, and action to correct any such condition or default shall be taken within thirty (30) days after receipt of such notice by Authority or Professional. Thereafter, if it is determined by the Authority, or by the Professional, as the case may be, that no action has been taken or that the action to correct such condition or default is not appropriate or is insufficient, then the other may terminate this contract by the giving of written notice to that effect addressed to the other party by registered mail in which the contract terminates after the expiration of ninety (90) days from the date of notification. If the Professional shall at any time be incapacitated by illness or otherwise from performing his duties for a reasonable period of time, or if he shall, in the opinion of the Director of Parks and Recreation and Authority, be or become in any way unfit to act as Professional or if he commits acts to the detriment of the Authority or improperly performs his duties, the Authority may, by three calendar months' written notice, terminate this contract, notwithstanding anything herein contained to the contrary. Notwithstanding the forgoing, this contract is terminable on reasonable notice, without penalty or cause, at the end of one year.

19. In the event the Authority initiates termination of this agreement the Authority shall purchase from the Professional the merchandise, equipment, supplies and clothing owned by him in the operation of the golf pro shop as follows:

(A) All new merchandise, delivered or undelivered at the date of notice of termination, which has been paid for by the Professional, including, but not limited to, clothing, shoes, clubs, golf balls and other items for sale in the golf pro shop shall be purchased at actual invoice price plus actual freight costs. Professional shall supply documentation to the Authority indicating said

actual cost.

(B) Any payments due to the Professional from the Authority shall be paid within thirty (30) days of the date of termination.

20. It is contemplated between the parties hereto that during the term of this contract that various improvements may be made to the Golf Course and its facilities. In the event that improvements shall be made of such a substantial nature as to disrupt the normal operation of the Golf Course and the clubhouse, the parties may, by mutual agreement, set a minimum gross income figure to a figure that more properly represents the conditions existing at that time.

21. It is agreed that this contract shall not be assigned in whole or in part without written consent of Authority and the Professional.

22. During the continuance of this agreement, Professional shall devote the whole of his time during the operating hours of this course and clubhouse and shall use his best endeavors to promote the interest and welfare of the Authority. Professional shall be allowed to participate in golf tournaments and other professional golf activities after obtaining permission from the Director of Parks and Recreation.

23. If any casualty or unforeseen occurrence shall render the fulfillment of this contract by Authority impossible, including without limitation thereto, the requisitioning of the premises by the United States Government or the State of Oklahoma or the City of Norman or any arm or instrumentality thereof for a major portion of the term, then this contract shall terminate and Professional waives any claim for damages or compensation, should this contract be so terminated. If the Authority determines that it is in the best interest of the Authority to discontinue the operation of said Golf Course and clubhouse, it may, at its discretion, terminate this contract on three (3) months' written notice to Professional and Professional waives any claim for damages or compensation in case of such termination.

24. It is understood and agreed by and between the parties that the terms and conditions of this contract contain all matters which constitute the employment relationship herein created and any duties, responsibility, benefit, privilege or condition not expressly contained herein is deemed to have been considered and rejected as part of this agreement and is not subject to further negotiation unless mutually agreed to by the parties.

WITNESS, our hands the day and year first above written.

NORMAN MUNICIPAL AUTHORITY
A Public Trust

By:_____
Vice-Chairman

ATTEST:_____
Secretary

David P. Lisle
Professional – Manager

STATE OF OKLAHOMA)
) ss.
County of Cleveland)

On this 18 day of July, 2013, before me personally appeared David P. Lisle to me known to be the identical person who subscribed the above and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

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

Suzanne E. Terry
Notary Public

My Commission Expires: 30 Jan. 2017
Commission No.: 01000890

APPROVED as to form and legality this 17 day of July, 2013.

City Attorney

City of Norman, OK

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

Master

File Number: K-1314-36

File ID:	K-1314-36	**Type:**	Contract	**Status:**	Consent Item
Version:	2	**Reference:**	Item No. 37	**In Control:**	City Council
Department:	Legal Department	**Cost:**		**File Created:**	07/11/2013
File Name:	LL-1314-2 Revocable License-CCs			**Final Action:**	

Title: CONTRACT NO. K-1314-36: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND COMMUNITY CHRISTIAN SCHOOL IN THE AMOUNT OF $4,207 PER YEAR FOR THE LEASE OF CITY RIGHT-OF-WAY LOCATED ALONG BROCE DRIVE.

Notes: ACTION NEEDED: Motion to approve or reject Contract No. K-1314-36 with Community Christian School in the amount of $4,207 per year; and, if approved, authorize the execution thereof.

ACTION TAKEN:_____

Agenda Date: 07/23/2013

Agenda Number: 37

Attachments: Text File K-1314-36, K-1314-36, Exhibit A K-1314-36

Project Manager: Leah Messner, Assistant City Attorney

Entered by: jayme.rowe@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-36

Body

BACKGROUND: Community Christian School is currently in the process of expanding and remodeling the school. Community Christian School plans to expand the parking and sports fields along Broce Drive. As designed, the parking and sports fields occupy 4,207 square feet of public right-of-way.

DISCUSSION: The Department of Public Works, the Department of Utilities, and the Planning Department have reviewed the proposed plans. Each department is comfortable with locating the parking and sports fields within City of Norman right-of-way as long as Community Christian School follows certain conditions contained within the proposed Revocable License.

Prior to drafting the license, the City Attorney's Office reviewed previous agreements between the City of Norman and Coach's Brewhouse, 329 Partners LLC, and La Baguette, Inc. These entities lease right-of-way from the City of Norman to use as patio space for their restaurants (Coach's Brewhouse, In the Raw Sushi, and Blackbird Gastropub). In addition, the attached agreement is very similar to the agreement recently approved by City Council for the archway at the entrance of Fountain View Addition and the stairway for First Baptist

Church.

The attached license allows Community Christian School to build and locate the proposed parking lot and sports fields within the Broce Drive right-of-way. However, it reserves the City's right, or the right of others that have City permission, to locate, relocate, or construct utilities within the area where the parking and sports fields are located. In addition, under the terms of the license, the City shall incur no liability for any damages to the parking lot and sports fields caused by any utility work.

Community Christian School, the licensee, also agrees to pay an annual license fee of $4,207 for use of the right-of-way. This fee is consistent with the fees paid by 329 Partners LLC, La Baguette, Inc, and the Fountain View Addition for use of the City right-of-way. All of those agreements charge $1.00/square foot. The licensee also must agree to use the right-of-way exclusively for the parking and sports fields consistent with the plans that have been submitted. Any deviation from the approved plans may be grounds for revocation of the license.

In the license, the City reserves the right to inspect the parking lot and sports fields. If the licensee fails to maintain it in a safe, sanitary, and sightly condition, the City may require the licensee to make repairs, or if the licensee fails to do so, the City may make repairs and charge those costs to the licensee. The licensee is also to comply with any applicable state or federal laws. The licensee agrees to indemnify, defend, and hold the City of Norman harmless for any actions of any nature arising out of any failure by licensee to satisfy, its obligations under this license; arising out of any accident or other occurrence whatsoever causing injury, including death, resulting from the use, occupancy or condition of the right-of-way and patio by licensee; and arising out of any mechanic's lien or other lien, tax, assessment or charge of any kind.

The license may be terminated for the following reasons with thirty days written notice: the subject right-of-way is needed for a municipal purpose including, but not limited to, road or utility construction, installation, or repair; installation of a sidewalk, bicycle lane or other mode of pedestrian travel; and construction of any other City facilities. Upon the termination of this license, licensee shall surrender to City the possession of the right-of-way and shall remove the parking lot and sports fields and restore the right-of-way to substantially the state in which it was prior to the construction of the patio. If the licensee fails within thirty (30) days to make such removal or restoration, then City may remove the parking and sports fields and restore the right-of-way to substantially the state it was in prior to construction of the parking and sports fields, and the licensee shall reimburse City for the cost so incurred.

RECOMMENDATION: If City Council wishes to allow the location of the parking and sports fields within the right-of-way, Staff recommends the execution of the attached license in order to preserve the interests of the City and other franchise holders.

REVOCABLE LICENSE

THIS REVOCABLE LICENSE (this "License") is hereby issued as of the _____ day of July, 2013, by THE CITY OF NORMAN, OKLAHOMA, A Municipal Corporation, (hereafter called "City"), to Community Christian School, Inc. (hereinafter called "Licensee").

WITNESSETH, That the parties hereto, for the consideration hereinafter expressed, covenant and agree as follows:

1. City hereby permits Licensee, subject to the rights and easements hereinafter excepted and reserved and upon the terms and conditions hereinafter set forth, to use the following described land (hereinafter called the "Premises"), situated in Norman, Cleveland County, State of Oklahoma, marked "Exhibit A" and made a part hereof, for a term beginning on July 23, 2013 and ending when this License shall be terminated as hereafter provided. This License is issued solely for the purpose of the installation and operation of parking and signage (hereinafter called the "Improvements") to serve the Community Christian School, Inc. The Licensee may not use the Premises for any other purpose under the terms of this License.

2. City hereby excepts and reserves the right, to be exercised by City and by any others who have obtained or may obtain permission or authority from City so to do, (a) to operate, maintain, renew and relocate any and all existing utilities, pipe, power, and communication lines and appurtenances and other facilities of like character upon, over, or under the surface of the Premises; and (b) from time to time to construct, operate, maintain, renew and relocate such additional facilities of the same character. City shall incur no liability to Licensee for any damages to the Improvements or the Premises that may occur during the operation, maintenance, renewal, relocation of any or all existing utilities, pipes, power or communication lines, appurtenances, or facilities.

3. Licensee shall pay to City for the use of the Premises as follows: $4,207.00 per year payable in advance without demand. This fee is due and owing on or before the date this License is issued and thereafter shall be payable on or before the first day of each annual anniversary of such date thereafter. If the fee remains unpaid for thirty days after payment is due, the penalty shall a penalty of 10% of the annual amount each month that the fee remains unpaid.

4. Licensee shall use the Premises exclusively as a site for the Improvements to the Community Christian School, Inc. as reflected on Exhibit A and made a part hereof. Prior to installation on any item comprising the Improvements, engineered plans and/or drawings must be submitted to and approved by the City of Norman Public Works Department. Deviation from the approved plans may be grounds for revocation of this license.

5. Licensee shall allow City to enter upon the Premises at reasonable times for the purpose of inspection. Should Licensee not comply fully with the above-stated obligations of this section, notwithstanding anything contained in the termination for cause section hereof, City may, at its option, terminate this License by serving five (5) days' notice of termination upon Licensee; but any waiver by City of any breach of Licensee's obligations shall not constitute a waiver of the right to terminate this Lease for any subsequent breach which may occur, or to enforce any other

provision of this License. Upon termination, Licensee shall be governed by Sections 15 and 16 of this License regarding Licensee's surrender of possession of the Premises.

7. Licensee shall keep and maintain the Premises and Improvements in such safe, sanitary and sightly condition as shall be satisfactory to City. If Licensee fails or refuses within fifteen (15) days after receipt of any request by City so to do, City may, at its option, perform such work, and in such event, Licensee shall, within thirty (30) days after the rendition of bill therefore, reimburse City for the cost so incurred.

8. In using the Premises, and in constructing, maintaining, operating and using the Improvements thereon, Licensee shall comply with any and all requirements imposed by federal or state statutes, or by ordinances, orders, or regulations of any governmental body having jurisdiction thereover. Licensee shall promptly pay and discharge any and all liens arising out of any construction, alteration or repair work done, or suffered or permitted to be done, by Licensee on the Premises, and City is hereby authorized to post any notices or take any other action with respect to the Premises that is or may be permitted by law to prevent the attachment of any such liens to the Premises; provided, however, that failure of City to take any such action shall not relieve Licensee of any obligation or liability under this or any other paragraph hereof.

9. Licensee shall indemnify, defend and hold harmless City against all actions or causes of action, claims, liability, loss, cost, damage or expense, or whatever kind and nature, including but not limited to those arising under the Federal Employer's Liability Act, or under any Workers' Compensation Act, and any amendment to said Acts now or hereafter in effect, including attorney fees and other expenses of litigation, and including any suit instituted to enforce the obligations of this provision, which City may sustain or incur, or for which it may become liable, by reason of damage to or destruction of property, including the loss of use thereof and lost profits, or by reason of injuries, including death, to any person or persons including, but not limited to, the person or property of the parties hereto and their employees (hereafter "Loss and Damage"):

(1)Arising out of, or directly or indirectly due to, any failure by Licensee to satisfy, promptly and faithfully, its obligations under this License;

(2)Arising out of, or directly or indirectly due to, any accident or other occurrence whatsoever causing injury, including death, to any person or persons or damage to or destruction of any property, including the loss of use thereof and lost profits, resulting from the use, occupancy or condition of the Premises and Improvements by Licensee, its employees, invitees and licensees; and

(3)Arising out of any mechanic's lien or other lien, tax, assessment or charge of any and every nature that may at any time be established against the Premises or the Improvements, or any part thereof, as a consequence, direct or indirect, of the existence of Licensee's interest under this Lease.

No settlement by Licensee for Loss and Damage shall affect City's right to indemnity, contribution or defense under this agreement.

Upon written notice from City, Licensee agrees to assume the defense of any lawsuit, administrative action or other proceeding brought against City by any public body, individual, partnership, corporation, or other legal entity, relating to any matter covered by this License for which Licensee has an obligation to assume liability for and/or to save and hold harmless the City. Licensee shall pay the entire costs incident to such defense, including, but not limited to, attorneys' fees, investigators' fees, litigation expenses, settlement payments, and amounts paid in satisfaction of judgments. Any and all lawsuits or administrative actions brought or threatened on any theory of relief available at law, in equity or under the rules of any administrative agency shall be covered by this Section, including, but not limited to, the theories of intentional misconduct, negligence, breach of statute or ordinance, or upon any theory created by statute or ordinance, state or federal.

10. Neither Licensee, nor the heirs, legal representatives, successors or assigns of Licensee, nor any subsequent assignee, shall assign or transfer this License or any interest herein, without the written consent and approval in each instance of City.

11. In case of the eviction of Licensee by anyone owning or claiming title to or any interest in the Premises, City shall not be liable to Licensee for any damage of any nature whatsoever, or to refund any fee paid hereunder, except the proportionate part of any fee paid in advance.

12. If any fee shall be due and unpaid, or if default shall be made in any of the covenants or agreements of Licensee herein contained, or in the case of any assignment or transfer of this License by operation of law, City may, at its option, terminate this License by serving five (5) days' notice in writing upon Licensee; but any waiver by City of any default or defaults shall not constitute a waiver of the right to terminate this License for any subsequent default or defaults.

13. This License may be terminated for any reason at any time by either party by serving thirty (30) days' written notice of termination upon the other party, stating therein the date that such termination shall take place, and upon the expiration of the time specified in such notice, this License and all rights of Licensee hereunder shall absolutely cease and determine.

14. Any notice to be given by City to Licensee hereunder shall be deemed to be properly served if deposited in the United States mail, postage prepaid, addressed to Licensee at Community Christian School, 3002 Broce Drive, Norman, OK 73072. Any notice to be given hereunder by Licensee to City shall be deemed to be properly served if the same be deposited in the United States mail, postage prepaid addressed to: The Office of the City Clerk, P. O. Box 370, Norman, Oklahoma 73070.

15. Upon the termination of this License in any manner herein provided, Licensee shall forthwith surrender to City the possession of the Premises and shall remove the Improvements and restore the Premises to substantially the state in which they were prior to the construction of the Improvements, and in case Licensee shall fail within thirty (30) days after the date of such termination to make such removal or restoration, then City may, at its election to be exercised within thirty (30) days thereafter, remove the Improvements and restore the Premises to substantially the state they were prior to construction of the improvements, and in such event Licensee shall, within thirty (30) days after the rendition of bill therefore, reimburse City for the

cost so incurred. If the Licensee fails to remove the Improvements, and the City is required to remove the improvements, the City may take and hold the Improvements as its sole property.

16. If Licensee fails to surrender to City the Premises, upon any termination of this License, all the liabilities and obligations of Licensee hereunder shall continue in effect until the Premises are surrendered; and no termination hereof shall release Licensee from any liability or obligation hereunder, whether of indemnity or otherwise, resulting from any acts, omissions or events happening prior to the date of termination or the date, if later, when the Improvements are removed and the Premises restored or City elects to take and hold the Improvements as its sole property as hereinabove in Paragraph 15 provided.

17. All the covenants and agreements of Licensee herein contained shall be binding upon the heirs, legal representatives, successors and assigns of Licensee and shall inure to the benefit of the successors and assigns of City.

IN WITNESS WHEREOF, this License has been duly executed in duplicate by the parties hereto as of the date and year first above written.

LICENSEE:

By Barbara Ohrfeldt, Adm.

ATTEST:

Diana Stephens
Secretary

CITY:

APPROVED by the Norman City Council this _____ day of _____, 2013.

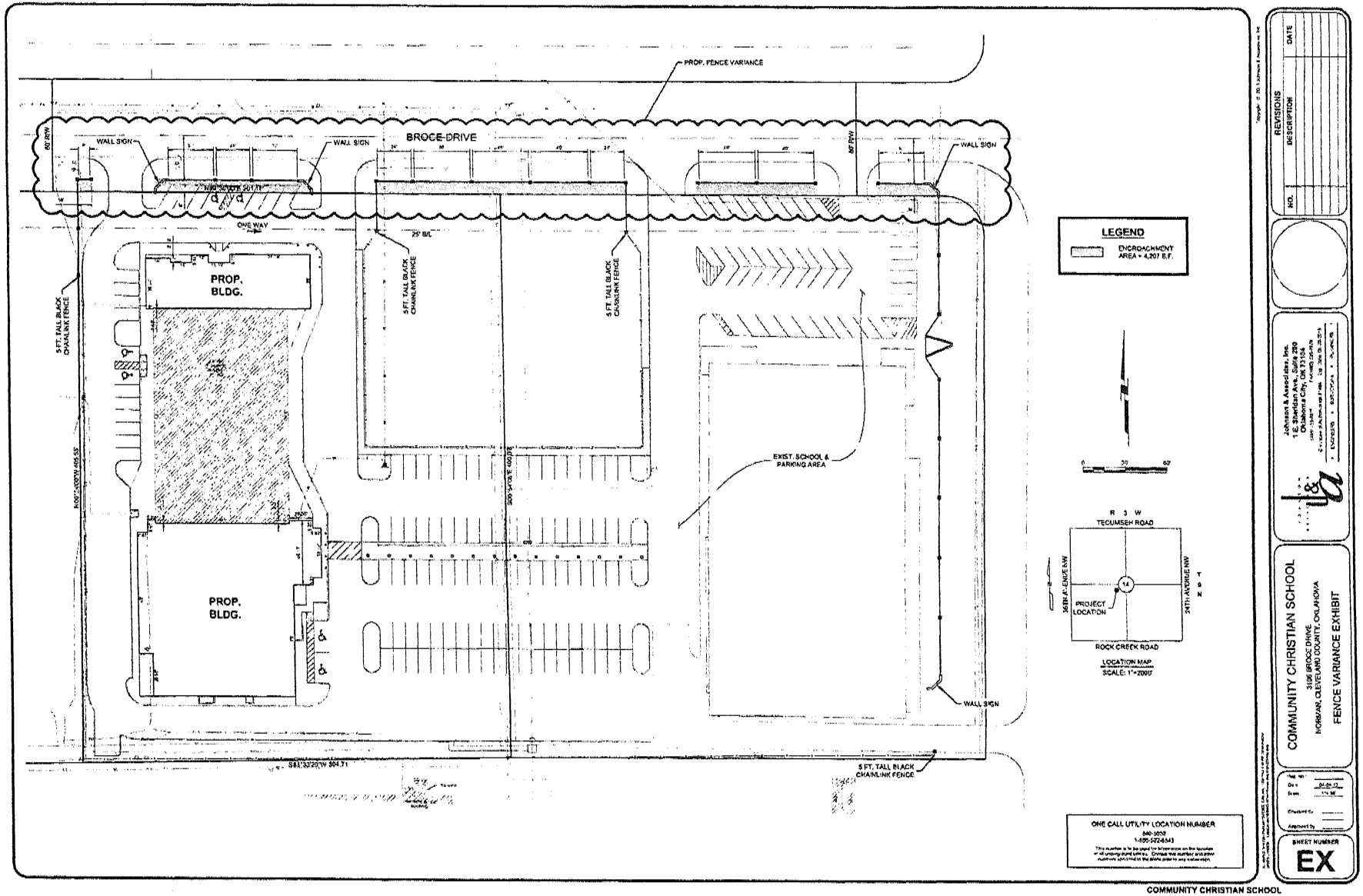
By _____
MAYOR

ATTEST:

_____
City Clerk

APPROVED as to legality and form this 11th day of July, 2013.

_____
City Attorney


PROP. FENCE VARIANCE
BROCE DRIVE
WALL SIGN
WALL SIGN
WALL SIGN
ONE WAY
25' B/L
5 FT. TALL BLACK CHAINLINK FENCE
5 FT. TALL BLACK CHAINLINK FENCE
5 FT. TALL BLACK CHAINLINK FENCE
PROP. BLDG.
PROP. BLDG.
EXIST. SCHOOL & PARKING AREA
WALL SIGN
5 FT. TALL BLACK CHAINLINK FENCE
S81°30'20"W 304.71
LEGEND
ENCROACHMENT AREA = 4,207 S.F.
R 3 W
TECUMSEH ROAD
36TH AVENUE NW
24TH AVENUE NW
PROJECT LOCATION
ROCK CREEK ROAD
N 0 1
LOCATION MAP
SCALE: 1"=2000'
ONE CALL UTILITY LOCATION NUMBER
811
1-800-522-6543
REVISIONS
NO.
DESCRIPTION
DATE
Johnson & Associates, Inc.
1E. Sheridan Ave., Suite 200
Oklahoma City, OK 73104
COMMUNITY CHRISTIAN SCHOOL
3106 BROCE DRIVE
NORMAN, CLEVELAND COUNTY, OKLAHOMA
FENCE VARIANCE EXHIBIT
SHEET NUMBER
EX
COMMUNITY CHRISTIAN SCHOOL

City of Norman, OK

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

Master

File Number: R-1314-12

File ID:	R-1314-12	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 38	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	03/11/2013
File Name:	Robinson St. Surplus Property			**Final Action:**	

Title: RESOLUTION NO. R-1314-12: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DECLARING PROPERTY FROM THE ROBINSON STREET GRADE SEPARATION PROJECT AS SURPLUS PROPERTY.

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-12.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 38

Attachments: Text File R-1314-12, R-1314-12.pdf, Exhibit 1 to R-1314-12, Attachment A.pdf, Attachment B.pdf, Attachment C.pdf

Project Manager: Scott Sturtz, City Engineer

Entered by: pam.jones@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1314-12

body

BACKGROUND: The City of Norman acquired 53 parcels of property from Fall of 2008 to Spring 2009 for the construction of the Robinson Street Underpass Project. Subsequent to the completion of the underpass, the City Manager requested city staff to evaluate the existence and marketability of surplus property within the project area. Staff identified three potential parcels of surplus property (labeled on the attached map as Parcel A, Parcel B, and Parcel C).

Parcel A, consisting of 0.93 acres, is bounded by Robinson Street to the south, Dale Street and single-family homes to the north, Fay Avenue and single-family homes to the east, and single-family homes to the west. The only access to this property is from Dale Street. Parcel B, consisting of 0.35 acres, is bounded on the north by Robinson Street, on the south by Hayes Street, and single-family homes, on the east by Stubbeman Avenue, and on the west by undeveloped land zoned C-2 and the railroad tracks. Parcel C, consisting of 0.15 acres, is bounded on the north by undeveloped property owned by the City zoned C-2, but also designated as Institutional on the Norman 2025 Plan, on the south by Hayes Street, and single-family homes, on the east by James Garner Avenue right-of-way, and on the west by single-family homes. Please find the attached detailed staff reports provided to the committee in December 2012 referenced as Attachment A and Attachment B.

The City Council Community Planning and Transportation Committee met on December 17, 2012 to discuss this topic. At that meeting, the committee recommended that the City of Norman move forward with the sale of these parcels according to the procedure recommended by the City Attorney's Office. The first step in that process is to acquire written permission for the sale from the Right-of-Way Division Chief for the Oklahoma Department of Transportation ("ODOT") as required by the Right-of-Way, Utility, and Encroachment Agreement between the City of Norman and ODOT for the underpass project. That written permission is reflected in the attached letter from ODOT dated June 10, 2013 referenced as Attachment C.

DISCUSSION: Following approval from ODOT, City Council must declare the property surplus via Resolution. Under Chapter 8, § 8-301 of the City of Norman Code of Ordinances, Council must declare "any supplies, materials, or equipment" as surplus prior to the sale of such items if their value exceeds one thousand dollars. Subsequent to this declaration by Council, the property may then be sold through competitive bidding at a public auction that is conducted either in person or online. Chapter 8, § 8-302 of the Code of Ordinances.

The attached Resolution, R-1314-12, recites that the parcels were acquired by the City of Norman as part of the Robinson Street Grade Separation Project in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. In addition, Resolution R-1314-12 states that the parcels are no longer needed for the successful functioning of the project, and the City of Norman is currently responsible for the maintenance and upkeep of parcels. For those reasons, if adopted by the City Council, the Resolution declares the parcels as surplus that may then be sold at auction.

If City Council chooses to declare the parcels as surplus, the next step in the surplus property disposal process is to offer the parcels to the person or persons from whom the property was acquired or those persons' heirs pursuant to Title 27, Section 17(A) of the Oklahoma statutes. If those persons refuse first rights to purchase the parcels, the parcels may then be sold for cash to the highest bidder after notice by publication pursuant to Title 69, Section 101(C) of the Oklahoma statutes.

If Council approves the attached resolution, Staff recommends the following schedule of events going forward:

July 24 - October 25, 2013: Staff coordinates with previous property owners regarding possible acquisition of surplus property
November 12, 2013: City Council considers sale of property
November 13 - December 30, 2013: Staff pursues bidding process for remaining parcels
January 14, 2014: City Council considers sale of property to highest bidder

RECOMMENDATION: If City Council desires to move forward with the eventual sale of these parcels, Staff recommends adoption of Resolution R-1314-12 that declares the parcels as surplus property.

Resolution

R-1314-12

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA DECLARING PROPERTY FROM THE ROBINSON STREET GRADE SEPARATION PROJECT AS SURPLUS PROPERTY.

§ 1. WHEREAS, the City of Norman, Oklahoma ("City") entered into an agreement with the Oklahoma Department of Transportation ("ODOT") dated October 25, 2005 (the "Agreement") for a Grade Separation Project at West Robinson Street, over the Burlington Northern Santa Fe Railway Company's tracks (the "Project"); and

§ 2. WHEREAS, the Agreement provides that the City will, in its own name, acquire the interests in real estate necessary for the Project in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended by the Surface Transportation and Uniform Relocation Assistance Act of 1987; and

§ 3. WHEREAS, the City of Norman acquired such interests in real estate and the Project was substantially completed December 2012; and

§ 4. WHEREAS, there are three parcels of property, identified on the attached map as Parcels A, B, and C, that were acquired as part of the Project; and

§ 5. WHEREAS, these parcels are no longer needed by the City of Norman for the successful functioning of the Project, and the City of Norman is currently responsible for the maintenance and upkeep of the parcels; and

§ 6. WHEREAS, the City Council Planning and Transportation Committee met on December 17, 2012 to review options regarding the possible uses for the parcels, potential benefits to the City of Norman if the parcels were sold and returned to private ownership, and the legal process to sell the parcels; and

§ 7. WHEREAS, the City Council has determined that it is in the best interests of the City of Norman to declare the parcels as surplus property.

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

§ 8. That City of Norman declares that Parcels A, B, and C, originally part of the Project, are surplus and may sold at a public auction.

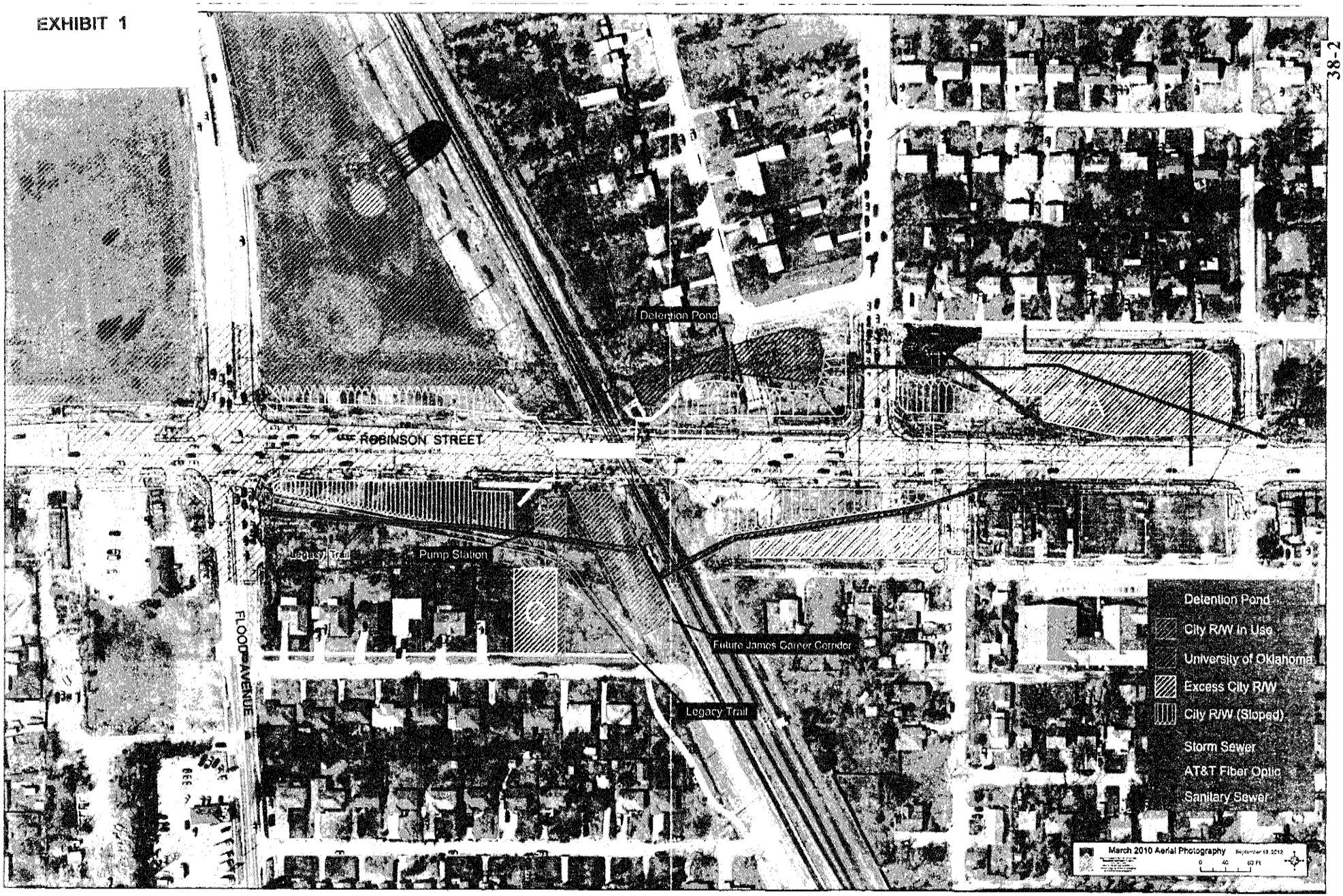
PASSED AND ADOPTED this _____ day of _____, 2013.

_____
Mayor Pro Tem

ATTEST:

_____
City Clerk

EXHIBIT 1


Detention Pond
ROBINSON STREET
Legacy Trail
Pump Station
FLOOD AVENUE
Future James Garner Corridor
Legacy Trail
Detention Pond
City R/W in Use
University of Oklahoma
Excess City R/W
City R/W (Sloped)
Storm Sewer
AT&T Fiber Optic
Sanitary Sewer
March 2010 Aerial Photography

ATTACHMENT A

office memorandum

Date: October 30, 2012

To: Shawn O'Leary, Director of Public Works

From: Leah Messner, Assistant City Attorney II

Subject: Robinson Street Grade Separation Project Surplus Property

BACKGROUND:

You have asked the City Attorney's Office several questions about the legalities of potentially selling surplus property that was initially acquired by the City of Norman as part of the Robinson Street Grade Separation Project. I understand your questions to be as follows:

1. Are there any federal or state statutes that impact whether the City of Norman may sell any surplus property initially acquired as part of this project?

2. What are the City of Norman Charter and Code of Ordinance provisions that impact whether the City of Norman may sell any surplus property initially acquired as part of this project?

3. Are there any restrictions in either the purchase agreements for the acquired parcels or in the grant of federal funds that impact whether the City of Norman may sell any surplus property initially acquired as part of this project?

DISCUSSION:

Question #1

As to whether there are federal laws that potentially impact whether the City of Norman may sell surplus property initially acquired for the Robinson Street Grade Separation Project, I did not find any applicable statutes. I reviewed the federal Uniform Relocation Assistance and Real Property Acquisition Act of 1970, and it does not have any provisions that would limit the sale of surplus property.

There are state laws that impact whether the City of Norman may sell any surplus property initially acquired as part of this project. Most generally, 11 O.S. § 22-101 gives municipalities the authority to: "sell and convey any real or personal property owned by the municipality and make orders respecting the same as may be conducive to the best interests of the municipality."

More specifically on the issue of the sale of surplus property initially acquired for a public purpose, Title 27 of the Oklahoma Statutes relates exclusively to Eminent Domain. Under 27 O.S. § 17, as amended in 2011, in the event that a portion of property taken by eminent domain is not used for the purposes under which it was condemned, a municipality may declare that property surplus and offer it for resale. However, before

that surplus property may be offered for resale to the general public, it must first be offered to the person from whom the property was taken or to the heirs of that person at the appraised value or the original price at which that portion of the property was purchased, whichever is less. 27 O.S. § 17(A).

The statute also provides for how the previous owner is to be notified of their right of first refusal. Notification shall be sent by certified mail, return receipt requested, to the last-known address of the person as provided by the person. 27 O.S. § 17(B). If the mail is returned, notice of the right of first refusal shall be provided by publication in a newspaper of general circulation in the community where the property is located. *Id.* If the offer to repurchase is not accepted within ninety days from the date of the notice, the property may then be sold at public sale. *Id.*

Although Title 27 requires a public sale, it does not provide a procedure for such a public sale. Title 74 does have a procedure for the sale of state-owned surplus real property. As noted, Title 74 applies to state-owned real property, not real property owned by a municipality. However, the procedure in Title 74 could be used by the City of Norman to sell surplus real property. 74 O.S. § 129.4 requires a study to determine if the sale of a specific parcel is in the best interests of the state; an appraisal of the parcel; notice of the sale in a newspaper of general circulation in the county where the property is located; and then sale of the property by public auction or by accepting sealed bids. The property must then be sold to the highest bidder if that bid is for at least ninety percent of the appraised value. *Id.*

Question #2

The City of Norman Charter states that the City of Norman, organized as a municipal corporation, shall have the power to "hold, lease, mortgage, convey or otherwise dispose of any of its property within out without the limits of said city". Article I, §1. The Charter permits the sale of real property but does not provide a procedure for doing so. However, Chapter 8 of the Code of Ordinances does have a procedure for declaring property to be surplus and for selling such surplus property.

Under Chapter 8, § 8-301, Council must declare "any supplies, materials, or equipment" as surplus prior to the sale of such items if their value exceeds one thousand dollars. Subsequent to this declaration by Council, the property may then be sold through competitive bidding at a public auction that is conducted either in person or online. Chapter 8, § 8-302(a). Chapter 8, § 8-303 also requires the City Manager and/or his designee to advertise the property to be sold in a newspaper of general circulation in Norman or to give notice in another manner as he deems necessary. These Code provisions do not specifically list real property as an item that Council must declare surplus prior to the sale of that property. Though not specifically listed in Chapter 8, in *State ex rel. Remy v. Agar*, the Oklahoma Supreme Court ruled that real property owned by the municipality for the public use of its citizens must be declared to be surplus by the City Council as a prerequisite to the sale of such real property. 559 P.2d 1235 (Okla. Sup. Ct. 1977). Therefore, as Title 27 of the state statutes requires a public sale, using the process in Chapter 8 of the Code would be a way to comply with Title 27 and case law and use an established City process to do so.

Question #3

Lastly, you asked if there are any restrictions in either the purchase agreements for the acquired parcels or in the grant of federal funds that impact whether the City of Norman may sell any surplus property initially acquired as part of this project. I have reviewed the deeds provided to me by Public Works staff. These deeds do not contain any provisions that would limit the City's options with the subject properties as the deeds appear to be standard warranty deeds conveying fee simple title for the parcels to the City of Norman.

As to the grant of federal funds, John Clink, Capital Projects Engineer for the City of Norman, advises me that the federal funds were allocated through an earmark contained within the federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) Bill, and, as such, there is not a grant application or document to review. However, I have also reviewed the Right-of-Way, Public Utility and Encroachment Agreement between the City of Norman and the Oklahoma Department of Transportation for the Robinson Street Underpass Project. Under Section 4(e) of that Agreement, the City of Norman may sell any lands which were acquired for highway purposes so long as such a sale is conducted in accordance with 69 O.S. § 1001 and § 1004. In addition, prior written permission for the sale is required from the Right-of-Way Division Chief for the Oklahoma Department of Transportation.

69 O.S. § 1001 specifies the procedure for the sale of any lands which were acquired for highway purposes by the State of Oklahoma. However, by execution of the above Agreement with the Oklahoma Department of Transportation, the City of Norman has agreed to follow this statutory process. Under 69 O.S. § 1001(C), any surplus property shall be sold for cash to the highest and best bidder after notice by publication in a newspaper in the county where the property is located. The notice must be published in two consecutive weekly issues. *Id.*

The statute goes onto require:

> If the land to be disposed of originally comprised a total taking leaving no abutting remainder, then such shall be sold to the highest bidder, or as otherwise herein provided except that if the land to be disposed of originally comprised a total taking of less than one (1) acre leaving only one abutting property owner of record, then prior to conducting such advertisement and solicitation of bids for the sale of any such lands or interest therein, the Commission shall notify the sole abutting property owner of record to the taking that such has been declared surplus and is to be offered for sale. 69 O.S. § 1001(D)(2).

A definition for "abutting owner" is not provided within the statute. In addition, I did not find any Oklahoma case law on point. If a statute does not provide a definition, the rules of statutory construction require the statute to be construed using the common meaning of the word or term in question, and that common meaning may be provided by a dictionary definition. As to the

ATTACHMENT A

word "abut", the *Merriam-Webster Dictionary* defines it to mean "to touch along a border". Using that meaning, there are no abutting parcels to the properties to be potentially declared surplus as all the neighboring parcels are across a street from either of them, and they do not share a border. Therefore, these properties to be potentially declared surplus and sold are not required to be offered to abutting owners prior to offering them at a public sale.

RECOMMENDATION:

If City Council chooses to sell property that is no longer needed for the Robinson Street Grade Separation project, I recommend following the steps listed below in order to comply with the statutes and ordinances listed above:

1. Acquire written permission for the sale from the Right-of-Way Division Chief for the Oklahoma Department of Transportation as required by the Right-of-Way, Public Utility and Encroachment Agreement.

2. Prepare an item for Council to declare the property surplus pursuant to Chapter 8, § 8-301 of the Code of Ordinances.

3. Once Council declares the property surplus, offer the surplus property to the person from whom the property was taken or those persons' heirs pursuant to 27 O.S. § 17(A).
    a. The offer should be for the appraised value of the surplus property or the original price at which that portion of the property was purchased, whichever is less.
    b. Notification shall be sent by certified mail, return receipt requested, to the last-known address of the person as provided by the person. 27 O.S. § 17(B).
    c. If the mail is returned, notice of the right of first refusal shall be provided by publication in a newspaper of general circulation in the community where the property is located. *Id.*
    d. If the offer to repurchase is not accepted within ninety days from the date of the notice, the property may then be sold at public sale. *Id.*

4. Sell the property for cash to the highest and best bidder after notice by publication in a newspaper in the county where the property is located pursuant to 69 O.S. 1001(C). The notice must be published in two consecutive weekly issues.
    a. Under Chapter 8 of the Code of Ordinances, this sale could be through competitive bidding at a public auction that is conducted either in person or online. Chapter 8, § 8-302(a); however, I recommend conducting a public auction as that method is more consistent with 69 O.S. §1001.

In the above list of steps, I recommend using the process for a public sale in Chapter 8 of the Code of Ordinances, rather than the Title 74 process the State of Oklahoma uses, as it is simpler and most likely more familiar to both City Council and City Staff. Please let me know if I can do anything else.

Reviewed By: Jeff Bryant, City Attorney JHB

ATTACHMENT B

office memorandum

Date: December 12, 2012

To: Council Community Planning and Transportation Committee

Thru: Steve Lewis, City Manager
From: Shawn O'Leary, Director of Public Works
Scott Sturtz, City Engineer

Subject: Surplus Property-Robinson Street Underpass Project

Pursuant to your request, Public Works staff have collaborated with staff from the Planning and Legal Departments to research the captioned subject. Staff also consulted with the private land acquisition firm originally hired by the City, Smith Roberts LLC, to acquire the 53 parcels of property needed to complete the Robinson Street Underpass Project. Information regarding City and franchise utilities was readily available from project plans and City mapping records. Please find attached the following documents:

- Opinion from City Legal Department regarding three key questions
- Aerial photograph of the project area, illustrating Surplus Property Parcels A, B and C (Exhibit 1)
- Legal descriptions and drawings for Parcels A, B and C (Exhibits 2, 3 and 4)

Other information to consider is as follows:

PLANNING DEPARTMENT – ZONING ISSUES:

Parcel A
This parcel is zoned R-1 and the NORMAN 2025 Plan designates it as Low Density Residential. This property is bounded by Robinson Street to the south, Dale Street and single-family homes to the north, Faye Avenue and single-family homes to the east, and single-family homes to the west. This property will have access only from Dale Street.

Given the surrounding land use and the limited access, this property would be appropriate only for residential development. It would be appropriate to increase the density from single-family to townhomes or duplexes, but the limited access makes a higher density intrusive to the existing development.

Estimated property value derived from information provided by Cleveland County Assessor's Office: $ 40,630

Parcel B
This parcel is zoned C-1 and C-2 and the NORMAN 2025 Plan designates it as Commercial. It is bounded on the north by Robinson Street, on the south by Hayes Street and single-family homes, on the east by Stubbeman Avenue, and on the west by undeveloped land zoned C-2 and the railroad tracks.

This property is zoned commercially, but the size of the original lots was reduced by the Robinson Street project, so this property is now a narrow strip of land with access only onto Hayes Street. The properties to the south are single-family homes on larger lots. The size of the lot does not accommodate commercial development with building, parking and landscaping as required by the Code. A parking lot could be accommodated on this lot with appropriate landscaping to buffer it from the residences south of Hayes Street.

Estimated property value derived from information provided by Cleveland County Assessor's Office: $ 34,675

Parcel C

This parcel is zoned R-1 and the NORMAN 2025 Plan designates it as Institutional. It is bounded on the north by undeveloped property owned by the City zoned C-2, but also designated Institutional on the NORMAN 2025 Plan, on the south by Hayes Street and single-family homes, on the east by James Garner Avenue, and on the west by single-family homes.

This property was designated Institutional with the adoption of the NORMAN 2025 Plan. The City of Norman owns the property. Legacy Trail is intended to run through the north and east portion of the property which leaves only a portion of the parcel for redevelopment for residential use. This land does not have good access for a more intense use. This land might be put to better use as a trailhead for the Legacy Trail with parking spaces. It is unlikely that someone would invest in a new single-family home on this property given the age of the homes surrounding it.

Estimated property value derived from information provided by Cleveland County Assessor's Office: $ 6,230

PUBLIC WORKS DEPARTMENT – INFRASTRUCTURE/PLATTING ISSUES:

Parcel A

This parcel, which contains 0.93 acres, will likely need to be re-platted prior to any private development because the previously platted parcels have been modified by the Robinson Street Underpass Project. This parcel is adequately served by public water, sanitary sewer, streets and storm water systems. Storm water detention requirements could be waived for any residential development because the storm water improvements included in the Robinson Street Underpass Project accommodated that quantity of direct runoff.

Vehicular access to this parcel for private development will be limited to Dale Street. Robinson Street is not accessible due to the access separation distance requirements between Stubbeman Avenue and Fay Avenue as well as the vertical slope issues. A residential zoning

classification would also prevent access to this parcel from Robinson Street. Neither Stubbeman Avenue nor Fay Avenue are accessible due to the access separation distance requirements between Dale Avenue and Robinson Street as well as the vertical slope issues. A significant underground telecommunications duct owned by AT&T bisects this parcel in a northwesterly to southeasterly direction. The City is obligated to provide a public utility easement or right-of-way to AT&T for this system as a function of the Robinson Street Project utility relocation agreement. Relocation of the underground fiber optics cable system will be costly for any private development; however, there appears to be space available for the system along the eastern and northern perimeters of this property.

Staff from Smith Roberts LLC recommends that the City dispose of this property as is. The buyer should be held responsible for any rezoning, replatting, relocation of utilities or other necessary public improvements.

Parcel B

This parcel, which contains 0.35 acres, will likely need to be re-platted prior any private development because the previously platted parcels have been modified by the Robinson Street Underpass Project. This parcel is adequately served by public water, sanitary sewer, streets and storm water systems. Storm water detention requirements could be waived for any commercial development because the storm water improvements included in the Robinson Street Underpass Project accommodated that quantity of direct runoff.

Vehicular access to this parcel for private development will be limited to Hayes Street. Robinson Street is not accessible due to the vertical slope issues between the BNSF Railroad bridge and Stubbeman Avenue. Stubbeman Avenue is not accessible due to the access separation distance requirements between Robinson Street and Hayes Street. Hayes Street is in poor condition and has never been upgraded to city public street standards. Any private development on this parcel will be required to contribute to the cost of street improvements for Hayes Street.

Staff from Smith Roberts recommends that the City dispose of this property as is. The buyer should be held responsible for any rezoning, replatting, relocation of utilities or other necessary public improvements.

Parcel C

This parcel, which contains 0.15 acres, will likely need to be re-platted prior to any private development because the previously platted parcel has been modified by the Robinson Street Underpass Project. This parcel is adequately served by public water, sanitary sewer, streets and storm water systems. Storm water detention requirements could be waived for any residential development because the storm water improvements included in the Robinson Street Underpass Project accommodated that quantity of direct runoff.

Vehicular access to this parcel for private development will be limited to Hayes Street. This block of Hayes Street, between Flood Avenue and the BNSF railroad tracks, is included in the City's 2012 Street Maintenance Bond Program for total replacement at the City's cost. The Hayes Street improvement project will be constructed in 2013.

Staff from Smith Roberts recommends that the City dispose of this property as is. The buyer should be held responsible for any rezoning, replatting, relocation of utilities or other necessary public improvements.

I hope this information is helpful. If you have further questions or need additional information, please do not hesitate to ask. Thank you for your consideration.

cc: Honorable Mayor and Council Members
Jeff Bryant, City Attorney
Susan Connors, City Director of Planning and Community Development
Ken Komiske, City Director of Utilities

ATTACHMENT C

OKLAHOMA DEPARTMENT OF TRANSPORTATION

200 N.E. 21st Street

Oklahoma City, OK 73105-3204

June 10, 2013

Mr. Shawn O'Leary, P.E.
Director of Public Works
City of Norman
201 West Gray, Bldg. A
Norman, OK 73069

Re: Robinson Street Grade Separation Project over the BNSF Company's Tracks in Norman, Oklahoma

Dear Mr. O'Leary:

The Department received your inquiry regarding the disposal of right-of-way acquired for the subject project that has now been determined to be surplus property. I apologize for the delayed response to the City of Norman's request. The right-of-way was purchased with local funds, but those funds were utilized as an in-kind match for a federally funded project. As such, there was some question as to whether or not a federal interest was created. After internal discussion and conversation with the FHWA it has been determined that there is no federal or state interest in the right-of-way that the City of Norman is proposing to dispose of at this time.

Further review of the project has also determined that none of the property proposed as surplus is necessary for the on-going operation & maintenance of the federally funded project. However, it is recommended that the City of Norman review Tracts A & B to ensure that sufficient ability to maintain the storm sewer system constructed as part of the subject project is retained. With that said, the Department has no objection to the City of Norman proceeding as described in your correspondence, copy attached.

Had federal or state funds been utilized to acquire the right-of-way for the project, then repayment of the federal or state financial interest would have been required subsequent to the disposal of the property. It has been a pleasure to partner with the City of Norman on a successful public project. If you have questions or require additional information, please do not hesitate to contact me at (405)521-2661.

Sincerely,

Kurt A. Harms
Chief, Right of Way & Utilities Division

Attachments: Letter from Norman to ODOT dated February 18, 2013 (w/o attachments)

cc: David Streb, Director of Engineering
Tim Gatz, Director of Capitol Programs
Shannon Sheffert, Division Engineer, Local Government Division
Kevin Stout, Assistant Chief, Right of Way & Utilities Division
Project Correspondence File
Division Reading File

City of Norman, OK

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

Master

File Number: R-1314-14

File ID:	R-1314-14	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 39	**In Control:**	City Council
Department:	Parks and Recreation Department	**Cost:**	$98,195.00	**File Created:**	07/16/2013
File Name:	Park Fund Appropriation July 2013			**Final Action:**	

Title: RESOLUTION NO. R-1314-14: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $83,015 FROM THE NEIGHBORHOOD PARK LAND FUND BALANCE FOR IMPROVEMENTS TO SPRINGBROOK, CRESTLAND, AND ROTARY PARKS; AND APPROPRIATING $15,000 FROM THE CAPITAL FUND BALANCE FOR IMPROVEMENTS AT LITTLE AXE PARK.

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-14.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 39

Attachments: Text File R-1314-14, R-1314-14

Project Manager: James Briggs, Park Planner

Entered by: james.briggs@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1314-14

Body

BACKGROUND: On 1 March, 2011, voters in Norman approved a City Charter amendment providing for the expenditure of fees-in-lieu of park land that were collected between 1976 and 1994 for the purpose of making park improvements in areas where suitable land is not available to purchase. This Charter amendment allows the city to make use of over $642,000 of park land fees and interest earnings for capital improvements in twenty one neighborhood park sites. The first project completed using these funds was the creation of the new Monroe Park on land leased from the Norman Public School System. This neighborhood represented the largest portion of the total fee-in-lieu funds collected prior to 1994 ($275,000).

In December, 2012, City Council appropriated funding for improvements at the four park sites with the next-largest pre-1994 neighborhood fee-in-lieu of land fund balances (Adkin's Crossing Park, Colonial Estates Park, Colonial Commons Park, and Sunrise Park). For each site, the improvement plan included both the immediate general maintenance needs identified by staff and the park needs as identified in the 2009 Parks and Recreation Master Plan.

DISCUSSION: At this time, staff is recommending the appropriation of Park Land Development funds for improvements to three additional park sites in order to help accomplish the following:

Rotary Park-Purchase and install trees in the park (matching a $5,000 donation from the Rotary Club). Purchase and install a shade structure over the playground area (matching a $1,500 donation from the Rotary Club). Purchase and install new picnic tables and grill for the new shelter being built in the park.
Springbrook Park-Purchase and install new sports equipment (basketball goal and court, soccer goals, baseball backstop). Purchase and install additional play equipment and site furniture.

Crestland Park-Purchase and install additional play equipment and site furniture. Hire a contractor to do extensive underbrush clearing and tree thinning and clean-up for better trail visibility and safety. Improve drainage in the park.

The pre-1994 Park Land Development funds will be combined with any fees collected after 1994 as well as any park development funds collected from builders over the years to accomplish as much of the plan for each park as possible.

At Little Axe Park, there are no Park Land Funds available to make improvements, as there are rarely any developments in that area that contributes to this fund. We are working through a multi-year project to improve the sports complex, sidewalk accessibility and parking areas at the park, including a project this year to replace the concession and restroom building. At this time we are requesting that $15,000 be appropriated from the Capital Fund Balance so that a picnic shelter can be added adjacent to the disc golf course area on the south end of the property.

RECOMMENDATION #1: It is recommended that the City Council approve the appropriation of $83,015 from the Neighborhood Park Land Fund Balance (052-0000-253.20-00)for park improvements described above at Rotary, Springbrook and Crestland Parks.
Appropriate to:

Springbrook Park Improvements (052-9305-452.61-01), Project PR0144 - $16,518
Rotary Park Improvements (052-9618-452.61-01), Project PR0095 - $13,504
Crestland Park Improvements (052-9702-452.61-01), Project PR0145 - $52,993

RECOMMENDATION #2: It is recommended that the City Council approve the appropriation of $15,000 from the Capital Fund Balance (050-0000-253.20-00) for improvements described above to Little Axe Park Improvements (050-9922-452.61-01), Project PR0123.

Resolution

R-1314-14

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $83,015 FROM THE NEIGHBORHOOD PARK LAND FUND BALANCE FOR IMPROVEMENT TO SPRINGBROOK, CRESTLAND, AND ROTARY PARKS AND $15,000 FROM THE CAPITAL FUND BALANCE FOR IMPROVEMENTS AT LITTLE AXE PARK.

§ 1. WHEREAS, on March 1, 2011, voters in Norman approved a City Charter amendment providing for the expenditure of fees-in-lieu of park land that were collected between 1976 and 1994 for the purpose of making park improvements in areas where suitable land is not available to purchase; and

§ 2. WHEREAS, Staff is recommending an appropriation from the Neighborhood Park Land Fund Balance to purchase and plant trees in Rotary Park and install new picnic tables and a grill in the new shelter being built in the park; and

§ 3. WHEREAS, Staff is recommending an appropriation from the Neighborhood Park Land Fund Balance to purchase and install new sports equipment and additional play and site furniture in Springbrook Brook; and

§ 4. WHEREAS, Staff is recommending an appropriation from the Park Land Fund Balance to make drainage improvements in Crestland Park and to purchase and install additional play equipment and site furniture and to hire a contractor to do extensive underbrush clearing and tree thinning and clean-up for better trail visibility and safety, and

§ 5. WHEREAS, there are no Park Land Funds available for Little Axe Park and staff is recommending $15,000 be appropriated from the Capital Fund Balance to add a picnic shelter adjacent to the disc golf course area on the south end of the property.

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

§ 6. That the following appropriations be made for the reasons as stated above:

Account Name	Losing Account	Gaining Account	Amount
Project No. PR0144, Springbrook Park Improvements, Construction	052-0000-253.20-00	052-9305-452.61-01	$16,518
Project No. PR0095, Rotary Park Improvements, Construction	052-0000-253.20-00	052-9618-452.61-01	$13,504
Project No. PR0145, Crestland Park Improvements, Construction	052-0000-253.20-00	052-9702-452.61-01	$52,993
Project No. PR0123, Little Axe Park Improvements, Construction	050-0000-253.20-00	050-9922-452.61-01	$15,000

PASSED AND ADOPTED this 23rd day of July, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: R-1314-18

File ID:	R-1314-18	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 40	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	07/15/2013
File Name:	Downtown Parking Lot Parking Management System Business Plan			**Final Action:**	

Title: RESOLUTION NO. R-1314-18: RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING A BUSINESS PLAN FOR THE CITY PARKING SYSTEM AT THE GRAY STREET PARKING LOT.

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-18.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 40

Attachments: Gray Street Resolution for Business Plan, Downtown Park Lot Location Map, Downtown Parking Lot - Management Business Plan, Text File Downtown Parking

Project Manager: Angelo Lombardo, Transportation Engineer

Entered by: michelle.rudder@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1314-18

Body

BACKGROUND: In the fall of 2006, City crews began construction of a Downtown Parking lot along the south side of Gray Street, between Peters Avenue and Crawford Avenue. The work was accomplished in two phases with the later phase completed in November of 2012, increasing the capacity of the lot from 104 to 144 spaces.

On October 23, 2012, City Council awarded Bid No. 1213-36 in the amount of $140,386.50 to Duncan Solutions, Inc. of Milwaukee, Wisconsin, for the purchase of a complete revenue control system for Gray Street Downtown parking lot. The system includes three multi-space parking meter stations (installed in February of 2013), an automated parking enforcement system (delivered in February of 2013) and vehicle parking space sensors for each space in the parking lot (scheduled to be installed in August of 2013).

To manage the use of the lot, the City of Norman and the Downtowners Association worked together to

developed a business plan to manage the use of the lot. On June 25, 2013, City Council met in Study Session to discuss the details of the Business Plan and directed staff to prepare an agenda item for adoption. The specific recommendations made by City Council and the Downtowners Association serve as the backbone of the Business Plan.

DISCUSSION: The attached Business Plan details the strategies and payment options available to customers and visitors who park in the City's Gray Street Parking Lot.

The plan is designed to maximize both the level of convenience experienced by all users as well as the efficient use of public parking spaces. Plan highlights include:

Parking Rate - 25¢ per hour with 1st hour free (currently 25¢ per hour with 1st hour free)
Maximum Parking Time - 24 hours (currently 24 hours)
Applicable Times - 24 hours per day, 365 days per year (currently Monday thru Saturday, between 8:00 am and 6:00 pm, except Holidays)
Minimum credit card purchase - Three hours or 75¢ (currently one hour or 25¢)

STAFF RECOMMENDATION: It is recommended that the Downtown Parking Lot Parking Management Business Plan be adopted by Resolution R-1314-18.

Resolution

R-1314-18

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING A BUSINESS PLAN FOR THE CITY PARKING SYSTEMS AT THE GRAY STREET PARKING LOT.

§ 1. WHEREAS, on May 8, 2012, the City Council adopted Resolution No. R-1112-112 approving moving forward with modifications to the Gray Street Parking Lot; and

§ 2. WHEREAS, the City Council met in a Study Session on June 26, 2013, to discuss the details of creating business plans for both the Downtown and Campus Corner areas; and

§ 3. WHEREAS, the proposed Business Plan for Gray Street Parking Lot details the strategies and payment options available to customers and visitors who park in the City's Gray Street Parking Lot; and

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

§ 4. That the proposed business plan for the Gray Street Parking Lot, attached hereto and made a part hereof, be adopted to manage the City of Norman parking systems in this location.

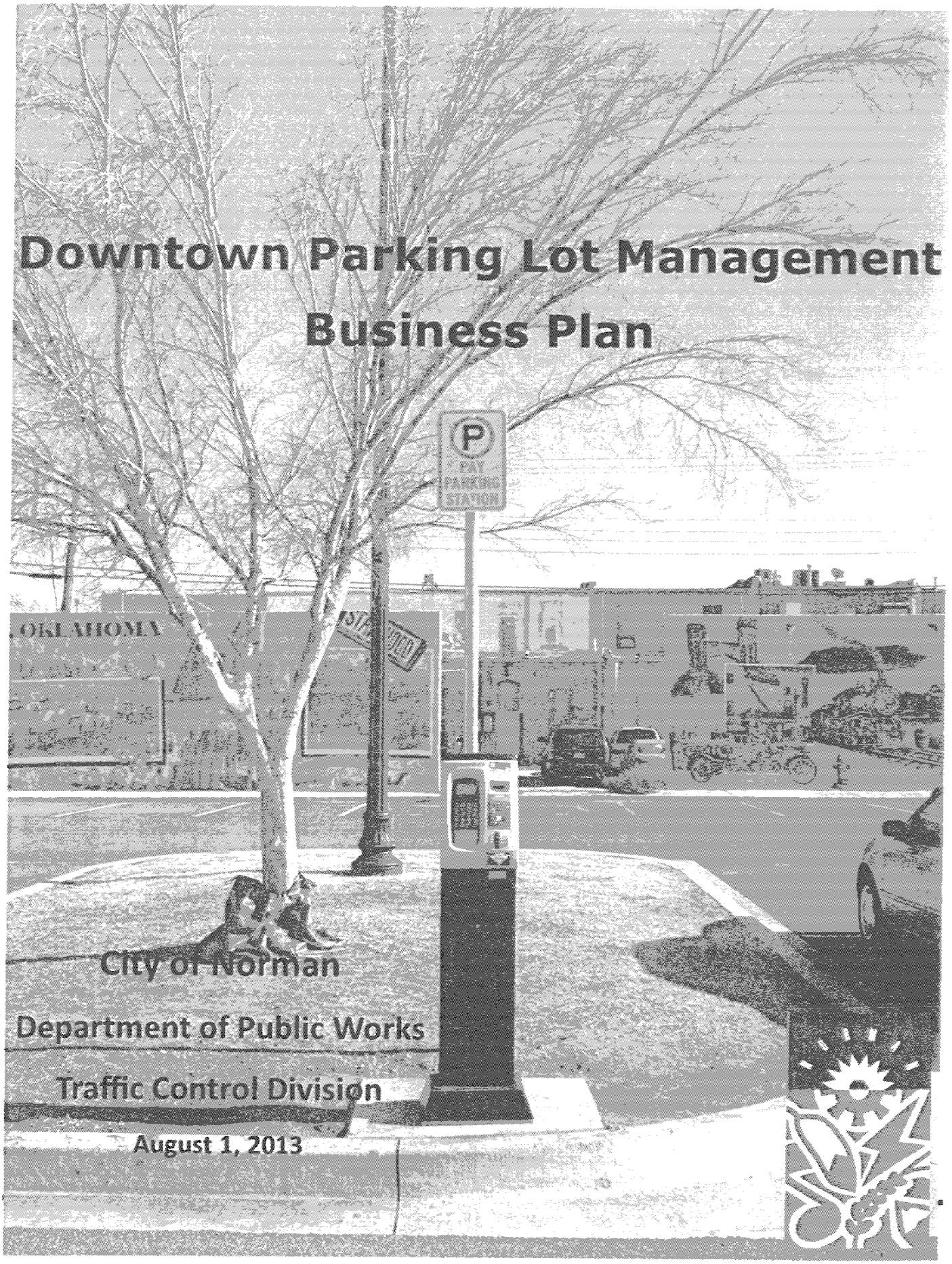
PASSED and ADOPTED this 23rd day of July, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

Downtown Parking Lot Management Business Plan



City of Norman

Department of Public Works

Traffic Control Division

August 1, 2013

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I. INTRODUCTION

Norman's historic downtown functions as the commercial center of the community - the "Heart of Norman" - including government, financial institutions, law firms, churches, and many retail and restaurant establishments.

The decline in retail activity of the 1970's and 80's began to be reversed in the new millennium and has resulted in a once again vibrant downtown that is both a local and regional attraction. This vibrancy and renewed interest in the area created a parking demand that could not be met with the existing public parking supply. To address this shortfall, the Norman City Council commissioned a Parking Study to measure both existing and future parking demand, and to develop recommendations for efficient parking management in the area. The study, which was conducted by the firm of Carter - Burgess, recommended the construction of a new pay-by-the-hour parking lot and identified the most suitable location to be along the south side of Gray Street, between Peters Avenue and Crawford Avenue.

Construction of the lot was completed in two phases. Phase 1 began in the fall of 2006 and was completed on January 30, 2007. It provided 104 spaces to the general public at no cost to the user. It did not take long for the lot to operate at or near capacity, reaching 80% occupancy sixty days after the opening and nearly 100% twelve months later. More than 50% of the users were long term parkers who worked in the Downtown area.

Phase 2 construction began in the summer of 2012 and was completed in November of the same year. Phase 2 added 40 more spaces and increased the total capacity of the lot to 144 spaces.

In order to provide adequate and convenient parking for both Downtown employees and customers, the Downtown Merchant Association requested that the City of Norman implement a parking management system that requires customers to pay for the use of the lot. The specific recommendations made by the association serve as the backbone of this Business Plan.

This business plan details the strategies and payment options available to customers, employers, employees and visitors who park on the Gray Street Parking Lot owned and maintained by the City of Norman.

The plan is designed to maximize both the level of convenience experienced by all users as well as the efficient use of the lot.

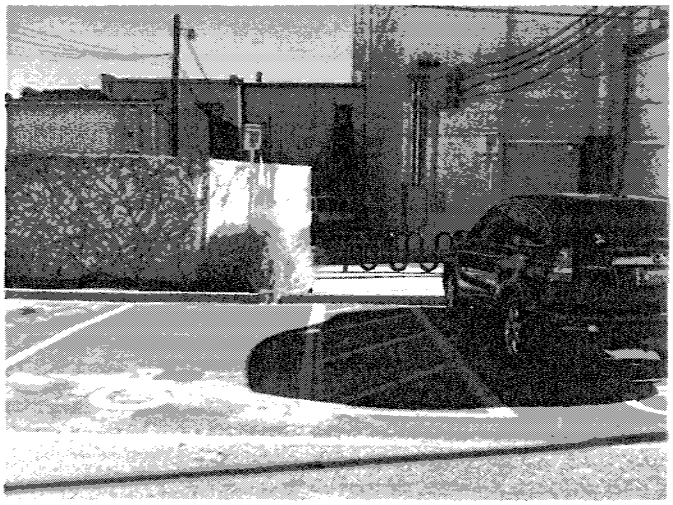
Figure 1 - Downtown Gray Street Parking Lot

II. PARKING MANAGEMENT SYSTEM

The parking lot is managed to accommodate a wide range of users visiting, working or doing business in Downtown Norman. Different payment options are offered to meet the specific needs of individuals. For the short term user visiting Downtown, there are three conveniently located multi-space parking meters that can be used to pay for one or multiple hours of parking. For the long term daily user, there are permits available for purchase. For the Downtown merchant wishing to offer customers and incentive to come back, there are tokens that could be offered to offset the cost of parking. For individuals with disabilities, there are a number of accessible parking spaces reserved for their use at no cost. No matter the situation, the Parking Management System for the Downtown Parking Lot is flexible, versatile and convenient for all users.

A. Parking for the Disabled

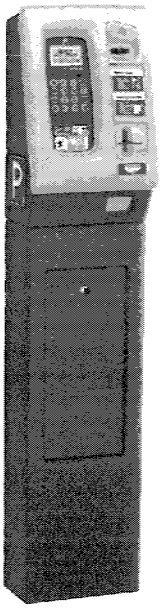
The Downtown Parking Lot was designed as an accessible parking lot for physically disabled users. There are a total of six parking spaces reserved for drivers with disabilities (one more than the minimum required by the Americans with Disabilities Act).



The spaces are clearly signed and marked. They are located in the most convenient areas of the parking lot and offer accessible routes that connect the parking space aisle to the adjacent sidewalk system. There are spaces in groups of two at the northwest, southeast and southwest corners of the parking lot. Customers using these spaces are exempted from any of the hourly fees and can park for the entire day.

B. Multi-Space Parking Meter

The city purchased a sensor-based system from Milwaukee, Wisconsin - based Duncan Technologies using a no-interest loan from the Norman Downtowners Association and Republic Bank that will be paid back by the City of Norman using part of the revenues collected by system.



The system includes three conveniently located multi-space parking meter stations and individual parking space sensors that can tell when spaces are vacant and also tell parking enforcement officers when cars have overstayed their paid time. The system links to a free smartphone app that both directs drivers to open spaces nearest their destinations, and alerts them when their meter time is about to expire so they can make a payment and avoid a ticket.

The meter is a state-of-the-art, digital, ticketless multi-space meter which is designed specifically to deliver exceptional performance while concurrently delivering a low cost of ownership over the life of the product.

The meter has superior capabilities and incorporates 'best in breed' parking technology, making it easy to maintain and highly reliable. The hardware solution for pay-by-space parking operations, supports pay-at-any-space, credit/debit card, pay-by-cell, smart card, coin and token transactions. The units are PCI-compliant and feature a secure intelligent cash box system, ensuring the highest levels of funds and data security.

Extremely weather and vandal-resistant, the meters provide a versatile, secure space management system that is linked wirelessly to the meter management system using proven, secure wireless technology to provide real-time status reporting, transaction authorization, and occupancy/compliance information to a central management system.

The system is recognized as an industry leading benchmark solution, and has received numerous design awards. The sleek, modern, slim-line exterior is constructed from high grade steel making it highly resistant to vandalism, vibration and a range of climatic conditions. Twin 5mm stainless steel sliding lock bars enforce the vault lock further – even with no lock in place the vault defaults solidly to the closed position and is virtually impenetrable.

The meters are fitted with a solid-state, rugged, anti-glare touch sensitive keypad, while the meter display and keypad area are protected by an impact resistant, toughened 10mm thick polycarbonate plate for added vandal resistance. The entire screen is recessed well into the housing, sheltering it from direct blows and it is supported at the rear by a metal carrier plate.

The meters utilize 'solid state technology' – simplifying technology upgrades and parts exchange. The modular construction of the machine's internal components facilitates rapid servicing and allows for a simple and cost-effective upgrade path over the course of the equipment's lifespan.

The system was implemented in phases with the multi-space parking meter stations becoming operational in February of 2013.

a) Signing

The location of each parking meter station is signed for easy recognition.

b) Operation

- Unit will operate with two solar panels to allow solar charging regardless of meter location relative to the sun. So, unpredictable interruptions in service are not a concern.
- The display allows payment prompts guiding the user through the payment process
- The display and keypad support a dedicated information key and screen for on-screen help and instructions
- The display backlight and contrast automatically adjust to ambient light and temperature conditions
- The coin entry slot accepts all US coins
- The unit does not accept bills
- The unit will accept Visa and MasterCard
- The meter supports real-time credit card processing, with authentication within 15 seconds in most situations
- Display messages are customizable

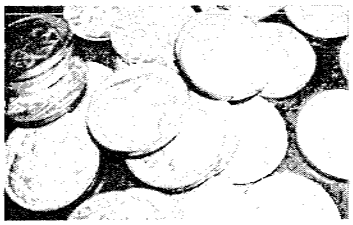
c) Payment Options

The New Multi-Space Parking Meter Stations in the Gray Street Downtown Parking Lot accept the following as a means of payment:

- Coins
- Credit Cards
- Debit Cards
- Smart Cards/Tokens and the capability to accept pay-by-mobile phone payments

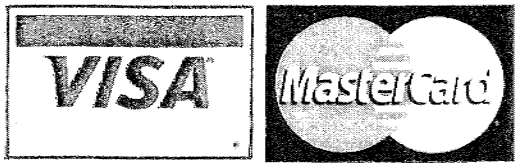
Coins

Hourly parking can be purchased using coins. The meters accept nickels, dimes and quarters. Customers can purchase multiple hours of parking at a rate of 25¢ per hour. The first hour of parking is free of charge.



Credit Cards

The meters accept Visa or MasterCard for hourly purchase transactions and support real-time credit card processing, with authentication within 15 seconds in most situations. Each credit card transaction is assessed a 41¢ convenience fee that is paid by the City of Norman. Minimum credit card charge is 75¢ (or 3 hours).



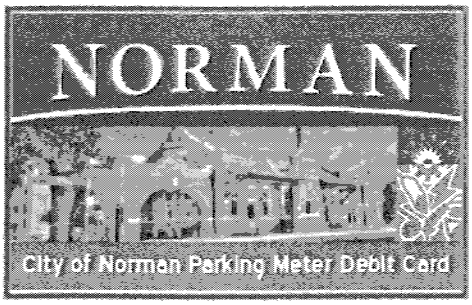
Pay By Cell Phone

One of the more convenient features of the new system offers customers the option to pay for the use of the lot using a cell phone. To take advantage of this payment option, customers can enjoy the following payment features at phone number shown below:

- Registering for cell phone payment service is without a minimum contract period, registration charge or account maintenance fee.
- Pay by cell phone service has options for individual, family and business user accounts.
- Utilizing pay by cell phone service does not require the user to be at the meter to pay.
- Users have the option to receive payment reminders alerting them of their parking location and expiration time
- Register by calling 1-888-MPARK-GO (1-888-672-7546)

Smart / Debit Cards and Tokens

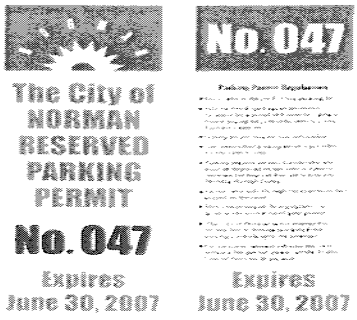
Customers can purchase Smart / Debit Cards from the City's Treasury Division located at 201 C Gray Street. The cards work like any Bank debit card and can be recharged when funds are depleted. Customers who come to the Downtown area on a regular basis may find this option to be the most convenient.



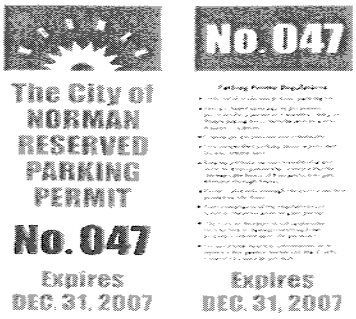
Tokens are also available for purchase from the City's Treasury Division. Each token has a value equivalent to 25¢ and are accepted at each of the meters. Merchants in particular are encouraged to consider the purchase of these tokens for refunds to customers as an incentive to return to the Downtown area for shopping, dining or entertainment.

C. Permit Parking

For Downtown employers and employees, the City also offers the option of purchasing a twelve-month permit for $450. Customers who prefer this option will be able to park in a designated area of the lot that includes 26 spaces clearly signed for permit holders.



There are 26-spaces available for permit parking. Permit parking fees are discounted by 25% over the equivalent cost of hourly daily parking. Customers interested in this option must complete a permit parking application. Spaces will be leased to interested Downtown area businesses and employees according to the following lottery process.



1. The City of Norman will advertise the spaces annually on the City of Norman website, Channel 20, and in a mailing to downtown businesses.
2. Interested potential lessees must submit an application for a leased space at the City Clerk's Office with contact information and number of spaces desired. Applications for spaces will be accepted until noon on May 15 of every year.
3. The City Clerk's Office will put all of the names into a bag and draw names one by one five days after the application due date. If applicants are interested in multiple spaces, and there are spaces remaining after all interested parties are assigned a single space, a second round of names will be drawn. If there are interested parties whose names were not drawn, those names will be drawn again for order of priority on a waiting list. The City Clerk's Office will maintain the waiting list in case of a cancelled or unexecuted lease.

4. After the lottery is completed, the applicants will be notified that they were selected and be asked to come to the City Clerk's Office to execute the lease and pay the annual rent. Leases must be executed prior to the last work day of May or the space will be considered forfeited and the City Clerk's Office will contact an applicant on the waiting list.
5. After the leases are executed, City staff will provide reserved parking permits to each lessee for display in their vehicles.
6. The leases will expire on the last day of May and the lottery will be held again for the next year's leases.

III. PARKING FEES

Hourly Parking Rates

Day	Hours	Maximum Hours	Cost
Monday - Sunday 365 days per year	All Day	24	25¢ per hour (1st hour free)

Permit Annual Rate

Day	Hours	Maximum Hours	Cost
Monday - Friday	8:00 am to 6:00 pm	10	$450 per Year

City of Norman, OK

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

Master

File Number: R-1314-19

File ID:	R-1314-19	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 41	**In Control:**	City Council
Department:		**Cost:**		**File Created:**	07/15/2013
File Name:	Campus Corner Parking Management Business Plan			**Final Action:**	

Title: RESOLUTION NO. R-1314-19: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING A BUSINESS PLAN FOR THE CITY PARKING SYSTEM ON CAMPUS CORNER.

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-19.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 41

Attachments: Text File R-1314-19, Resolution for Campus Corner Business Plan, Parking Management Plan Campus Corner, Parking Meter Locations Campus Corner

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:

Text of Legislative File R-1314-19

Body

BACKGROUND: In order to provide adequate and convenient parking for Campus Corner customers, the Campus Corner Merchants Association requested that the City of Norman consider implementing a parking management system that includes a modern system of "smart" meters capable of supporting various payment options, variable hourly rates and monitoring of parking space demand, as well as un updated Parking Management Business Plan that outlines the specific details of its operation.

On April 23, 2013, City Council awarded Bid No. 1213-70 in the amount of $126,615 to IPS Group, Inc. of San Diego, California, for the purchase of a complete revenue control system for Campus Corner parking.

On July 3, 2013, the City Manager approved a $5,000 change order that compensates the vendor for the expenses associated with submission of Statutory Maintenance and Performance bonds. Thus, the total contract amount with IPS Group, Inc. is currently $131,615.

On June 25, 2013, City Council met in Study Session to discuss the details of the Business Plan and directed

staff to prepare an agenda item for adoption. The specific recommendations made by City Council and the Campus Corner Merchants Association serve as the backbone of the Business Plan.

DISCUSSION: The attached business plan details the strategies and payment options available to customers and visitors who park in the 159 public parking spaces along Boyd Street, Asp Avenue, Buchanan Avenue, University Boulevard and White Street. It also formalizes the use of commercial loading zones and parking spaces reserved for disabled drivers.

The plan is designed to maximize both the level of convenience experienced by all users as well as the efficient use of public parking spaces. Plan highlights include:

Parking Rate - $1.00 per hour (currently 25¢ per hour)
Maximum Parking Time - Two hours (currently one hour)
Applicable Times - 24 hours per day, 365 days per year (currently Monday thru Saturday, between 8:00 am and 6:00 pm, except Holidays)

The new parking meters are scheduled to be installed this month and the new system expected to become operational in August of 2013, prior to the beginning of the Fall semester at the University of Oklahoma.

STAFF RECOMMENDATION: It is recommended that the Campus Corner Parking Management Business Plan be adopted by Resolution No. R-1314-19.

Resolution

R-1314-19

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING A BUSINESS PLAN FOR THE CITY PARKING SYSTEM ON CAMPUS CORNER.

§ 1. WHEREAS, the Campus Corner Merchants Association has requested that the City of Norman upgrade the parking meter system on Campus Corner; and

§ 2. WHEREAS, the City Council met in a Study Session on June 26, 2013, to discuss the details of creating business plans for both the Downtown and Campus Corner areas; and

§ 3. WHEREAS, the proposed Business Plan for Campus Corner details the strategies and payment options available to customers and visitors who park in the 159 public parking spaces along Boyd Street, Asp Avenue, Buchanan Avenue, University Boulevard and White Street and it formalizes the use of commercial loading zones and parking spaces reserved for disabled drivers; and

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

§ 4. That the proposed business plan for Campus Corner, attached hereto and made a part hereof, be adopted to manage the City of Norman parking system in this location.

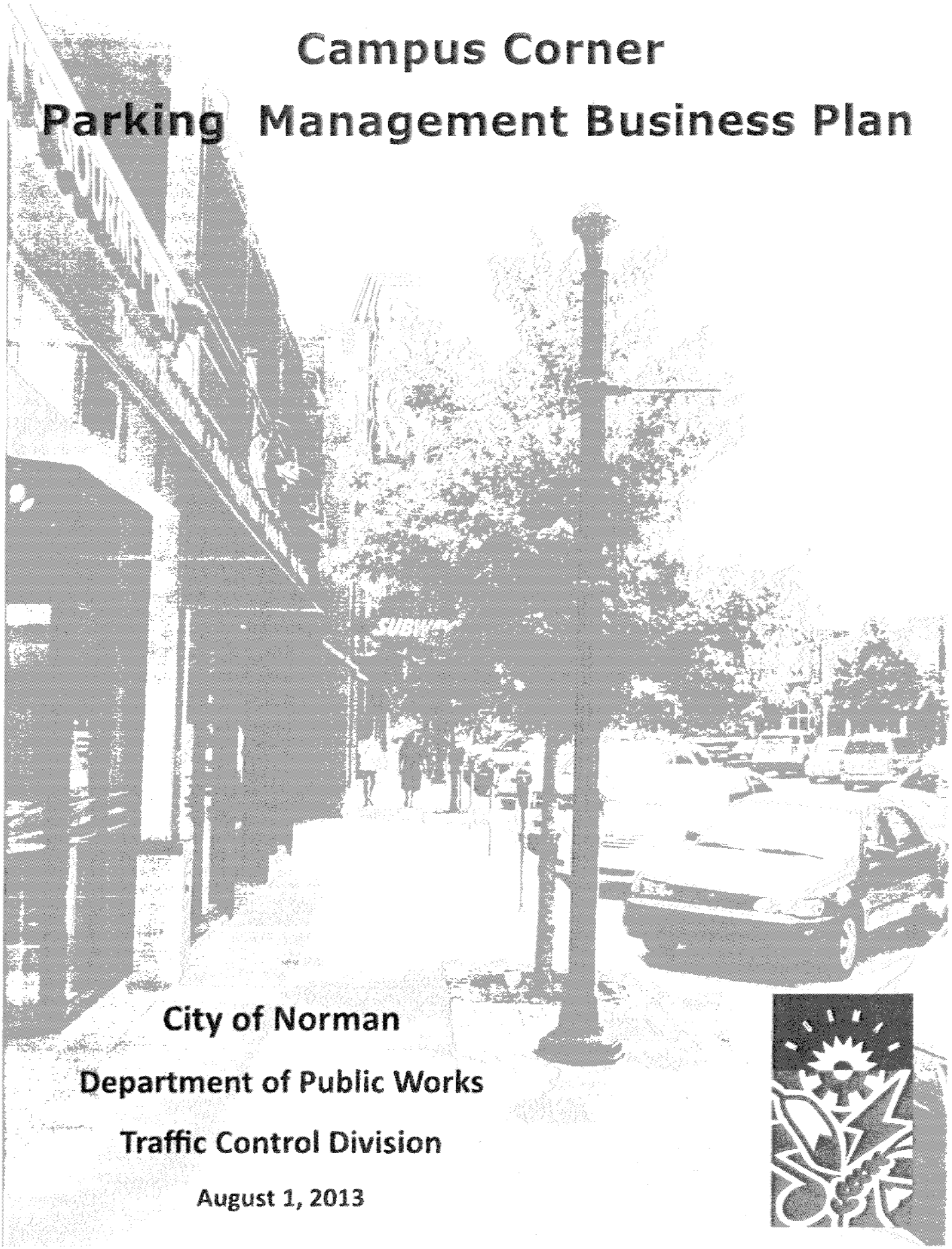
PASSED and ADOPTED this 23rd day of July, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

Campus Corner
Parking Management Business Plan



City of Norman

Department of Public Works

Traffic Control Division

August 1, 2013

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I. INTRODUCTION

Campus Corner was developed during the early 1900s to serve the needs of the faculty and students working at and living near the University of Oklahoma. Nearly all student housing was located in the Campus Corner area and at the time students were not permitted to drive. This caused the area to grow rapidly, becoming a thriving business district by 1920. Restaurants, clothing stores, laundry facilities, pharmacies, and beauty salons soon opened for business. One of the early developers in Campus Corner was the Whistler Family, responsible for additions to the area such as the 575 University building which ultimately housed a bookstore, supply shop, restaurant, and a dance floor. In 1929 a tragic fire destroyed most of the then-existing Campus Corner; however, within a few years the area was rebuilt and the fire ultimately led to further expansion.

Throughout the 1930s the area continued to grow with the addition of new restaurants, cleaners, and a department store. In 1947 the Boomer Theater was constructed at 765 Asp Avenue. Originally a movie theater, in its later years the Boomer Theater became a concert venue before finally being remodeled for use as a department store/ office space during the 1980s.

During the 1950s enrollment at the university was swelling and as a result Campus Corner was booming. Because of the close proximity between merchants and students, a unique relationship was formed. Many activities were held in Campus Corner. Some of those included Ruf/Neks (a university pep-squad) ceremonies, the public shaving of beards to signal the end of Engineering Week, tobacco spitting contests, and numerous bonfires celebrating football games.

By the early 1960s enrollment was growing greater than the university's ability to house its students and as a result the decision was made to build new housing on the south end of campus. With the new residence towers completed in the mid-1960s, the popularity of Campus Corner waned. More students were living farther from campus as dorms and Greek houses changed locations and more students began to drive. In the 1970s retailers began to build malls and strip centers farther west of campus with better access to Norman's primary highway, Interstate 35.

As a result of civic improvements and private funding, the area began to re-emerge as a shopping and social destination in the early-2000s. In recent years the city has improved the infrastructure in the area including new utility lines, lights, landscaping, parking meters with one-hour limits, curbs, sidewalks, and new ornamental traffic signals. Campus Corner property owners have also consolidated their properties and organized with one another to deal with long-standing challenges in the area. Owners and tenants have renovated the century-old buildings, having demolished interior walls, re-wired, and re-plumbed much of the area to meet modern city codes. In 2003, head OU football coach Bob Stoops became part owner of a new sports bar in Campus Corner that started a wave of

new restaurant openings. Since that time many new businesses have been established in the area, its growth continuing into the 2010s.

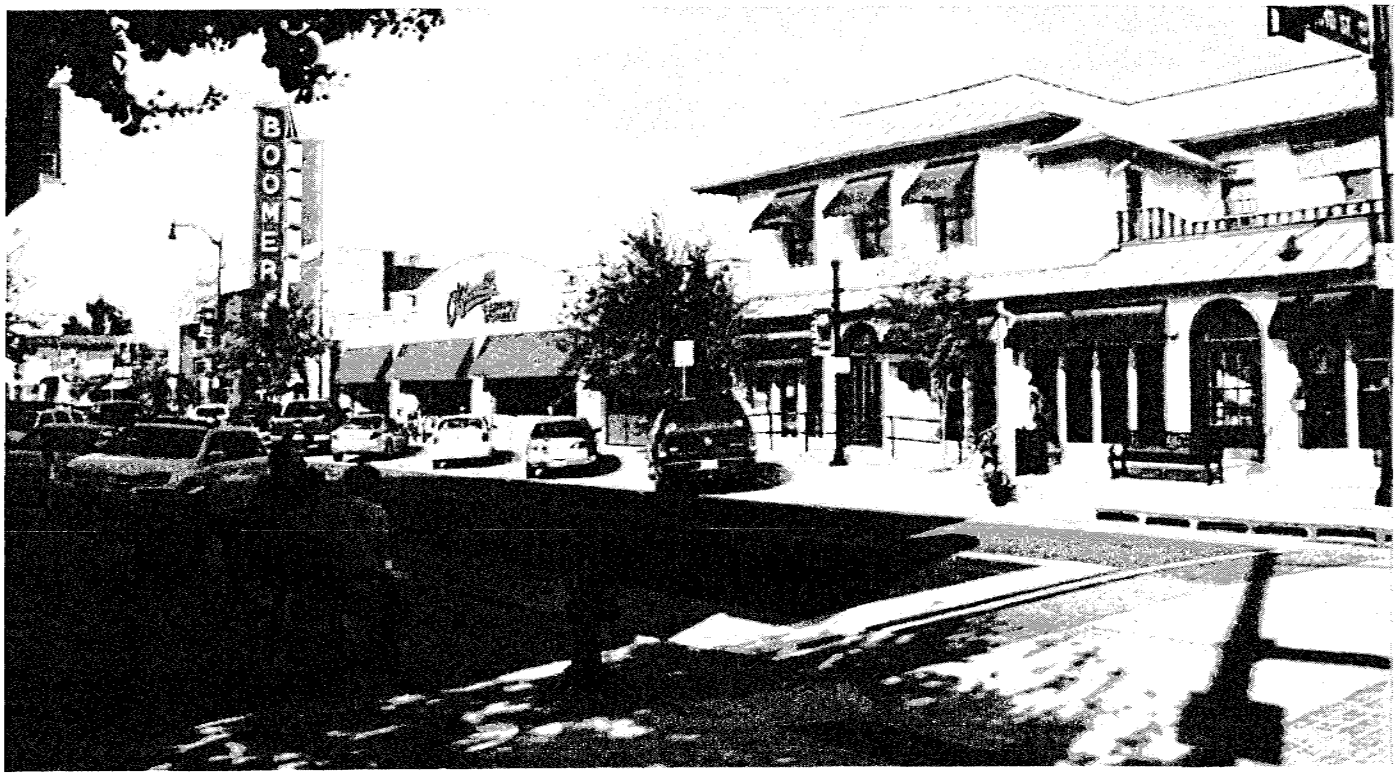
Today, Campus Corner is home to many businesses including bars, restaurants, banks, computer/technology retail, coffee shops, a newspaper, hair salons, gift shops, accessories boutiques, churches, professional organizations, a bridal shop, and several professional offices.

In 2003, the Norman City Council approved a contract with Carter & Burgess, Inc. to develop a blueprint for future parking improvements and expenditures for the area. The study included a detailed inventory of off-street and on-street parking spaces that shows a total of 1,836 total spaces in the area. Of these, 1,597 are off-street spaces in surface lots and informal parking areas (87 percent of the total supply) and 239 are on-street spaces (13 percent). Off street parking includes 33 accessible spaces reserved for use by disabled persons.

Metered parking spaces include 157 one-hour meters charging 25¢ per 60 minutes and three 15-minute meters. There are five accessible on-street spaces designated for use by disabled persons and three commercial loading zones.

Of the total vehicle Campus Corner parking supply, 61.7 percent (1,133 spaces) are privately use parking spaces reserved for use only by certain individuals or classes of individuals, such as reserved parking for employees or customers of a particular business establishment. The remaining 38.3 percent (703) are public-use spaces available for hourly or daily use, either free or on a fee-paid basis.

On street parking space demand is extremely high during most hours of the day throughout the week and weekends. Parking occupancy peaks between noon and 1:00 p.m. on typical weekdays. The area experiences added



parking demand due to spillover of demands generated by the OU Campus, making the use of parking meters critical for adequate turnover.

In the long term, the Campus Corner Parking Study recommends development of a multilevel parking garage. Two alternative sites were investigated with a preferred location identified just north of the OU President house along the west side of University Boulevard.

In order to provide adequate and convenient parking for Campus Corner customers, the Campus Corner Merchants Association requested that the City of Norman consider implementing a parking management system that includes a modern system of "smart" meters capable of supporting various payment options, variable hourly rates and monitoring of parking space demand. The specific recommendations made by the association serve as the backbone of this Business Plan.

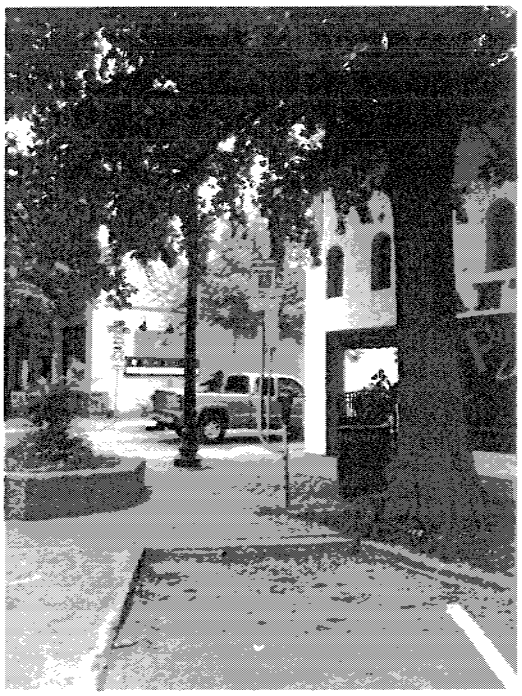
The business plan details the strategies and payment options available to customers and visitors who park in the 159 spaces along Boyd Street, Asp Avenue, Buchanan Avenue, University Boulevard and White Street. The plan is designed to maximize both the level of convenience experienced by all users as well as the efficient use of public parking spaces. Figure No. 1 depicts the location of each of the public parking spaces included in the plan.

Figure 1 - Campus Corner Public Parking Areas

II. PARKING MANAGEMENT SYSTEM

The majority of the public on-street parking spaces have digital parking meters that accommodate a wide range of users visiting or doing business in the Campus Corner area. Different payment options are offered to meet the specific needs of individuals. For the short term user visiting Campus Corner, there are 159 metered spaces along Boyd Street, University Boulevard, Buchanan Avenue, Asp Avenue and White Street that can be used to pay for one or two hours of parking. For longer term users, the area offers numerous privately owned spaces for customers. For the Campus Corner merchant wishing to offer customers an incentive to come back, there are tokens that could be offered to offset the cost of parking in the publicly-owned spaces. For individuals with disabilities, there are a number of accessible parking spaces reserved for their use at no cost. No matter the situation, the Parking Management System for the Campus Corner area is flexible, versatile and convenient for all users.

A. Parking for the Disabled



Campus Corner on-street parking spaces include a number of accessible spaces for physically disabled users. There are a total of five parking spaces reserved for drivers with disabilities, including one that is van-accessible. The Americans with Disabilities Act recommends six spaces, including one that is van accessible, which is one more than currently provided..

The spaces are clearly signed and marked. They are conveniently located and offer accessible routes that connect the parking space aisle to the adjacent sidewalk system. The specific locations are as follows:

Asp Avenue - Two spaces along the east side of the roadway in front of 747 Asp Avenue. The northernmost space is van-accessible.

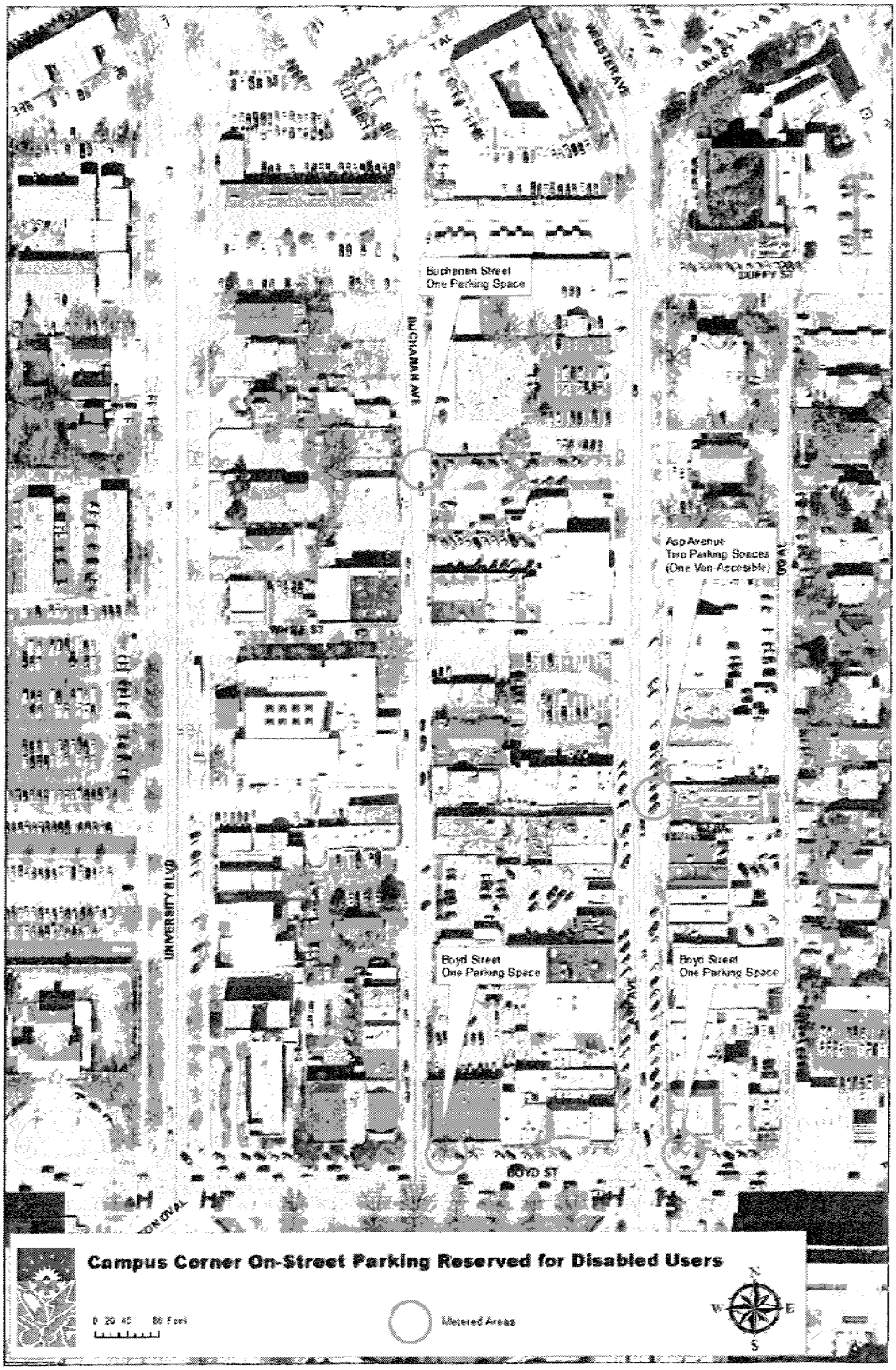
Buchanan Avenue - One space along the east side of the roadway north of White Street.

Boyd Street - Two spaces along the north side of the roadway (one immediately west of Buchanan Avenue and one immediately west of Asp Avenue.

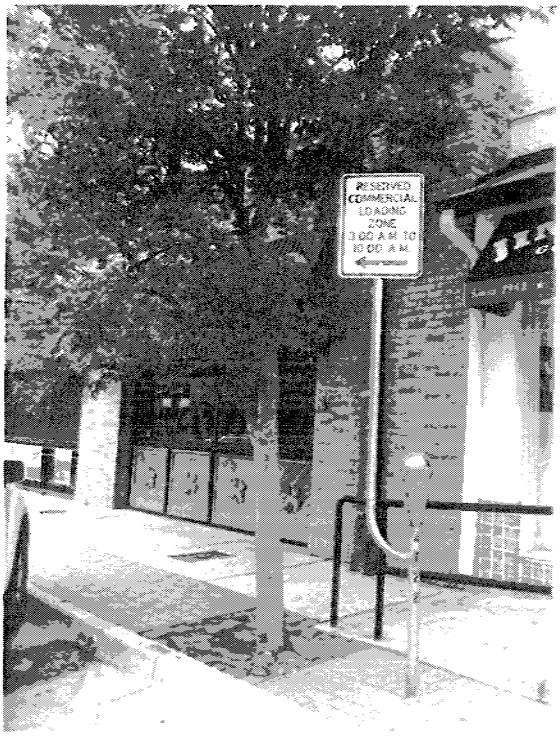
Figure No. 2 depicts the location of each of the spaces.

Customers using these spaces are exempted from any of the hourly fees and can park for the entire day.

Figure 2 - Campus Corner Parking for the Disabled

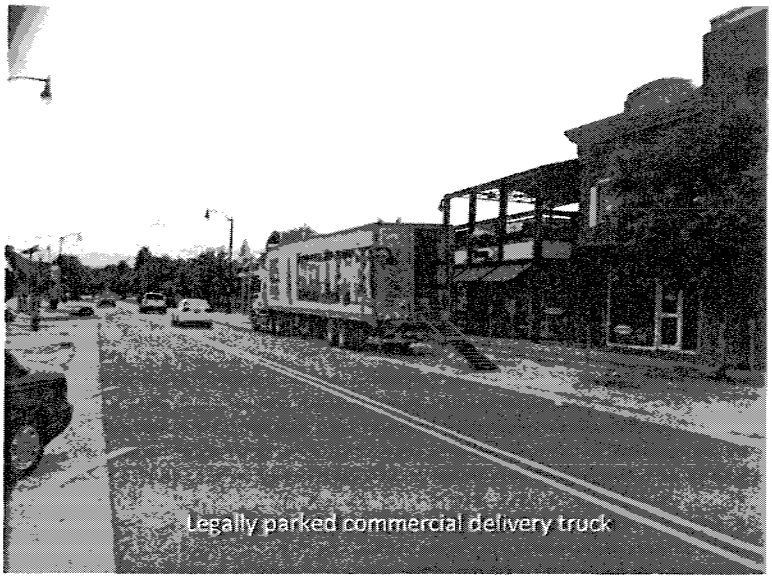


B. Commercial Loading Zones



The limited number of alleys and the high demand for on-street parking opportunities make the Campus Corner area challenging when it comes to the establishment of commercial loading zones. At the present time, there are three zones reserved for commercial loading and off-loading. Figure No. 3 depicts their location.

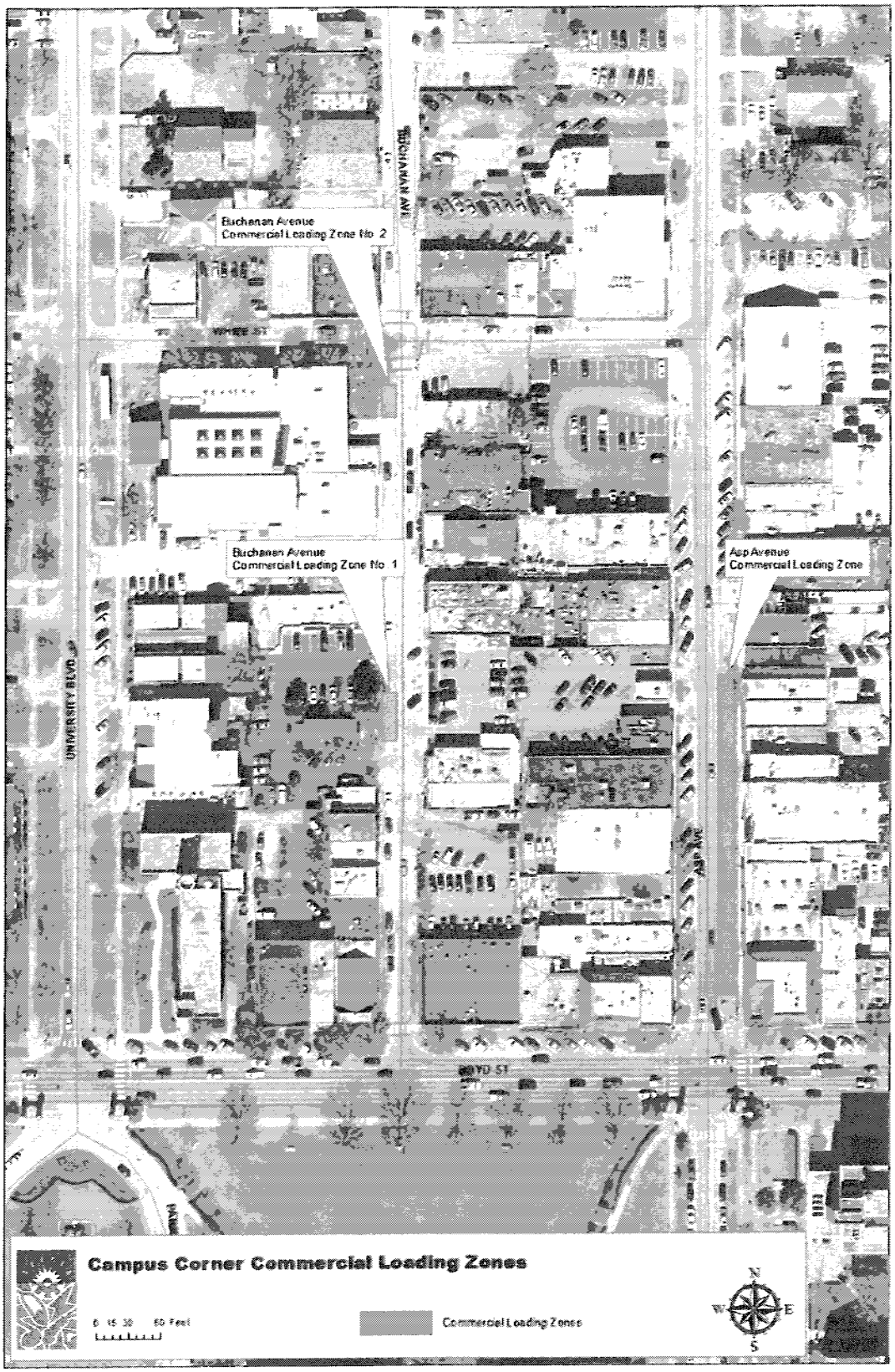
The largest and only zone capable of handling large vehicle deliveries is along the east side of Asp Avenue north of Boyd Street. The first fifteen metered spaces north of Boyd Street are reserved for commercial loading between the hours of 3:00 a.m. and 10 a.m.. After 10:00 a.m., these spaces become regular on-street metered spaces available to the general public. Large delivery trucks loading and off-loading between the hours of 10 a.m. and 3:00 am must be prohibited. Enforcement of this prohibition currently falls on the business owners. Violations are commonplace and difficult to manage by the City's Parking Enforcement Authorities.


Legally parked commercial delivery truck

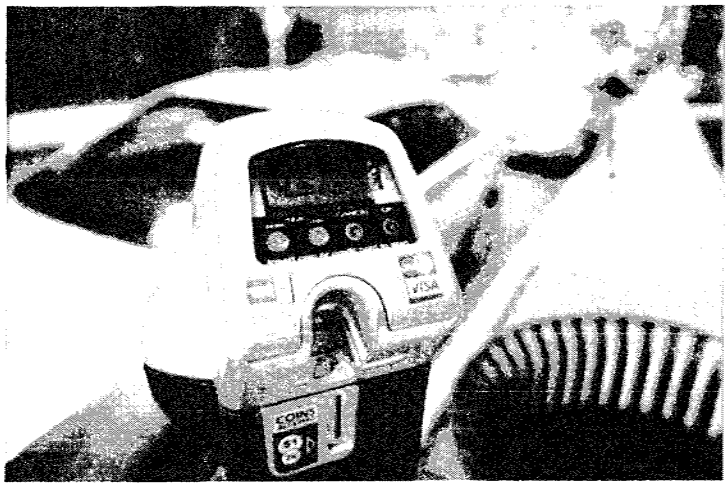
The other two zones are along the west side of Buchanan Avenue. These two zones are significantly smaller and only accommodate single unit trucks. The first one is located half way between Boyd Street and White Street, includes two parallel parking spaces and is in force between the hours of 3:00 a.m. and 10:00 a.m.. The second one is immediately south of White Street, includes a single parallel parking space and is in full force throughout the day.

Illegally parked commercial delivery truck

Figure 3 - Campus Corner Commercial Loading Zones



C. Single-Space Parking Meters

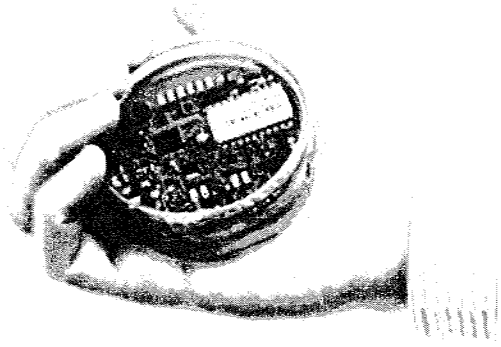


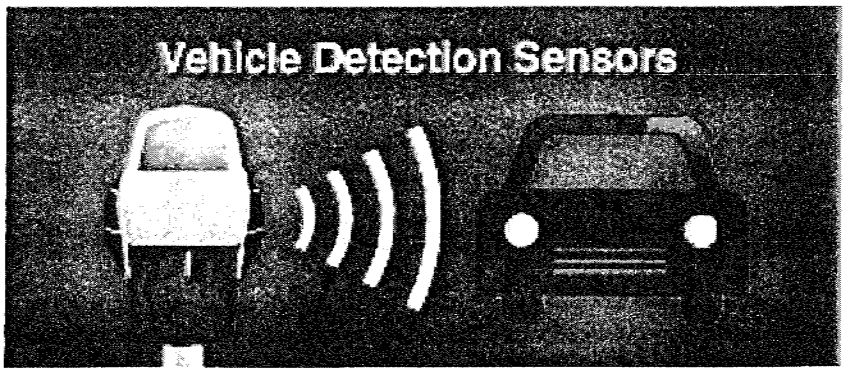
The city purchased a sensor-based system from San Diego, California - based IPS Group using Campus Corner Tax Increment Finance District funds.

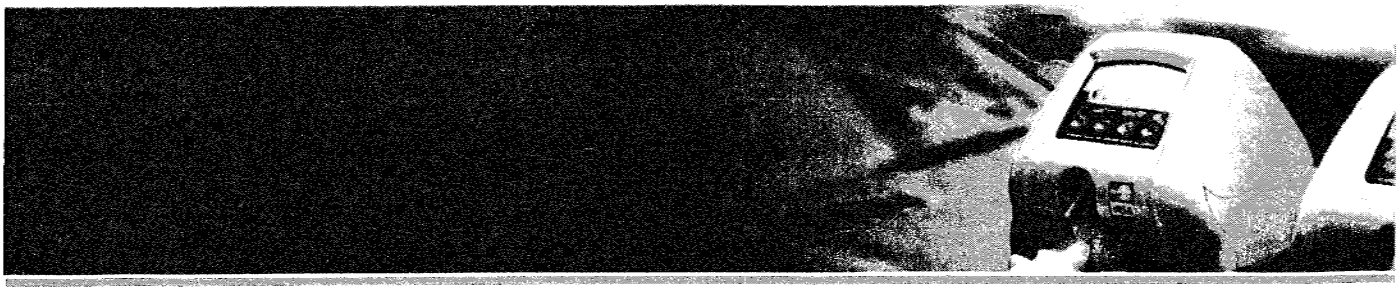
The meters provide customers and their patrons with a simple and consistent parking user experience - which is more cost effective, customer friendly and reliable. The patented IPS solution uniquely provides a credit card enabled single-space meter mechanism which was retrofitted into each of the existing on-street parking meter housings. In addition, the IPS meter offers multiple payment options (coins, credit / debit card, smart card and tokens.), access to real-time data, solar-power technology, and a comprehensive web-based management system.

The meters are wirelessly connected to individual parking space sensors that monitor parking space occupancy as it relates to the amount of time purchased by the user. The meter and sensors, working in tandem with the web-based management system, generates expired meter notifications sent directly to the parking enforcement officer via smart phone of P.C. tablet for the efficient and timely issuance of parking citations.

The new meters and sensors became operational in late July of 2013.







@ 25¢ per hour for 100% occupancy = $95,600 per year

Individual parking meters contain all the instructions necessary to complete a transaction. Menu options are easily accessible though a key pad in the meter head.

b) Operation

- Patented meter mechanism accepts payment by coins, credit / debit card , smart card and tokens
- Wirelessly networked to a web-based management system – no additional communications infrastructure required
- Retrofits into existing meter housings/poles, and maintains all current meter enforcement and collection processes
- Solar powered with rechargeable battery pack
- PA-DSS and Level 1 PCI-DSS Certified

c) Data Management System

The meter system Data Management System is a secure, web-based application that allows the City to manage the entire parking meter network with ease, at the click of a mouse. A comprehensive set of financial, technical, and administrative reporting features and remote meter configuration make this system both intuitive and powerful. The system seamlessly integrates meters, vehicle sensors, and pay-by-cell applications into a single system. Features include:

- No need for local software or new hardware installation
- Comprehensive set of financial and technical reports, and administrative management tools
- Always uses the latest in encryption and internet security
- Real-time data available 24/7/365

d) Vehicle Detection System

When paired with the IPS credit card enabled single-space parking meter, customers benefit from:

- Measurable data--- sensors enable the City to track true parking demand over time
- Improved efficiency in law enforcement
- Increased revenue from the meter resetting after vehicle departs
- Customer convenience – push parking availability to web applications and maps

The Vehicle Detection System is the most cost effective and reliable sensor system on the market today. Sensors communicate wirelessly to the meter, which means there is no need to install expensive, complicated mesh networks. The result is an anticipated increase of 25%-50% in City revenues and improvements in

operating efficiencies, all while providing vehicle detection technology at a fraction of the ongoing costs (up to 50% less expensive).

The Vehicle Detection System has the following capabilities:

- Calculate paid vs. actual occupancy trends to improve enforcement efficiency
- Provide real time directed enforcement to in-field handhelds
- Reset meter when vehicle leaves space (generally results in increased revenues of 20-40%)
- Push parking availability to the public via on-line maps

e) Payment Options

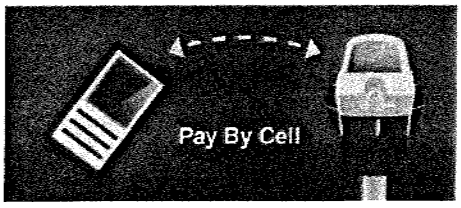
The Parking Meters accept the following as a means of payment:

- Coins
- Pay by Cell Phone
- Credit Cards
- Debit Cards
- Smart Cards/Tokens and the capability to accept pay-by-mobile phone payments

Coins

Hourly parking can be purchased using coins. The meters accept nickels, dimes and quarters. Customers can purchase up to two hours of parking at a rate of $1 for the first hour and $2 for the second hour.

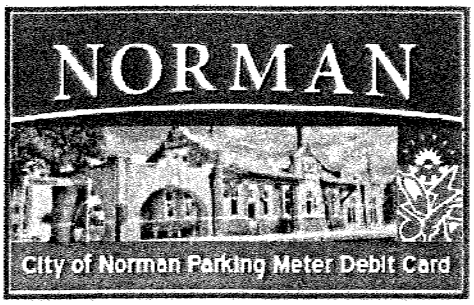
Pay By Cell Phone



The system allows users to make remote parking payments from a cell phone if stuck in a meeting or delayed at a restaurant. However, traditional pay-by-cell phone applications are not the most convenient option when standing at the meter – credit card is!

The meters combine the convenience of initial credit card payment with the flexibility of making a remote payment when needed – and remains enforcement friendly. The system pushes time purchased via smartphone in real-time directly to the meter, so enforcement practices are not impacted. The remote payment application supports web-based smartphone payment applications and 3rd party integration. The system is unique in that it also allows for initial payment with a credit card and then sends a receipt/ SMS to the motorist's cell phone. Finally, prior to meter expiration, the motorist will receive a reminder notification, and can then add time to the meter via their cell phone before the meter expires.

Smart / Debit Cards and Tokens



Customers can purchase Smart / Debit Cards from the City's Treasury Division located at 201 C Gray Street. The cards work like any Bank debit card and can be recharged when funds are depleted. Customers who come to the Campus Corner area on a regular basis may find this option to be the most convenient.

Tokens are also available for purchase from the City's Treasury Division. Each token has a value equivalent to 25¢ and are accepted at each of the meters. Merchants in particular are encouraged to consider the purchase of these tokens for refunds to customers as an incentive to return to the Campus Corner area for shopping, dining or entertainment.

Credit Cards

The meters accept Visa or MasterCard for hourly purchase transactions and support real-time credit card processing, with authentication within 15 seconds in most situations. Each credit card transaction is assessed a 41¢ convenience fee that is paid by the City of Norman.

III. PARKING FEES

Hourly Parking Rates

Day	Hours	Maximum Hours	Cost
Monday - Friday	8:00 am to 6:00 pm	2	$1.00 per hour (1st hour) $2.00 per hour (2nd hour)
Monday - Friday	6:00 pm to 8:00 am	Unlimited	Free
Weekends and Holidays	All Day	Unlimited	Free

IV. ANTICIPATED NET REVENUE

A. Revenues

Revenue from the parking meter system comes from two sources; meter fees and expired meter citations. Using historical data, the revenue is anticipated to be approximately $382,000 per year. The following assumptions are made:

a) Meter Fees

Number of meters = 159

Hours of Operation = 2,550 hours per year per meter (8:00 a.m. to 6:00 p.m., 255 days per year) (excludes weekends, holidays).

Occupancy = 69.8% (based on actual collections @ 25¢)

@ 25¢ per hour for 100% occupancy = $95,600 per year or $637.50 per space per year

Actual Collections = $70,744 per year or $444.93 per space per year

% Occupancy = 444.93 / 637.50 = 69.79% ~ 70%

Daily Transactions = 159 meters x 10 hours x 0.70 = 1,113 transaction per day

Projected revenue with increased rates = $357,000

Reduction in use due to rate increase = 10%

One hour transactions = 60%

Two hour transactions = 40%

Number of transactions = 1,113 x 0.90 ~ 1,000 per day

Number of $1.00 transactions = 1,000 x 0.60 = 600 transaction per day

Number of $2.00 transactions = 1,000 x 0.40 = 400 transaction per day

Revenue per day = (600 x $1.00) + 400 x $2.00) = $1,400 per day

Revenue per year = $1,400 per day x 255 days = $357,000

b) Meter Fees

Total Expired Meter Citations = $25,000 (2,500 citations at $10 per citation)

B. Expenses

The annual cost of operating the new Campus Corner parking meter system is $64,771 and includes the following items:

– Wireless Gateway / Data Fee - $10,971 per year

– Sensor System Management Fee - $6,678.00 per year

– Real Time Sensor Reporting Fee – $5,247.00 per year

– Credit Card Transaction Fees - $35,875 per year (350 daily transactions average @ $0.41 per transaction)

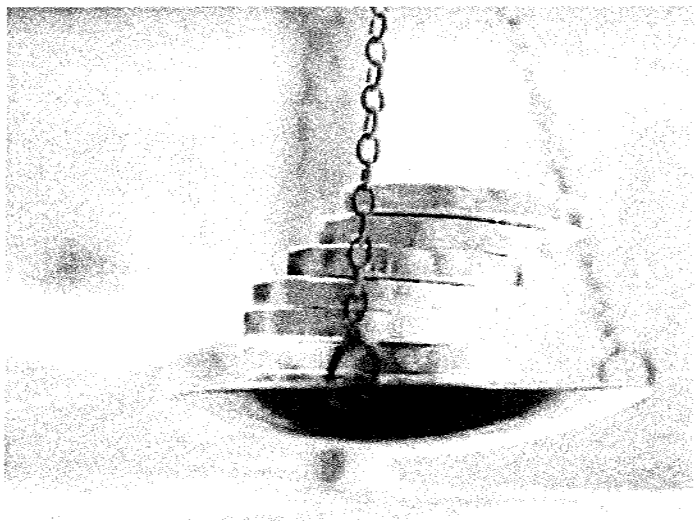
– Regular Meter / Sensor Maintenance - $5,000 per year

– Sensor Battery Replacement – $5,000 every five years

The Norman Police Department also funds one FTE position (Parking Enforcement Office) for enforcement of the parking meter regulations in the Campus Corner Area. Salaries, benefits and equipment total $55,195 per year.

C. Net Revenue

The increase in parking meter rates minus the expenses associated with operation, maintenance and enforcement of the new system, is expected to generate a net revenue of $262,034.



City of Norman, OK

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

Master

File Number: GID-1314-7

File ID:	GID-1314-7	**Type:**	Settlement	**Status:**	Consent Item
Version:	2	**Reference:**	Item No. 42	**In Control:**	City Council
Department:	Legal Department	**Cost:**	$2,950.00	**File Created:**	07/09/2013
File Name:	Stephens Subrogation			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE CITY ATTORNEY THAT THE CITY COUNCIL APPROVE A SUBROGATION RECOVERY SETTLEMENT IN THE AMOUNT OF $2,950 IN *STEPHENS V. BOWER*, CLEVELAND COUNTY DISTRICT COURT CASE NO. CJ-2013-157 ARISING FROM EMPLOYER PAID EXPENSES IN THE CASE OF JERRY STEPHENS V. THE CITY OF NORMAN, WORKERS COMPENSATION COURT CASE WCC 2010-11353Q.

Notes: ACTION NEEDED: Motion to approve or reject the City Attorney's recommendation; and, if approved, authorize the City Attorney's office to effectuate the settlement in the amount of $2,950.

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 42

Attachments: Text File Settlement

Project Manager: Kristina Bell, 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-1314-7

Body

BACKGROUND: This lawsuit, *Stephens v. Bower*, Cleveland County District Court case no. CJ-2013-157, was filed by Jerry Stephens, a City employee, against a third-party tortfeasor, Michael Bower, for personal injuries he sustained as a passenger in a motor vehicle accident that occurred on February 8, 2011, while he was on the job. The City is pursuing a subrogation claim to recover Workers' Compensation expenses paid to Mr. Stephens that were attributable to this same accident. Mr. Stephens's counsel has offered to settle the City's subrogation claim for $2,950. This settlement offer is being formally being presented to City Council for consideration at this time.

DISCUSSION: Because Mr. Stephens the injuries occurred on the job, the City paid for Mr. Stephens medical treatment and permanent disability under a workers compensation case filed by Mr. Stephens. Under Oklahoma law, an employer may recover workers compensation expenses paid on behalf of an employee from

a third party when those injuries were caused by the negligent acts of the third party. As noted above, Mr. Stephens has pursued a separate lawsuit against the negligent third party and has reached a point of potential settlement. Because this matter involves pending litigation, the merits were discussed in a privileged and confidential memorandum dated June 27, 2013.

RECOMMENDATION: For the reasons outlined it the separate privileged and confidential memorandum dated June 27, 2013, it is believed the proposed settlement is fair, reasonable, and in the best interest of the City. Therefore, it is recommended that this settlement offer be accepted. Should Council approve the subrogation amount, then upon receipt of the $2,950 payment, the funds will be deposited into Miscellaneous Risk Management (account 043-0000-367.12-64).

City of Norman, OK

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

Master

File Number: O-1213-52

File ID:	O-1213-52	**Type:**	Ordinance	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 43	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	05/07/2013
File Name:	Delta Gamma Special Use			**Final Action:**	

Title: CONSIDERATION OF ORDINANCE NO. O-1213-52 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 GRANT SPECIAL USE FOR OFF-STREET PARKING IN THE R-2, TWO FAMILY DWELLING DISTRICT, FOR LOTS 29, 30 AND 31, BLOCK 1, JOHNSON'S ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (739 COLLEGE AVENUE)

Notes: ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-52 upon Second Reading section by section.

ACTION TAKEN:_____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-52 upon Final Reading as a whole.

ACTION TAKEN:_____

Agenda Date: 07/23/2013

Agenda Number: 43

Attachments: Text File O-1213-52, O-1213-52, Location Map, Staff Report, Delta Gamma parking lot improvements final review, Delta Gamma Landscape Plan, Wall Details, Predevelopment Summary Alpha Iota, 6-13-13 PC Minutes - O-1213-52

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	06/13/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	07/09/2013	Pass
	Action Text:	A motion was made by Commissioner Bahan, seconded by Commissioner McCarty, that this Zoning Ordinance be Recommended for Adoption at a subsequent City Council Meeting to the City Council , due back on 7/9/2013. The motion carried by the following vote:				
1	City Council	07/09/2013	Introduced and adopted on First Reading by title only			Pass
	Action Text:	That this Zoning Ordinance be Introduced and adopted on First Reading by title only. by consent roll call				

Text of Legislative File O-1213-52

Body

SYNOPSIS: The existing site is a vacant annex house that is owned by Alpha Iota House Corporation and has been uninhabited for many years. The owner is requesting a Special Use for off-street parking for this site. The proposal is to demolish the existing house and utilize the site to expand the current off-street parking lot in use by the sorority.

ANALYSIS: A Special Use for off-street parking was previously approved by City Council on September 25, 2001, O-0001-46 but never developed. The Special Use expired, and the owners are now seeking the same Special Use for a parking lot. Currently the Delta Gamma House has 90 residents and only 42 parking spaces; the expanded parking lot will provide an additional 25 parking spaces. Required parking for sorority or fraternity houses is one per resident and, though the additional parking will not fulfill that requirement, it will help to alleviate on-street parking in that neighborhood.

ALTERNATIVES/ISSUES:

IMPACTS The parking lot will provide additional off-street parking for the Delta Gamma House. This additional parking area will benefit surrounding residences by minimizing on-street parking by the sorority members. The parking lot site plan proposes a shared egress/ingress to eliminate curb cuts on College Avenue with complete landscaping and a decorative brick wall as a buffer. Parking lots currently surround the site and the additional parking lot will not create a negative impact on surrounding neighbors.

OTHER AGENCY COMMENTS:

PARKS BOARD: Not required for this proposal.

PUBLIC WORKS: Public works has approved the proposal and site plan.

STAFF RECOMMENDATION: Staff recommends approval of O-1213-52 for Special Use for an off-street parking lot. The Special Use will allow the Delta Gamma House to provide additional parking for their residents.

The Planning Commission, at their meeting of June 13, 2013, recommended adoption of Ordinance No. O-1213-52, by a vote of 5-0.

O-1213-52

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR OFF-STREET PARKING IN THE R-2, TWO FAMILY DWELLING DISTRICT, FOR LOTS 29, 30 AND 31, BLOCK 1, JOHNSON'S ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (739 COLLEGE AVENUE)

§ 1. WHEREAS, Alpha Iota House Corporation of Delta Gamma, the owner of the hereinafter described property, has made application for Special Use for Off-Street Parking in the R-2, Two-Family Dwelling District; and

§ 2. WHEREAS, said application has been referred to the Planning Commission of said City and said body has, after conducting a public hearing as required by law, considered the same and recommended that the same should be granted and an ordinance adopted to effect and accomplish such rezoning; 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 R-2, Two Family Dwelling District with Special Use for Off-Street Parking, to wit:

Lots 29, 30 and 31, Block 1, JOHNSON'S ADDITION to Norman, Cleveland County, Oklahoma. Said tract contains .237 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.

_____
(Mayor)

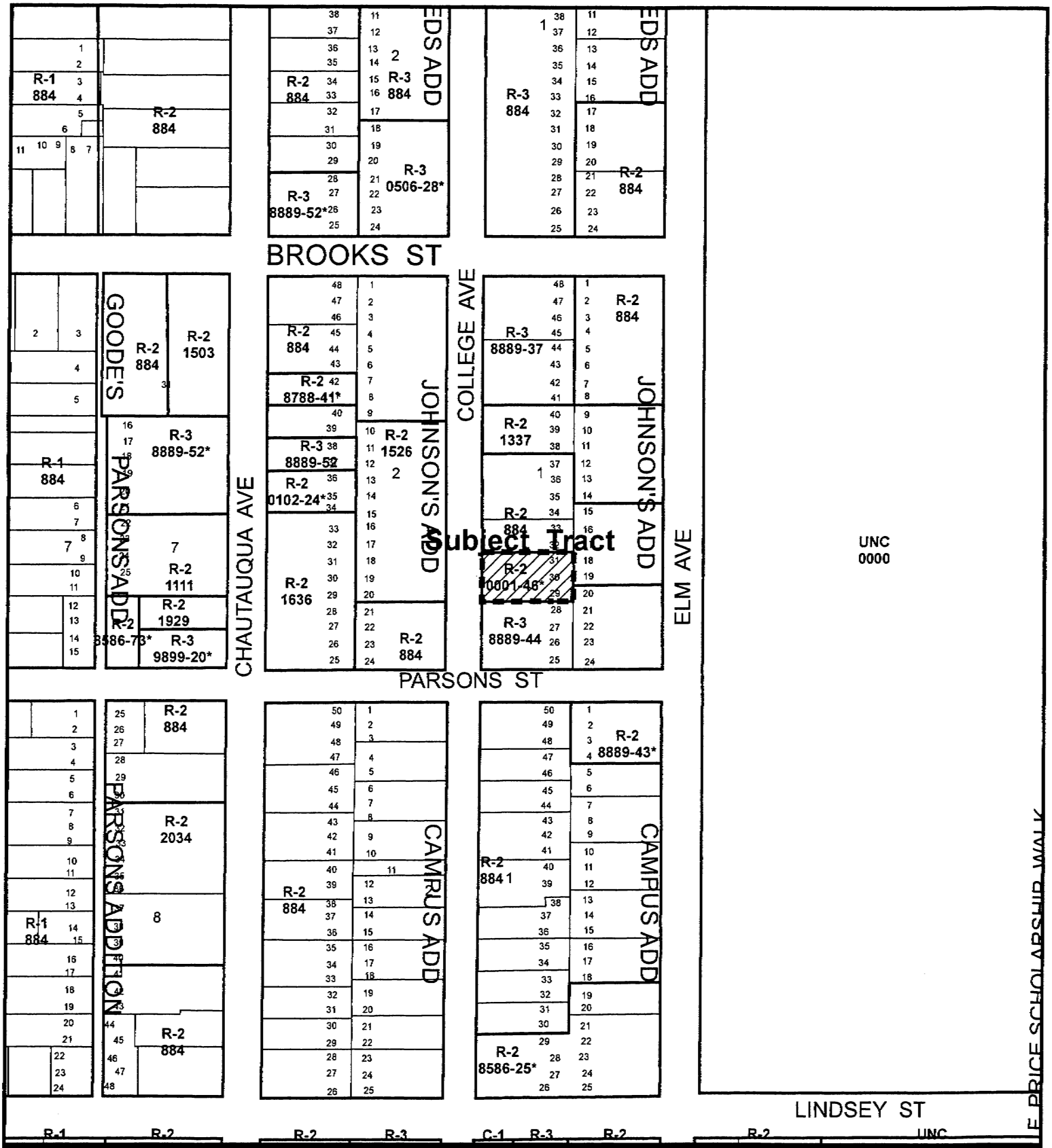
NOT ADOPTED this _____day of

_____, 2013.

_____
(Mayor)

ATTEST:

_____
(City Clerk)



Location Map

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

N
W E
S

April 10, 2013

0 100 200 Ft.

Subject Tract

Zoning

ORDINANCE NO. O-1213-52 ITEM NO. 10

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Alpha Iota House Corporation of Delta Gamma
REQUESTED ACTION	Special Use for Off-Street Parking
EXISTING ZONING	R-2, Two-Family Dwelling District
SURROUNDING ZONING	North: R-2 East: R-2 South: R-3 West: R-2
LOCATION	739 College Avenue, Lots 29, 30, 31 Blk 1
SIZE	0.237 acres
PURPOSE	Parking Lot
EXISTING LAND USE	High Density Residential
SURROUNDING LAND USE	North: Parking lot, High Density Residential East: Sorority, High Density Residential South: Parking lot, High Density Residential West: Parking lot, High Density Residential
LAND USE PLAN DESIGNATION	High Density Residential

SYNOPSIS: The existing site is a vacant annex house that is owned by Alpha Iota House Corp. and has been uninhabited for many years. The owner, Alpha Iota House Corp., is requesting a Special Use for this site to expand the existing parking lot. The proposal is to demolish the existing house and utilize the site to expand the current off-street parking.

ANALYSIS: This Special Use was previously approved and adopted by City Council on September 25, 2001, O-0001-46 and never developed. The Special Use expired on that parcel and the owners are now seeking the same Special Use for a parking lot. Currently the Delta Gamma House has 90 residents and only 42 parking lot spaces; the expanded parking lot will provide an additional 25 parking spaces. Required parking for sorority or fraternity houses is

one per resident and though the additional parking will not fulfill that requirement it will aid to alleviate on-street parking in that neighborhood.

ALTERNATIVES/ISSUES:

- **IMPACTS** The parking lot will provide necessary off-street parking for the Delta Gamma House which will benefit surrounding residences by minimizing on-street parking in this neighborhood. The parking lot site plan proposes a shared egress/ingress to eliminate curb cuts on College Avenue with complete landscaping and decorative brick wall for a buffer. Parking lots currently surround the site and the additional parking lot will not create a negative impact on surrounding neighbors that share the same use.

OTHER AGENCY COMMENTS:

- **PARK BOARD** Not required for this proposal.

- **PUBLIC WORKS** Public works has approved the proposal and site plan.

STAFF RECOMMENDATION: Staff recommends approval of the Special Use O-1213-52 for a parking lot. The Special Use will allow the Delta Gamma House to provide additional parking for their residents.

DELTA GAMMA HOUSE
PARKING LOT IMPROVEMENTS
FINAL REVIEW

OWNER

ALPHA IOTA CORPORATION OF DELTA GAMMA
UNIVERSITY OF OKLAHOMA CAMPUS
744 ELM
NORMAN, OK 73069

ARCHITECT

GH2 ARCHITECTS, LLC
320 SOUTH BOSTON, SUITE 1600
TULSA, OK 74103
PHONE: (918) 587.6158
FAX: (918) 587.0357

CIVIL

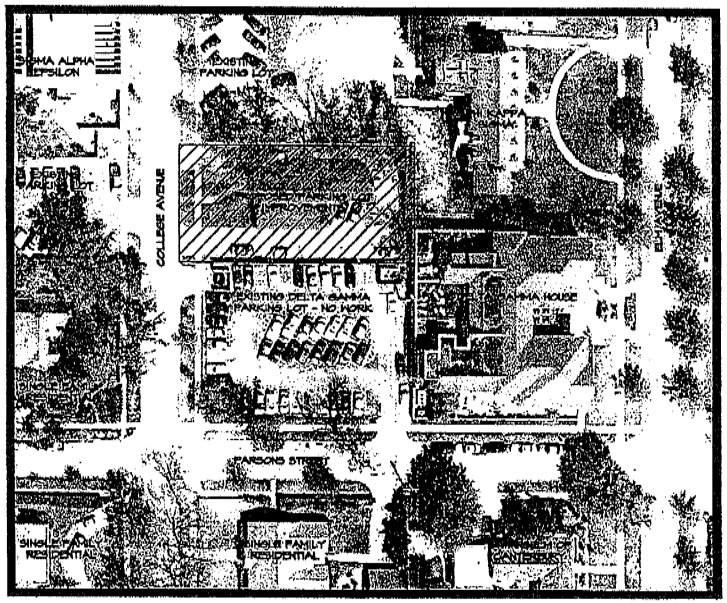
WALTER P. MOORE
TRIAD I, 7666 EAST 61ST STREET,
SUITE 475
TULSA, OK 74133
Phone: (918) 806.7200
Fax: (918) 806.7250

ELECTRICAL

MPN ENGINEERING, LLC
110 WEST 7TH STREET,
SUITE 600
TULSA, OK 74119
Phone: (918) 582.4088
Fax: (918) 582.4087

SURVEYOR

HUITT ZOLLARS
2832 W. WILSHIRE BLVD.
OKLAHOMA CITY, OK 73116
Phone: (405) 842.0363
Fax: (405) 842.0364



LOCATION MAP

NOT TO SCALE

NORTH

SHEET INDEX

G001	COVER SHEET	DE100	LIGHTING PLAN
	SURVEY - FOR INFORMATION ONLY	DE200	PHOTOMETRIC PLAN
L001	DEMOLITION PLAN - FOR INFORMATION ONLY	DE300	LIGHTING CUT SHEETS
L101	SITE PLAN		
L102	LANDSCAPE PLAN		
L103	IRRIGATION KEY PLAN - FOR INFORMATION ONLY		
L104	GRADING PLAN		
L201	PARKING LOT DETAILS		
L202	MASONRY WALL DETAILS		

GH2 | ARCHITECTS
320 South Boston, Suite 1600, Tulsa, Oklahoma 74103
CERTIFICATE OF AUTHORIZATION NUMBER 2661 EXPIRES JUNE 30, 2013

DRAWN BY: JEC
CHECKED BY: MJS
ARCHITECT: MARK A. SMITH
LICENSE #: 13811

Delta Gamma House at OU
Norman, OK
Construction Documents
Cover Sheet

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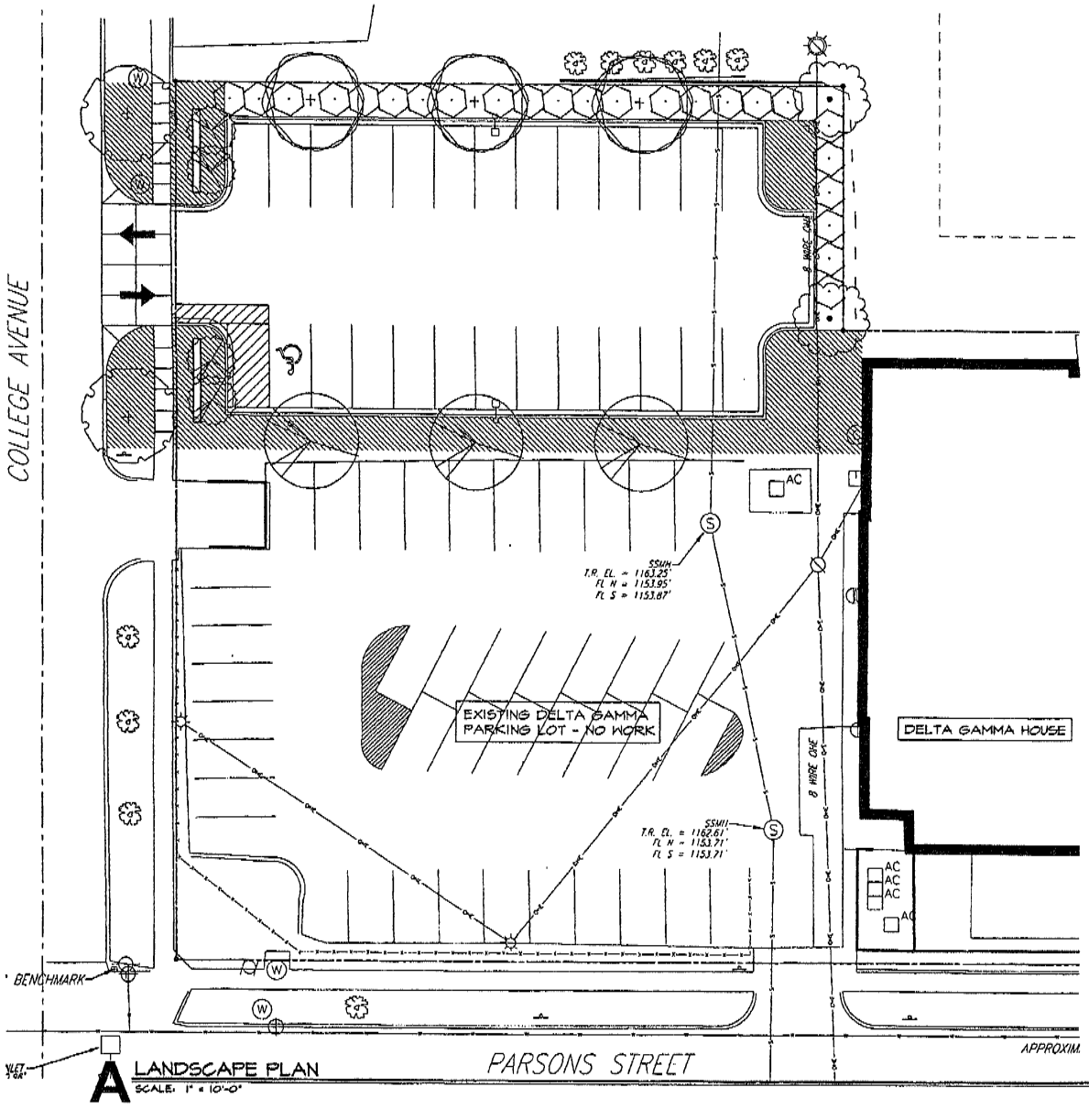
20110081

ISSUED / REVISIONS
06/05/13 Construction Documents

G001



A LANDSCAPE PLAN
SCALE: 1" = 10'-0"

NORTH 0 5 10 20 FEET

LANDSCAPE NOTES

1. CONTRACTOR SHALL VISIT SITE PRIOR TO BIDDING TO DETERMINE THE EXTENT AND NATURE OF THE CONDITIONS WITHIN WHICH WORK MUST BE ACCOMPLISHED.
2. CONTRACTOR SHALL VERIFY THE EXISTENCE AND LOCATION OF UTILITIES PRIOR TO STARTING ANY WORK.
3. MAINTAIN UTILITY SERVICES AND PROTECT THEM AGAINST DAMAGE DURING CONSTRUCTION OPERATIONS.
4. CONTRACTOR SHALL VERIFY ALL LANDSCAPE MATERIAL QUANTITIES AND SHALL REPORT ANY DISCREPANCIES TO THE ARCHITECT PRIOR TO INSTALLATION.
5. PLANT SUBSTITUTIONS ARE PROHIBITED UPON APPROVAL FROM THE ARCHITECT.
6. CONTRACTOR SHALL LAYOUT PLANTS IN THE FIELD AND SHALL HAVE THE LAYOUT APPROVED BY THE ARCHITECT PRIOR TO PROCEEDING WITH THE INSTALLATION.
7. PLANTING BEDS SHALL CONTAIN 3" OF SHREDDED CEDAR MULCH OVER FILTER FABRIC CONTINUOUSLY BETWEEN PLANTS.
8. PLANTING BEDS SHALL BE LOWERED AT EDGE AS NEEDED TO PROVIDE 3" DEPTH TO CONTAIN MULCH.
9. TREES SHALL RECEIVE 3" MINIMUM OF SHREDDED CEDAR MULCH, 24" MINIMUM RADIUS AROUND TRUNK.
10. TREES SHALL BE SECURED WITH BELOW-GRADE STABILIZATION SYSTEM.
11. SEPARATE INDIVIDUAL MULCHED TREES FROM TURF AREAS WITH A 45-DEGREE, 4" TO 6"-INCH DEEP, SHOVEL-CUT EDGE.
12. CONTRACTOR SHALL GUARANTEE ALL LANDSCAPE WORK AND PLANT MATERIAL FOR A PERIOD OF ONE YEAR FROM DATE OF ACCEPTANCE OF THE WORK BY THE OWNER. PLANT MATERIAL WHICH DIES DURING THE ONE YEAR GUARANTEE PERIOD SHALL BE REPLACED BY THE CONTRACTOR DURING NORMAL PLANTING SEASONS.
13. CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTENANCE OF THE PLANTS UNTIL COMPLETION OF THE PROJECT AND ACCEPTANCE BY THE OWNER.
14. PLANT NAMES ON THE PLANT LIST CONFORM TO THE STANDARDIZED PLANT NAMES PREPARED BY THE AMERICAN JOINT COMMITTEE ON HORTICULTURAL NOMENCLATURE OR TO NAMES GENERALLY ACCEPTED IN THE NURSERY TRADE.
15. PLANT MATERIAL SHALL BE SPECIMEN QUALITY STOCK AS DETERMINED IN THE "AMERICAN STANDARDS FOR NURSERY STOCK" PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMAN, FREE OF PLANT DISEASES AND PEST, OF TYPICAL GROWTH OF THE SPECIES AND HAVING A HEALTHY, NORMAL ROOT SYSTEM. SIZES INDICATED ON THE PLANT LIST ARE THE MINIMUM ACCEPTABLE SIZE.
16. PLANTS SHALL NOT BE PRUNED PRIOR TO DELIVERY TO THE SITE OR AFTER INSTALLATION EXCEPT FOR THOSE BRANCHES THAT HAVE BEEN DAMAGED IN SOME WAY.
17. PLANTS SHALL NOT HAVE NAME TAGS REMOVED PRIOR TO FINAL INSPECTION.
18. FINE GRADE AND SOD AREAS DISTURBED BY CONSTRUCTION.
19. REQUIRED NEW LANDSCAPING SHALL BE IRRIGATED.

LEGEND/ PLANT LIST

QTY	COMMON NAME	BOTANICAL NAME	SIZE/ NOTES
2	SHUMARD OAK	Quercus shumardii	3.0" caliper
5	HERITAGE OAK	Quercus 'Clemons' (Heritage)	3.0" caliper
3	DOSOJE ELM	Ulmus parvifolia 'PMTF'	3.0" caliper
2	SHANTUNG MAPLE	Acer truncatum	3.0" caliper
34	LAUREL CHERRY 'BRIGHT N TIGHT'	Prunus caroliniana 'Bright N Tight'	6' height
4	CRAPE MYRTLE (MATCH EXISTING VARIETY AT EAST AND SOUTH SIDES OF HOUSE)	Lagerstroemia indica	6' height, multi-stem tree
	SOD		

GH2 | ARCHITECTS

320 North Harvey, Suite 100, Oklahoma City, Oklahoma 73102
T 405.521.9781 F 405.521.9782 www.gh2.com
A SPECIAL PURPOSE LIMITED LIABILITY COMPANY

DRAWN BY: JSC
CHECKED BY: MRL
LICENSED ARCHITECT: MARK R. LAMSTER
LICENSE #: 22355

Delta Gamma House at OU
Norman, OK
Construction Documents
Parking Lot - Landscape Plan

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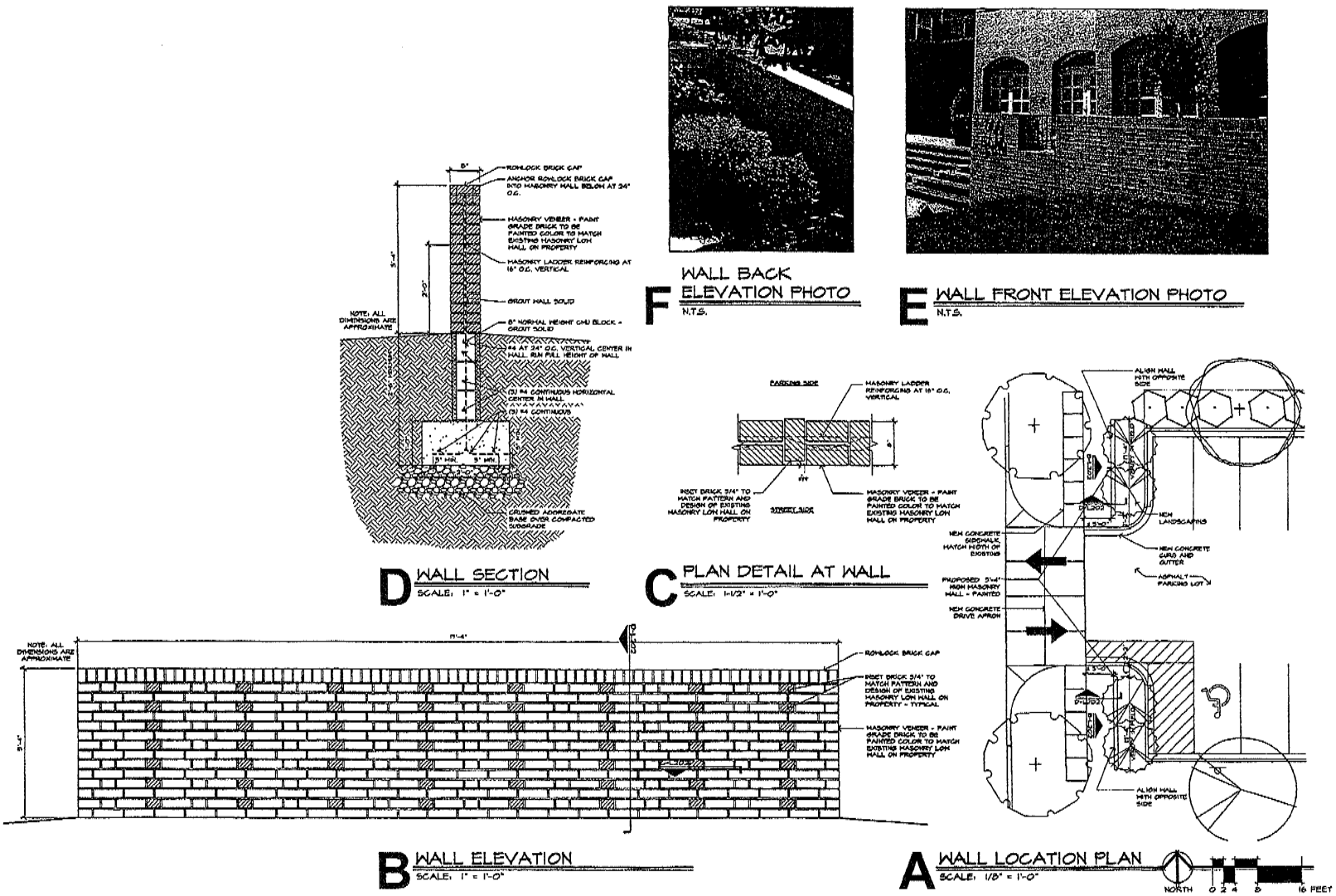
20110081

ISSUED / REVISIONS
06/05/13 Construction Documents

L102



D WALL SECTION
SCALE: 1" = 1'-0"

F WALL BACK ELEVATION PHOTO
N.T.S.

E WALL FRONT ELEVATION PHOTO
N.T.S.

C PLAN DETAIL AT WALL
SCALE: 1-1/2" = 1'-0"

B WALL ELEVATION
SCALE: 1" = 1'-0"

A WALL LOCATION PLAN
SCALE: 1/8" = 1'-0"

GH2 | ARCHITECTS

DRAWN BY JBC
CHECKED BY HA
ARCHITECT MRH
LICENSE # 3381

Delta Gamma House at OU
Norman, OK
Construction Documents
Masonry Wall Details

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20110081

ISSUED / REVISIONS
06/05/13 Construction Documents

L202

City of Norman Predevelopment

April 25, 2013

Applicant	Alpha Iota House Corporation of Delta Gamma
Location	739 College
Case Number	PD 13-06
Time	5:30-6:00 PM

Attendee	Stakeholder	Address	email	phone
Cara Hall	Applicants' architect	GH2 Architects 320 S Boston Suite 1600 Tulsa, OK 74103	csh@gh2.com	918-587-6158
Skye Fried	Applicants' representative	2912 Highland Glen Norman, OK 73069	aperfectdaybyskye@yahoo.com	405-210-8492
Phyllis Murray	neighbor	801 College	Phm38@yahoo.com	321-5018
Susan Atkinson	City Facilitator			366-5392

Application Summary. The applicants are pursuing a Special Use permit for an off-street parking lot on a .168-acre parcel. The parcel is currently zoned R-2. The *Norman 2025 Land Use Plan* designation is High Density Residential.

Applicant's Opportunity. Applicants are requesting a Special Use permit to allow the construction of a parking lot for the existing sorority house, Delta Gamma. There is currently a house on the site which the sorority has used as an annex for the past 10 years and associated parking. The proposed parking lot would include 26 parking spaces surrounded by. The parking lot would also be enclosed by a 36-48" high masonry wall, 14 trees and a hedge, as are required by the Zoning Ordinance. The lot would be accessed by a single curb cut on College Avenue.

Neighbors. A neighbor who resides one block south of the location expressed her support for the project.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

JUNE 13, 2013

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 13th day of June 2013. 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 Tom Knotts called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

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

A quorum was present.

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

* * *

Item No. 10, being:
ORDINANCE NO. O-1213-52 – ALPHA IOTA HOUSE CORPORATION OF DELTA GAMMA REQUESTS SPECIAL USE FOR OFF-STREET PARKING FOR PROPERTY CURRENTLY ZONED R-2, TWO-FAMILY DWELLING DISTRICT, LOCATED AT 739 COLLEGE AVENUE.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Site Plan
4. Parking Lot – Landscape Plan
5. Masonry Wall Details
6. Pre-Development Summary

PRESENTATION BY STAFF:
1. Janay Greenlee – Delta Gamma is seeking a special use for off-street parking located at 739 College Avenue. Right now Delta Gamma Sorority house has approximately 45 parking spaces. They are seeking a special use on the property directly north of their parking lot for more off-street parking to better meet the required parking for sorority houses and fraternities, which is one per resident. This will add an additional 25 spaces. Existing zoning is R-3 and it is surrounded by R-2. The proposed parking will be on the site currently occupied by the Annex House, which they are proposing to remove. There is a parking lot and fraternity directly to the west. To the north they are building a new parking lot for another fraternity. The proposed parking lot will connect to the existing parking lot. The proposed parking lot will be nicely landscaped. It will have a wall that faces out to College Avenue. The Planning Department recommends approval of this ordinance.

2. Mr. Knotts – This Special Use was granted and it just expired and now they're beginning to get enough money together to make it happen? Ms. Greenlee – Exactly. There was a Special Use in 2001. The same proposal is basically coming through again. The applicant is here if you'd like to ask any questions.

PRESENTATION BY THE APPLICANT:
1. Jeremy Carlisle, GH2 Architects, 320 S. Boston, Tulsa – On behalf of Delta Gamma, I appreciate your time. The subject tract, as Ms. Greenlee referred to, is approximately a quarter of an acre. It is currently owned by Delta Gamma and zoned R-2, I believe. We respectfully request this Special Use for the purpose of off-street parking for the Delta Gamma House. The existing structure is currently structurally unsound and the cost to repair exceeds its value. As Ms. Greenlee stated, the house currently has 90 residents and only 42, I believe, is the actual count of existing parking spaces. This 25 additional spaces will not get us to the one space per resident requirement, but it gets us closer to that goal and, at the same time, will help alleviate the on-street parking congestion that currently is caused in that neighborhood. Furthermore, the amount of impervious surface designed with the parking lot is equal to the existing impervious surface, therefore not creating any additional run-off into the stormwater system. Parking lot features – along the north property boundary is a 6' tall evergreen hedge as well as the east boundary. Along the west along College Avenue would be the 3-4' high masonry wall. On the south boundary is where the proposed lot abuts the existing Delta Gamma lot. There would be a 7' wide landscape strip. There are 14 proposed new trees in all, and new sod throughout. In addition, we propose a single egress curb cut, which will reduce the amount of curb cuts on College Avenue by one. As Ms. Greenlee stated, to the north is an existing parking lot, to the west a parking lot, to the south a parking lot, and on the east is the sorority. This use would not be uncommon in this area and would not create a negative impact on our neighbors. We met with the City Planning staff for a Pre-Development meeting April 25, 2013, and had a preliminary meeting as well in the fall of 2012. No issues have come up. We respectfully request a recommendation of adoption of this ordinance. I'll take any questions you might have.

2. Mr. Knotts – It will be irrigated? Mr. Carlisle – Yes, it will be irrigated.

AUDIENCE PARTICIPATION:

1. Eric Kozlowski, 824 S. Lahoma Street – I've lived in the Campus area for better than 20 years. I enjoy the area. This particular tract – the building that they're talking about razing – demolishing – that they own has not been maintained in the years that I've walked my pet and enjoyed the neighborhood itself. I would disagree with this proposal to demolish the house. I know buildings are expensive to maintain and to repair, and when you don't maintain them they get even more expensive to repair. I'd really like to see a cost analysis comparison to what they need to do to the building with the cost of the parking lot. I walk by the building; it looks – they've lived in it – they've used it. Again, I would like to keep the building and I disagree with razing it at this point. I am a licensed architect. I've done commercial and residential and it's a nice home – it's a nice building and I think we should keep it. I believe at one time there was an offer for someone to move the building so they could do this in lieu of razing it. Is that what you're discussing? I'm not sure if that's expired. Nonetheless I would really like to keep it and see them renovate it and maybe their parking solution is just – there only just the number of stalls there. Only those people get to have a vehicle at the sorority house. Maybe that's their solution. But, again, I'd like to keep it and I disagree with their proposal.

2. Skye Fried, 2912 Highland Glen – I'm a Norman resident and a member of the Alpha Iota House Corporation. I have lived in that house, and I also live in the City of Norman. I have been on the committee that has looked into the renovation and the upkeep. It is very costly, with plumbing, with maintaining. At this time we are trying to desperately get more girls off the street and into a safe parking situation. There was something else that he brought up that we have looked at. We've had an architect look into what it would take for the plumbing, the air conditioning, all of the things that – we've had girls living there that we've had to actually move into the house over the summer because we cannot keep it cool enough. I believe the last time was last summer when it was over 100 degrees and we couldn't keep the output of air in the upstairs over 90. So it is a very unlivable situation currently. So we feel like we have looked into all of the circumstances and different things that are available to us, and that this is the best solution for the property that we have.

3. Jeremy Carlisle – Just a follow-up. In regards to the movability of the house – that was analyzed and it was not a feasible option. It was not possible, in fact.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. Boeck – I am also an architect, and I agree with Mr. Kozlowski that I'd like to see houses being saved, especially what I consider historic houses. It's a pretty house. But I also know, having worked on other projects, where you'd like someone to come in and recycle all the lumber in the house – in New England and Canada it works. In places like that where people want barns, but just the average old house in Oklahoma just doesn't show any interest to anybody. So, unfortunately, there's just no place for that stuff to go, other than the landfill, which is too bad. We need to figure out how to recycle more in Oklahoma.

Sandy Bahan moved to recommend adoption of Ordinance No. O-1213-52 to City Council. Curtis McCarty seconded the motion.

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

YEAS	Curtis McCarty, Cindy Gordon, Dave Boeck, Sandy Bahan, Tom Knotts
NAYS	None
ABSENT	Jim Gasaway, Roberta Pailes, Andy Sherrer, Chris Lewis

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-1213-52 to City Council, passed by a vote of 5-0.

* * *

City of Norman, OK

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

Master

File Number: O-1213-53

File ID:	O-1213-53	**Type:**	Ordinance	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 44	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	05/07/2013
File Name:	First Baptist Church ROW Closure			**Final Action:**	

Title: CONSIDERATION OF ORDINANCE NO. O-1213-53 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING THE NORTH TWENTY (20) FEET OF THE EIGHTY (80) FOOT RIGHT-OF-WAY IN THE 200 BLOCK OF WEST COMANCHE STREET LOCATED IN NORMAN ORIGINAL TOWN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Notes: ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-53 upon Second Reading section by section.

ACTION TAKEN:_____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-53 upon Final Reading as a whole.

ACTION TAKEN:_____

Agenda Date: 07/23/2013

Agenda Number: 44

Attachments: O-1213-53 First Baptist Church ROW Closure, Location Map, Clerk Memo FBC, Petition to close with radius map, Staff Report - First Baptist ROW Closing, Comanche_ROW_Photo, 6-13-13 PC Minutes - O-1213-53

Project Manager: Ken Danner, Subdivision Manager

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	06/13/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	07/09/2013		Pass

Action Text: A motion was made by Commissioner McCarty, seconded by Commissioner Boeck, that this Zoning Ordinance be Recommended for Adoption at a subsequent City Council Meeting to the City Council , due back on 7/9/2013. The motion carried by the following vote:

1	City Council	07/09/2013	Introduced and adopted on First Reading by title only	Pass
	Action Text:	That this Zoning Ordinance be Introduced and adopted on First Reading by title only. by consent roll call		

Text of Legislative File O-1213-53

Body

BACKGROUND: Norman Original Town plat was filed of record on December 8, 1890, with twenty-feet (20') of right-of-way for the alley northwesterly of the church facility and eighty-feet (80') of right-of-way for Comanche Street located southeasterly of the church facility. The First Baptist Church is interested in closing and vacating the north twenty feet (20') of the Comanche Street right-of-way to improve the entrance to their existing building. Upon researching this area, most of the utilities are in the rear alley right-of-way north of the church structure. A City owned water main is located south of Comanche Street.

If this property were platted under the current Subdivision Regulations and Engineering Design Criteria, the required right-of-way for Comanche Street would be fifty-feet (50') wide. Comanche Street will remain open and will continue to function under this proposal. Other considerations related to the public pedestrian sidewalk located on the north side of Comanche Street. A portion of the sidewalk will be realigned by the church, but will still allow pedestrians to walk east-west on the north side of Comanche Street.

DISCUSSION: City Council, at its meeting of April 23, 2013, approved a revocable license for First Baptist Church to occupy street right-of-way for placement of a new staircase and entrance along Comanche Street to serve the First Baptist Church. The revocable license allowed the church to begin construction of their project this summer. For the long term, the church would rather close and vacate that portion of the right-of-way so that they will not need to keep up with the revocable license. The utility companies and City staff are not opposed to the closure of a portion of the street right-of-way. The church has agreed to grant a pedestrian sidewalk easement as a condition on the vacation of the right-of-way. Also, the church will be responsible for realigning a portion of the sidewalk in the area of the proposed expansion for the church.

RECOMMENDATION: Staff recommends approval of the request to close the north twenty feet (20') of an eighty foot (80') right-of-way adjacent to Lots 1 through 16, Block 71, Norman Original Town with the submittal of a sidewalk easement during the vacation of the right-of-way.

O-1213-53

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING THE NORTH TWENTY (20) FEET OF THE EIGHTY (80) FOOT RIGHT-OF-WAY IN THE 200 BLOCK OF WEST COMANCHE STREET LOCATED IN NORMAN ORIGINAL TOWN, 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, First Baptist Church of Norman, owner of the subject property, has petitioned the City to have the north twenty (20) feet of an eighty foot (80') right-of-way adjacent to Lots 1 through 16, Block 71, NORMAN ORIGINAL TOWN closed; and,

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

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

§ 4. That, the north twenty (20) feet of the eighty (80) foot right-of-way in the 200 Block of West Comanche Street located adjacent to Lots 1 through 16, Block 71, NORMAN ORIGINAL TOWN, Cleveland County, Oklahoma according to the recorded plat thereof, is hereby closed.

§ 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.

_____
(Mayor)

ATTEST:

_____
(City Clerk)

NOT ADOPTED this _____day of

_____, 2013.

_____
(Mayor)

Location Map

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

N
W E
S

May 15, 2013

0 100 200 Ft.

Subject Tract

Zoning

44-2

G:\ArcGIS10\MapTemplates\8x11_LocationMapArcMap10.mxd

office memorandum

DATE: April 23, 2013

TO: Jeff Bryant, City Attorney
Rone Tromble, Administrative Technician IV
Ken Danner, Subdivision Manager
Ken Komiske, Director of Utilities
Jane Hudson, Principal Planner

FROM: Brenda Hall, City Clerk BH

SUBJECT: Request to Close Right-of-Way

I am in receipt of a request to close a right-of-way in the north twenty (20) feet of the public right-of-way in the 200 block of West Comanche Street between Santa Fe Avenue and Webster Avenue.

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

BH:smr
attachments

To: City of Norman, c/o City Clerk Brenda Hall
Norman City Hall, Norman, OK

Re: **Petition to Close Right of Way** in Norman, OK

Date: April 23, 2013

1. The undersigned Applicant, The First Baptist Church of Norman, is the beneficial owner of all the land on both sides of the portion of the right of way, described below, which is proposed for closing.

2. It is in the best interest of both the undersigned and the City of Norman to release, close, and subsequently vacate, and foreclose the right to reopen in District Court the following-described portion of right of way in Norman:

> The north 20' of the public right of way in the 200 block of West Comanche Street between Santa Fe Avenue and Webster Avenue, in the City of Norman as shown on the attached Exhibit A

3. If there are utility lines or facilities in, on, under or over any part(s) of Subject Property, Applicant will cause same to be respected and protected, as required by law.

4. An ownership list certified by a bonded abstracter, reflecting all owners of record, according to County Treasurer records, of property within 300 feet in any direction of the above-described Subject Property is submitted herewith. A map which is attached to said ownership list shows the location of the ownership lines for each owner of record whose name appears on the ownership list. Enclosed is a check for the required filing fee of $400.

5. Action by the Board of County Commissioners of Cleveland County is not necessary. The undersigned will pay the cost of newspaper publication of the required Notice.

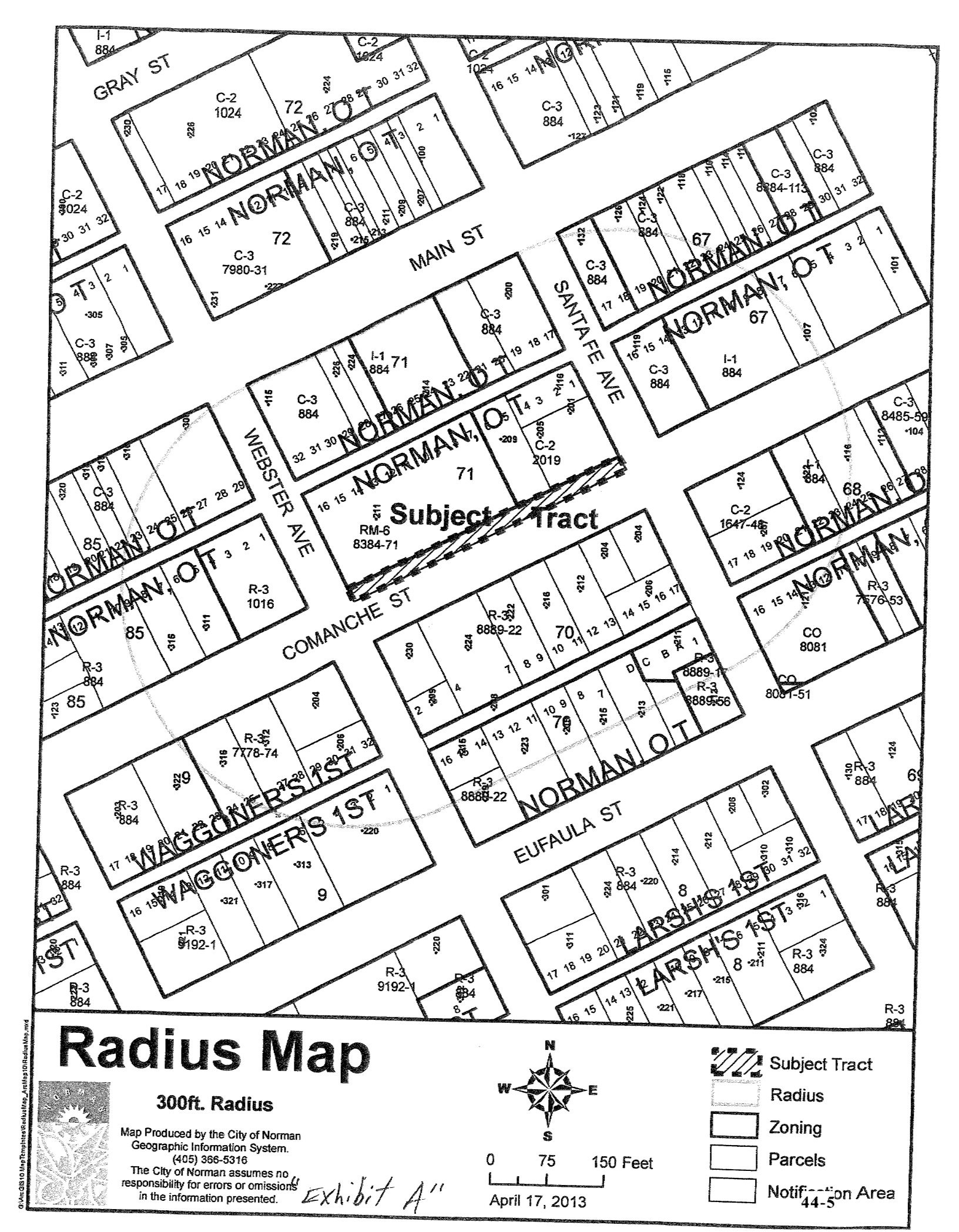
Wherefore, pursuant to Resolution 8182-66, as amended, of the City of Norman, the undersigned Applicant requests official closing of the above-described Subject Property, by enactment of an ordinance by the City Council of the City of Norman.

The First Baptist Church of Norman, by: David T. Hopper

David T. Hopper, Attorney, OBA # 4361, 1620 Oriole Dr., Norman, OK 73071
Telephone (405) 360-3591

cc: Client

FILED IN THE OFFICE
OF THE CITY CLERK
ON 4-23-13



Radius Map

300ft. Radius

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.

"Exhibit A"

Subject Tract
Radius
Zoning
Parcels
Notification Area

G:\ArcGIS10\Map Templates\RadiusMap_ArcMap10\RadiusMap.mxd

ORDINANCE NO. O-1213-53 ITEM NO. 11

STAFF REPORT

GENERAL INFORMATION

APPLICANT	First Baptist Church of Norman
REQUESTED ACTION	Partial closure of the north twenty-feet (20') right-of-way running east and west adjacent to Lots 1 through 16, Block 71, Norman Original Town.

BACKGROUND: The Norman Original Town was filed of record on December 8, 1890, with twenty-foot (20') rights-of-way (alleys) and eighty-foot (80') rights-of-way (streets). The First Baptist Church is interested in closing and vacating the north twenty feet (20') of the Comanche Street right-of-way. Upon researching this area, most of the utilities are in the rear alley right-of-way north of the church structure. City owned water main is located south of Comanche Street.

If this property is platted under the current Subdivision Regulations and Engineering Criteria, the required right-of-way for Comanche Street would be fifty-foot (50'). Staff, in considering this item, focused on the fact that Comanche Street is not proposed to be physically closed and eliminated. Other discussions related to the public pedestrian sidewalk located on the north side of Comanche Street. A portion of the sidewalk will be realigned by the church, but will still allow pedestrians to walk east-west on the north side of Comanche Street.

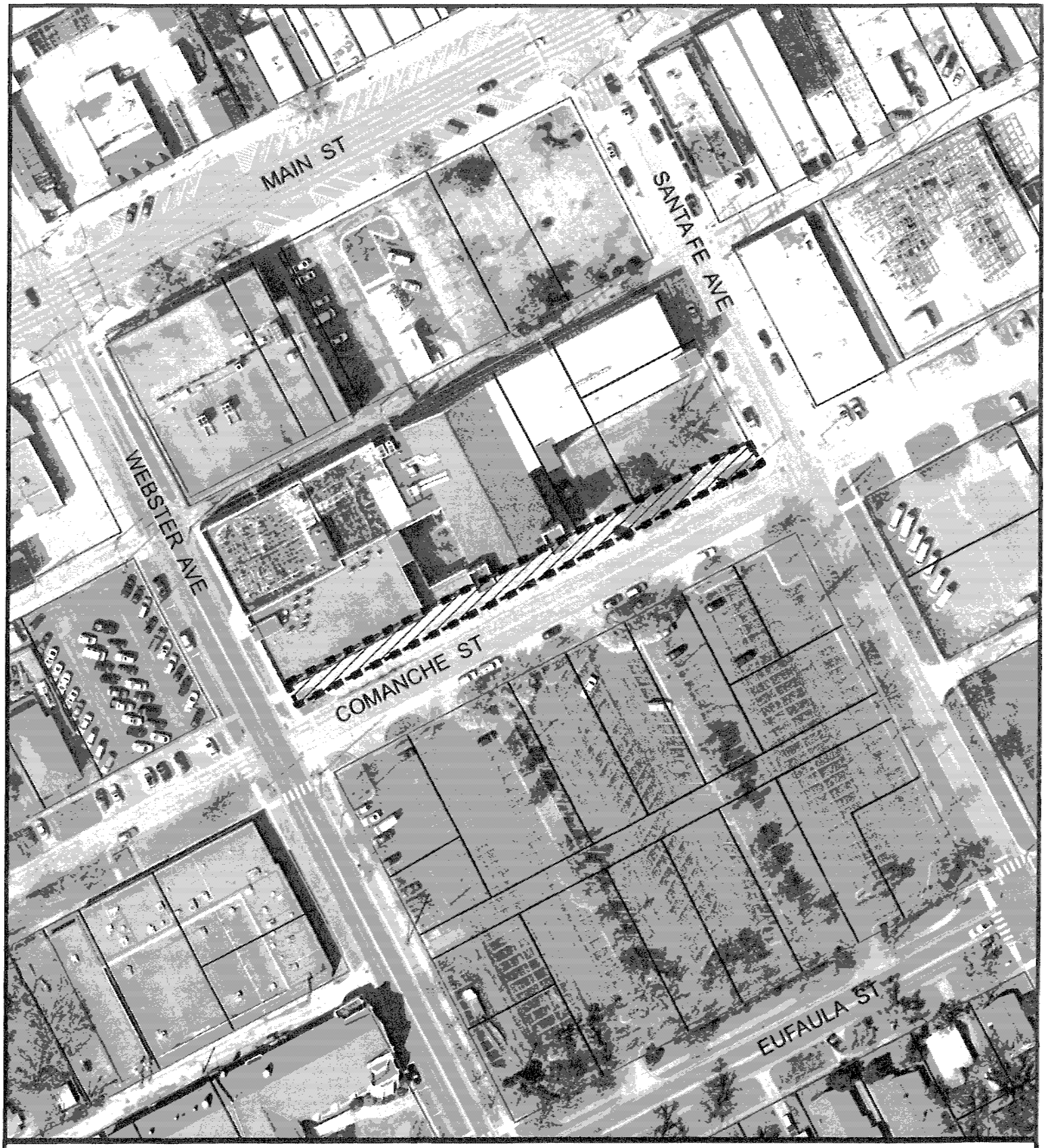
City Council, at its meeting of April 23, 2013, approved a revocable license to occupy street right-of-way for placement of a new staircase and entrance along Comanche Street to serve the First Baptist Church. The church would rather close and vacate that portion of the right-of-way so that they will not need to keep up with the revocable license. This method was used to give them an opportunity to move ahead with their plans until the closure and vacation could be completed.

DISCUSSION: All franchised utilities were notified to assess the impact on their facilities if the right-of-way was closed; there were no objections. The utility companies and City staff are not opposed to the closure of the right-of-way (street). It should be noted a pedestrian sidewalk easement will be needed as a condition on the vacation of the right-of-way.

RECOMMENDATION: Staff recommends approval of the request to close the north twenty-feet (20') of an eighty-foot (80') right-of-way located adjacent to Lots 1 through 16, Block 71, of the Norman Original Town.

ACTION NEEDED: Recommend approval or disapproval of the request to close the north twenty-feet (20') of an eighty-foot (80') right-of-way located adjacent to Lots 1 through 16, Block 71, Norman Original Town.

ACTION TAKEN: _____



Location Map

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

N
W E
S

July 1, 2013

0 50 100 Ft.

Subject Tract

Zoning

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

JUNE 13, 2013

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 13th day of June 2013. 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 Tom Knotts called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

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

A quorum was present.

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

* * *

Item No. 11, being:
ORDINANCE NO. O-1213-53 – THE FIRST BAPTIST CHURCH OF NORMAN REQUESTS CLOSURE OF THE NORTH TWENTY (20) FEET OF THE PUBLIC EIGHTY (80) FOOT RIGHT-OF-WAY ADJACENT TO LOTS 1 THROUGH 16, BLOCK 71, NORMAN ORIGINAL TOWN, IN THE 200 BLOCK OF WEST COMANCHE STREET BETWEEN SANTA FE AVENUE AND WEBSTER AVENUE.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Plat
4. Aerial Photo

PRESENTATION BY STAFF:
1. Ken Danner – This area was platted as the Norman Original Town in 1890. During that time the design was with 20' right-of-way with alleys in the rear and rights-of-way for the streets in the front. Most of the utilities would be served from the rear with, typically, a water line in the front. This right-of-way is 80' in width. Our current standards and regulations would require 50' if it was platted at this time. So it is a relatively wide right-of-way. This 20' portion is not needed by the City. The water line is located on the south side of Comanche Street. First Baptist Church is intending to do some construction with the front of their building – new staircase, new entryway. In keeping with the review of this, the street will not be impacted; the street will still be located where it is. There will be a realignment of some of the sidewalk for the pedestrians that will continue to go east/west. Some of the cut-back parking will have to be eliminated. Typically the cut-back parking is used by the church. Staff is recommending approval of the closure of the right-of-way.

2. Ms. Gordon asked the cost for realignment of the sidewalk. Mr. Danner responded that cost will be borne by the applicant.

PRESENTATION BY THE APPLICANT:
1. David Hopper, 1620 Oriole Drive, representing the applicant – You can see the picture of what we're going to do to the front of the church. The church just voted last night to begin several rather extensive projects. You can see from the depiction there that we're going to put a new elevator on the east wing. There is going to be extensive remodeling of the east wing, as well as the new staircase to the front of the church. For many years people have come to the church and said we don't know which door do we go in? And we're going to try to solve that problem by giving them a nice staircase with a front door. Be glad to answer any questions.

AUDIENCE PARTICIPATION:
None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Curtis McCarty moved to recommend adoption of Ordinance No. O-1213-53 to the City Council. Dave Boeck seconded the motion.

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

YEAS	Curtis McCarty, Cindy Gordon, Dave Boeck, Sandy Bahan, Tom Knotts
NAYS	None
ABSENT	Jim Gasaway, Roberta Pailes, Andy Sherrer, Chris Lewis

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-1213-53 to City Council, passed by a vote of 5-0.

* * *

City of Norman, OK

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

Master

File Number: R-1213-136

File ID:	R-1213-136	**Type:**	Resolution	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 45	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	05/07/2013
File Name:	109 Tonhawa 2025			**Final Action:**	

Title: RESOLUTION NO. R-1213-136: 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-1213-13, SO AS TO PLACE LOTS 1, 2 AND 3, BLOCK 3, NORMAN ORIGINAL TOWN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE COMMERCIAL DESIGNATION AND REMOVE THE SAME FROM THE OFFICE DESIGNATION. (109 EAST TONHAWA STREET)

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1213-136, Land Use Plan Amendment No. LUP-1213-13; and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according thereto

ACTION TAKEN: _____

Agenda Date: 07/23/2013

Agenda Number: 45

Attachments: Text File R-1314-136, R-1213-136, 2025 Map, Staff Report, Predevelopment Tonhawa, 6-13-13 PC Minutes - R-1213-136 O-1213-55

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	06/13/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	07/09/2013		Pass
	Action Text:	A motion was made by Commissioner Gordon, seconded by Commissioner Bahan, that this Resolution be Recommended for Adoption at a subsequent City Council Meeting to the City Council , due back on 7/9/2013. The motion carried by the following vote:					
1	City Council	07/23/2013					
1	City Council	07/23/2013					

Text of Legislative File R-1213-136

Body

SUMMARY OF REQUEST: The applicant has requested a NORMAN 2025 Land Use and Transportation Plan amendment for 109 East Tonhawa Street from Office to Commercial designation. The proposed use at this location is a neighborhood European Bistro with patio dining. The Land Use Plan amendment from Office to Commercial will allow the proposed restaurant at this location.

STAFF ANALYSIS: The 2025 Plan identifies two criteria that must be examined before a land use designation change is approved.

1. There has been a change in circumstances resulting from development of properties in the general vicinity that suggest that the proposed change will not be contrary to the public interest.

There has been a change in circumstances and development of properties within the vicinity over the last several years. This site is north of Main and Gray Streets and the surrounding uses to the south and east are characteristically comprised of office and commercial businesses. The Main Street Revitalization Project has had significant and positive impacts on increased economic development of downtown eateries, offices and tourist attractions. This growth in the downtown area suggests that the change is not contrary to public interest and fits well within the parameters of the uses within the vicinity.

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.

It is determined that the surrounding land uses to the south, east and west are consistent with the proposed change; Office designation is to the west and east, Commercial designation to the south and east, with Low Density Residential designation to the north. Therefore, Office to Commercial designation is appropriate and would not be an adverse land use at this location.

Traffic impacts should not be adverse to this area. The established traffic patterns in the general vicinity; Main, Gray and Jones Streets should keep the traffic within those areas, along those main streets, reducing the impact on adjacent properties. Public parking is available along Main and Gray Streets and adjacent to Legacy Trail. Furthermore, the proposed use is on a major pedestrian corridor, Legacy Trail, which is used to access the Downtown Business District, providing access without the need for on-site parking.

STAFF RECOMMENDATION: The criteria used to determine a change in land use designation can be supported by staff and staff recommends approval of Resolution No. R-1213-136.

The Planning Commission, at their meeting of June 13, 2013, recommended adoption of this resolution by a vote of 5-0.

Resolution

R-1213-136
LUP-1213-13

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO PLACE LOTS 1, 2 AND 3, BLOCK 3, NORMAN ORIGINAL TOWN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE COMMERCIAL DESIGNATION AND REMOVE THE SAME FROM THE OFFICE DESIGNATION. (109 East Tonhawa Street)

§ 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, AB & Associates, L.L.C. has requested that the following described property be moved from the Office Designation and placed in the Commercial Designation for the hereinafter described property, to wit:

Lots 1, 2 and 3, Block 3, NORMAN ORIGINAL TOWN, Norman, Cleveland County, Oklahoma. 10,500 square feet, more or less

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

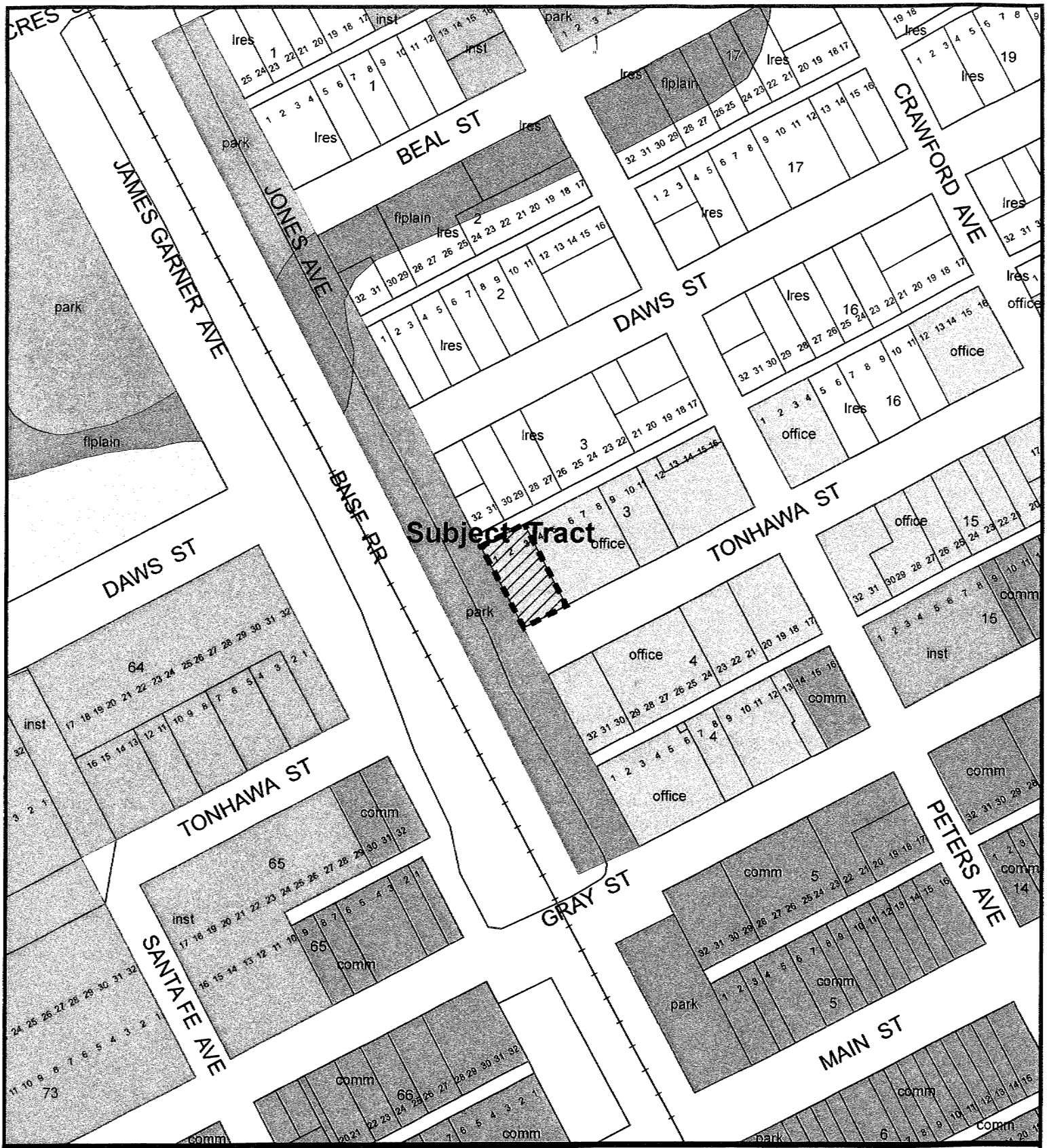
§ 4. That the Council of the City of Norman recognizes the need to control the future growth of the City of Norman; and, that after due consideration has determined that the requested amendment to the NORMAN 2025 Land Use and Transportation Plan should be adopted, and does hereby approve the requested 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.

N W E S

May 15, 2013

0 100 200 Ft.

Subject Tract

Zoning: I-2

cGIS10 Map Templates\8x11_LocationMapArcMap10.mxd

RESOLUTION NO. R-1213-136 ITEM NO. 12a

STAFF REPORT

ITEM: AB & Associates, L.L.C. requests amendment of the NORMAN 2025 Land Use and Transportation Plan from Office Designation to Commercial Designation for property located at 109 Tonhawa Street.

SUMMARY OF REQUEST: The applicant has requested a Land Use Plan amendment for 109 Tonhawa Street from Office to Commercial designation. The proposed use at this location is a downtown/neighborhood European Bistro with patio dining. The land use amendment from Office to Commercial will allow the proposed restaurant at this location.

STAFF ANALYSIS: The 2025 Plan identifies two criteria that must be examined before a land use designation change is approved.

1. ***There has been a change in circumstances resulting from development of properties in the general vicinity that suggest that the proposed change will not be contrary to the public interest.***
   There has been a change in circumstances and development of properties within the vicinity. This site is a block north of Main and Gray Streets and surrounding uses are characteristically comprised of office and commercial businesses. The Main Street Revitalization Project has had significant and positive impacts on increased economic development of downtown eateries, offices and tourist attractions. This suggests that the change is not contrary to public interest and fits well within the parameters of the uses within the vicinity.

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.***
   It is determined that the surrounding land uses are concurrent with the proposed land use change; Office designation is to the East, Commercial designation to the South and West with High Density Residential designation to the North. Therefore, Office to Commercial designation is applicable and would not be an adverse land use at this location within the surrounding area.

   Traffic impacts will not be adverse due to established traffic patterns in the general vicinity; Main, Gray and Jones Streets have established traffic patterns that are able to support a restaurant at this location. Public parking is available along Main, Gray and Tonhawa Streets and in public parking lots on Jones, Gray Street and adjacent to Legacy Trail. Furthermore, the proposed use is on a major pedestrian corridor, Legacy Trails Park, which is used to access the Downtown Business District which provides access without the need for parking.

STAFF RECOMMENDATION: The criteria used to determine a change in land use designation can be supported by staff and staff recommends approval of R-1213-136.

City of Norman Predevelopment

May 23, 2013

Applicant AB & Associates

Location 109 Tonhawa Street

Case Number PD 13-13

Time 6:00—6:30 PM

Attendee	Stakeholder	Address	email	phone
Medhi Azimi	Applicant	PO Box 1420 Norman 73070	docazimi@gmail.com	650-4300
Mark Krittenbrink	Applicant's architect	301 W Boyd #200	mark@ krittenbrinkarchitecture.com	579-7883
Ellen Frank	Neighbor	211 E Daws	Mfrank1@mindspring.com	360-9791
Jeannette Coker	Neighbor	620 E Main	cokervip@yahoo.com	321-5944
Susan Atkinson	City Facilitator			366-5392

Application Summary. The applicant is seeking to rezone a .24-acre parcel from the current I-1 Industrial to C-3 Commercial and to amend the *Norman 2025 Land Use Plan* from Office use to Commercial.

Applicant's Opportunity. The applicant is seeking to build a restaurant on the site of a former paint store just north of downtown. The restaurant would include a mix of indoor and outdoor dining and would have around 70 tables total. The building, which was damaged in the April 2012 tornado, will be substantially renovated in order to accommodate this use.

He is seeking C-3 zoning, which has no parking requirements though the applicant does plan to develop 18 pull-in parking spaces on his property. In addition, the applicant's architect demonstrated that there are at least 70 parking spaces within a one-block area, which they believe will provide more than enough parking to supply the restaurant.

Parking. Two neighbors in attendance were generally supportive of the restaurant's development. Their only concern was that there was enough parking provided to prevent spillover parking onto neighborhood streets. After listening to the architect's description of existing parking nearby, both neighbors said they felt satisfied there was enough parking to support the restaurant.

Environmental Issues. Neighbors also asked if there were any environmental concerns given the site's previous use as a paint store.

> **Applicant's Architect's Response**. He stated that while paint had been sold and mixed when the site was Kwal Paints, no paint was manufactured there. Their initial investigations have revealed no environmental issues that will require remediation.

Schedule. Staff inquired about a project timetable.

> **Applicant's Architect's Response**. The application will be on the June Planning Commission agenda and will proceed to City Council in July. He anticipates beginning the permitting process in August, with construction requiring around 6 months.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

JUNE 13, 2013

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 13th day of June 2013. 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 Tom Knotts called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

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

A quorum was present.

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

* * *

Item No. 12, being:
RESOLUTION NO. R-1213-136 – AB & ASSOCIATES, L.L.C. REQUEST AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-1213-13) FROM OFFICE DESIGNATION TO COMMERCIAL DESIGNATION FOR PROPERTY LOCATED AT 109 EAST TONHAWA STREET.

ITEMS SUBMITTED FOR THE RECORD:
1. 2025 Map
2. Staff Report
3. Pre-Development Summary

and
ORDINANCE NO. O-1213-55 – AB & ASSOCIATES, L.L.C. REQUEST REZONING FROM I-1, LIGHT INDUSTRIAL DISTRICT, TO C-3, INTENSIVE COMMERCIAL DISTRICT, FOR PROPERTY LOCATED AT 109 EAST TONHAWA STREET.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Zoning Map
4. Artist's Rendering of Proposed Restaurant
5. Site Plan

PRESENTATION BY STAFF:
1. Janay Greenlee – AB & Associates are requesting a Land Use Plan amendment from Office to Commercial, and rezoning from I-1 to C-3, located at 109 East Tonhawa. Here's the existing Land Use and Transportation Plan, with the office designation. Here it is proposed commercial. As you can see, to the south, much commercial and to the east, with institutional and parkland to the north and high density residential to the north. We're going to go from I-1 to C-3. This is the existing zoning. This originally was part of the Original Township site and industrial maybe at that time fit. Right now, you can see that there's much commercial on Gray and on Main Street and within the vicinity. This is the existing land use. This is the existing site. Probably many are familiar. This was an old retail paint store; it was damaged in the tornado last year and has been vacant. Renovation is being proposed for this site for a European bistro, downtown, outdoor dining. We're looking to the north – high density residential – R-3 to the north. This is just on the north side of the structure, the alley way that separates the high density residential. Looking to the south, the Crucible is across the street and much commercial down the street on Main and Gray. To the east there is commercial and office use. Directly to the east the Crucible is keeping two lots that they use for some of their products and storage, so it will still stay I-1 directly to the east. Looking to the west, Legacy Park Trail and the City of Norman Municipal Complex, so it's institutional and parkland, zoned I-1. Looking to the south again, C-2 and C-3. This is a rendering of what is being proposed for the Noon Restaurant, and an interior design layout of the floor plan. Staff is recommending both the land use change amendment and the zoning from the I-1 to the C-3. I'd be happy to answer any questions.

2. Ms. Gordon – Can you go back to the picture of the floor plan for me? Ms. Greenlee – The structure is basically going to stay the same footprint is what they're proposing. So the outdoor patio would face Legacy Trail. Ms. Gordon – So the residential that's just north of that – those are single-family homes essentially. Yes? Ms. Greenlee – It's a mix. There's some single-family but it is high density – it's R-2 and the land use is high density residential. Ms. Gordon – But many of those are single family residences. Ms. Greenlee – Some of them are. Two people, I believe, showed up to the Pre-Development meeting and were actually in favor of the restaurant. Ms. Gordon – Well, I was just curious about the outside patio and hours and having a restaurant patio backing up right to somebody's back yard that's open late. I don't know what kind of hours they plan on keeping. Ms. Greenlee – Well, the hours, I'm not for sure, but I think it's going to be more of an evening dining type thing, not – the proposal is more of a European

bistro, outdoor bar. I don't want to use the word "upscale" but they're not going to have outdoor parties. It wouldn't be something like, I don't believe, with music and a venue for that.

3. Ms. Gordon – I had another question. The parking for this – based on the report here, I was not quite sure where the parking was going to be. Some of it was talking about lots of parking within a block of that area, and then others were talking about plenty of parking down on Main. I mean, that's a few blocks away, and I was just curious if you could give me an idea where the parking would be for this site. Ms. Greenlee – Right to the east there's several parking lots that are an office use, so there's some open parking lots there. There is the public parking on Gray Street. Right across the street, the Legacy Trail has parking and that's maybe a half a block. Right to the south there's another public parking lot across from the Sooner Theater. The whole idea is that this is on Legacy Trail, that it can be walkable on Main Street so it's within that vicinity. Ms. Gordon – And the office parking people have no problem with bistro people parking in their parking lots? Ms. Greenlee – I doubt that will happen. I think there's going to be some agreements made.

4. Ms. Connors – I just wanted to be clear, the request is for C-3 zoning and there is no parking requirement for C-3 zoning.

PRESENTATION BY THE APPLICANT:

1. Mark Krittenbrink, 428 West Eufaula, representing the applicant – This is the old paint store. The tornado did come and take out the middle section. We are not planning on expanding the building footprint; it will stay exactly the way it is. Some of the building that was taken out in the middle we will use for outdoor dining, but it will be governed by noise ordinances and everything else that you have to do within the City of Norman. You make a good point, Cynthia, about the neighborhood to the north. In fact, two neighbors came to the Pre-Development meeting concerned, not so much about noise, but about parking. What we are doing is we're extending a wall to the north of our property along the alley to separate the commercial use from the residential use. Their real concern was not so much now, but in the future, as Legacy Trail develops, will there be parking in their neighborhood and what can they do to prevent parking on two sides of the street. A staff member pointed out that they can go to the City and have one side of the street parking located there. It is geared toward a European concept. We are adding 18 parking spaces on our own property, and between Gray and Tonhawa, which is a block, there are another 70 parking spaces, so we felt comfortable with that. There is a parking lot that parks 50 that is one block east, and the owner thought they would create a relationship with them in terms of using after hours parking and whatnot. It's a great use. You know, we're trying to extend Legacy Trail down to the north along the tracks and this kind of extends it. You've got the Crucible, which extended it one block, and then this facility will extend it about another half block. The owner plans a very upscale – I will use the term upscale – European restaurant. "Noon" is Persian for bread. Kind of an open kitchen concept; uou sit at the counter and you watch the food being prepared. I feel like it's a really good project, a repurposing of that space. There were a lot of questions asked. We met with Susan and staff and they guided us in a way that they thought we should go, and we felt comfortable with that direction. I'd be happy to answer any other questions that anybody might have.

AUDIENCE PARTICIPATION:

1. Ellen Frank, 211 E. Daws – I'm one of the two people that showed up at the Pre-Development meeting. I think the idea is very nice. First, let me clarify. I wouldn't call the neighborhood high density. I wish high density was what the neighborhood is, and it's R-2 and R-3, and it's really a few multi-family units like maybe duplexes and single-family units, so I definitely, in our current lingo, would not call it high density neighborhood north of there. I also would also like to ask for a correction in the staff report, because present, as Mr. Krittenbrink had said, was an assistant city attorney, because we had a lot of questions about the parking and the spillover into the neighborhood. I don't remember her name; I think she's present tonight.

And she said, when we asked, that if the neighbors ask, the City will post signs to make one side of the street only parking. Because if you park on both sides of our street, you can't get through very easily and, certainly, emergency vehicles could not. My question is, though, two things. First of all, if this is an evening event, who is going to pay to monitor that? Do we have parking people on duty in the evening? No. That's a concern for me. I don't know, but as we begin our development – not just this project, but other projects – the question is, is our infrastructure supporting what we're building? I think the restaurant will be wonderful. But I think it might be incumbent on builders who are doing these things to – maybe we need to raise the impact fee or something, because what good is it to have one side of the street parking and nobody enforce it? This is my big concern. Also, why should we have to have a petition go around to all the neighbors and say is this a problem? It's kind of incumbent upon us to deal with the parking situation. The other question is, after the Pre-Development meeting, I did go to see what west Legacy Trail parking meant, and that means where the Police Department is, I believe, which is often full with the people that work in the Police Department. So that – I think the project is wonderful and I welcome it in our neighborhood, but I do think that – I don't know but maybe there are some creative ways to deal with this parking issue. Because I still think, as I think about it now, that could still be a question that we need to deal with, and maybe not just this project, but throughout the city. Thank you.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. McCarty – C-3 doesn't require parking. I presume that there's going to be some existing parking on-site. Correct? I guess my question would be what is the occupancy load of this restaurant going to be, and how many actual parking spots are going to be there. Mr. Krittenbrink – Preliminary counts put our required parking, if we were to provide parking, at around 70-74. We are providing 18 spaces on-site. In the half block to the north are 42 spaces, and then there is an additional, I think, 18 along Tonhawa going to the east, and that's not counting the parking lot that's across the street from the Sooner Theater to the west.

Cindy Gordon moved to recommend adoption of Resolution No. R-1213-136 and Ordinance No. O-1213-55 to City Council. Sandy Bahan seconded the motion.

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

YEAS	Curtis McCarty, Cindy Gordon, Dave Boeck, Sandy Bahan, Tom Knotts
NAYS	None
ABSENT	Jim Gasaway, Roberta Pailes, Andy Sherrer, Chris Lewis

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1213-136 and Ordinance No. O-1213-55 to City Council, passed by a vote of 5-0.

* * *

City of Norman, OK

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

Master

File Number: O-1213-55

File ID:	O-1213-55	**Type:**	Ordinance	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 46	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	05/07/2013
File Name:	109 Tonhawa Rezone			**Final Action:**	

Title: CONSIDERATION OF ORDINANCE NO. O-1213-55 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 ALL OF LOTS 1, 2 AND 3, BLOCK 3, NORMAN ORIGINAL TOWN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-3, INTENSIVE COMMERCIAL DISTRICT, AND REMOVE SAME FROM THE I-1, LIGHT INDUSTRIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (109 EAST TONHAWA STREET)

Notes: ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-55 upon Second Reading section by section.

ACTION TAKEN:_____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1213-55 upon Final Reading as a whole.

ACTION TAKEN:_____

Agenda Date: 07/23/2013

Agenda Number: 46

Attachments: Text File O-1213-53, O-1213-55, Location Map, Staff Report, Rendering 109 E. Tonhawa, Site Plan 109 E. Tonhawa, 6-13-13 PC Minutes

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	06/13/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	07/09/2013		Pass

	Action Text:	A motion was made by Commissioner Gordon, seconded by Commissioner Bahan, that this Zoning Ordinance be Recommended for Adoption at a subsequent City Council Meeting to the City Council , due back on 7/9/2013. The motion carried by the following vote:		
1	City Council	07/09/2013	Introduced and adopted on First Reading by title only	Pass
	Action Text:	That this Zoning Ordinance be Introduced and adopted on First Reading by title only. by consent roll call		

Text of Legislative File O-1213-55

Body

SYNOPSIS: The existing site is a vacant damaged building that previously was among other things a retail paint store. The applicant's request is to rezone this site from I-1, Light Industrial District, to C-3, Intensive Commercial District, to establish a European restaurant/bistro.

ANALYSIS: The site is currently designated for Office use according to the Norman 2025 Land Use and Transportation Plan. The applicant's proposal is to develop a restaurant by renovating the existing building while maintaining the existing footprint. Renovation of the existing building will significantly improve the overall aesthetic appeal at the corner of Tonhawa and Jones. This site sits adjacent to Legacy Trail and is two blocks north of Main Street which makes the location easily accessible to pedestrians. This location is one of three parcels that are zoned I-1 within this block; the parcel directly east of this property is I-1 and is utilized by the Crucible for enclosed/fenced outdoor storage. This site, with a commercial zoning designation would be more compatible with surrounding uses as well as within the downtown vicinity.

ALTERNATIVES/ISSUES:

IMPACTS: The zoning to the east and south of this site is C-3, Intensive Commercial District, and I-1, Light Industrial District, with a combination of office and commercial uses. The zoning to the north is R-3, Multi-Family Dwelling District, with predominantly single-family uses in that area. There is parkland and the City of Norman Municipal Complex to the west, across the railroad tracks. Since the time this was platted as part of the Original Townsite, zoning designations and land uses have significantly changed to accommodate contemporary development and to revitalize the downtown vicinity. Most of the downtown area is designated C-3, Intensive Commercial District, with no parking requirements. The C-3 designation for this site will allow development of a restaurant without an on-site parking requirement. There are 18 parking spaces on-site, two being handicapped. The public parking access in the vicinity is adequate to accommodate the parking demand for this development. There is public parking available along Gray, Main and Tonhawa Streets and public parking along Legacy Trail. Parking access on the mentioned public streets will help alleviate impacts of on-street parking in the neighborhood directly north of this site.

SITE PLAN: The building footprint will remain the same with interior and exterior remodeling and renovation keeping the original building structure and existing parking.

OTHER AGENCY COMMENTS:

PARKS BOARD: Parks Board does not require park land for commercial development.

PUBLIC WORKS: The property was platted as part of the Original Townsite; therefore, there are no platting issues to be addressed.

STAFF RECOMMENDATION: Staff recommends approval of Ordinance No. O-1213-55, from I-1, Light Industrial District, to C-3, Intensive Commercial District, for the development of a restaurant.

The Planning Commission, at their June 13, 2013 meeting, recommended adoption of this ordinance by a vote of 5-0.

O-1213-55

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 ALL OF LOTS 1, 2 AND 3, BLOCK 3, NORMAN ORIGINAL TOWN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE C-3, INTENSIVE COMMERCIAL DISTRICT, AND REMOVE SAME FROM THE I-1, LIGHT INDUSTRIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (109 East Tonhawa Street)

§ 1. WHEREAS, AB & Associates, L.L.C. has made application to have the same placed in the C-3, Intensive Commercial District, 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 C-3, Intensive Commercial District, and to remove the same from the I-1, Light Industrial District, to wit:

Lots 1, 2 and 3, Block 3, NORMAN ORIGINAL TOWN, Norman, Cleveland County, Oklahoma. 10,500 square feet, more or less.

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

ADOPTED this _____ day of

_____, 2013.

_____
(Mayor)

ATTEST:

_____
(City Clerk)

NOT ADOPTED this _____day of

_____, 2013.

_____
(Mayor)

Location Map

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

N
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May 7, 2013

0 100 200 Ft.

Subject Tract

Zoning
46-2

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ORDINANCE NO. O-1213-55 ITEM NO. 12b

STAFF REPORT

GENERAL INFORMATION

APPLICANT	AB & Associates, L.L.C.
REQUESTED ACTION	Rezoning to C-3, Intensive Commercial District
EXISTING ZONING	I-1, Light Industrial District
SURROUNDING ZONING	North: R-3, Multi-Family Dwelling District East: I-1, Light Industrial District South: C-2, General Commercial District West: I-1, Light Industrial District and Parkland
LOCATION	109 Tonhawa Street Lots 1, 2 & 3, Block 3, Norman Original Town
SIZE	Total Site 10,500 sq. ft., building 4,256 sq. ft.
PURPOSE	Restaurant with Patio & Deck Dining
EXISTING LAND USE	Vacant, formerly a Retail Paint Store
SURROUNDING LAND USE	North: Low Density Residential East: Industrial and Office South: Commercial West: Industrial and Parkland
LAND USE PLAN DESIGNATION	Office

SYNOPSIS: The existing site is a vacant damaged building that previously was a retail paint store. The applicant's request is to rezone from I-1 to C-3 to develop a neighborhood and downtown European restaurant/bistro.

ANALYSIS: The site is currently designated Office use according to the Norman 2025 Land Use and Transportation Plan with I-1 zoning. The applicant's proposal is to develop a restaurant by renovating the existing building to keep the same footprint. A renovation of the existing building will significantly improve the overall aesthetic at the corner of Tonhawa and

Jones. This site also sits adjacent to Legacy Trail Park and is two blocks from Main Street which makes the location easily accessible to pedestrians. This location is the last of two parcels that are zoned I-1 within the vicinity; the parcel directly east of this property is I-1 and is utilized by the Crucible for enclosed outdoor storage. This site is part of the original township plat and has drastically changed use within the last 100 years from industrial to commercial and office. This site with commercial designation would be more compatible with surrounding uses within the downtown vicinity.

ALTERNATIVES/ISSUES:

- **IMPACTS** The majority of the surrounding zoning is commercial and office use to the south and east, with multi-family residential to the north and parkland and institutional use to the west. Since this was platted as part of the Original Town site, zoning designations and land uses have significantly changed over time to accommodate contemporary development and revitalize the downtown vicinity. Most of downtown is designated C-3 to alleviate parking requirements while supporting economic development. The C-3 designation for this site will allow development of a restaurant without a parking requirement on site. There are 22 parking spaces on site, two being handicapped, and public parking access in the vicinity is adequate to accommodate the parking demand for this development. There is public parking along Gray, Main and Tonhawa Streets, public parking lots and public parking along Legacy Trail. Parking access on the mentioned public streets will alleviate concern for on street parking in the neighborhood directly north of this site.

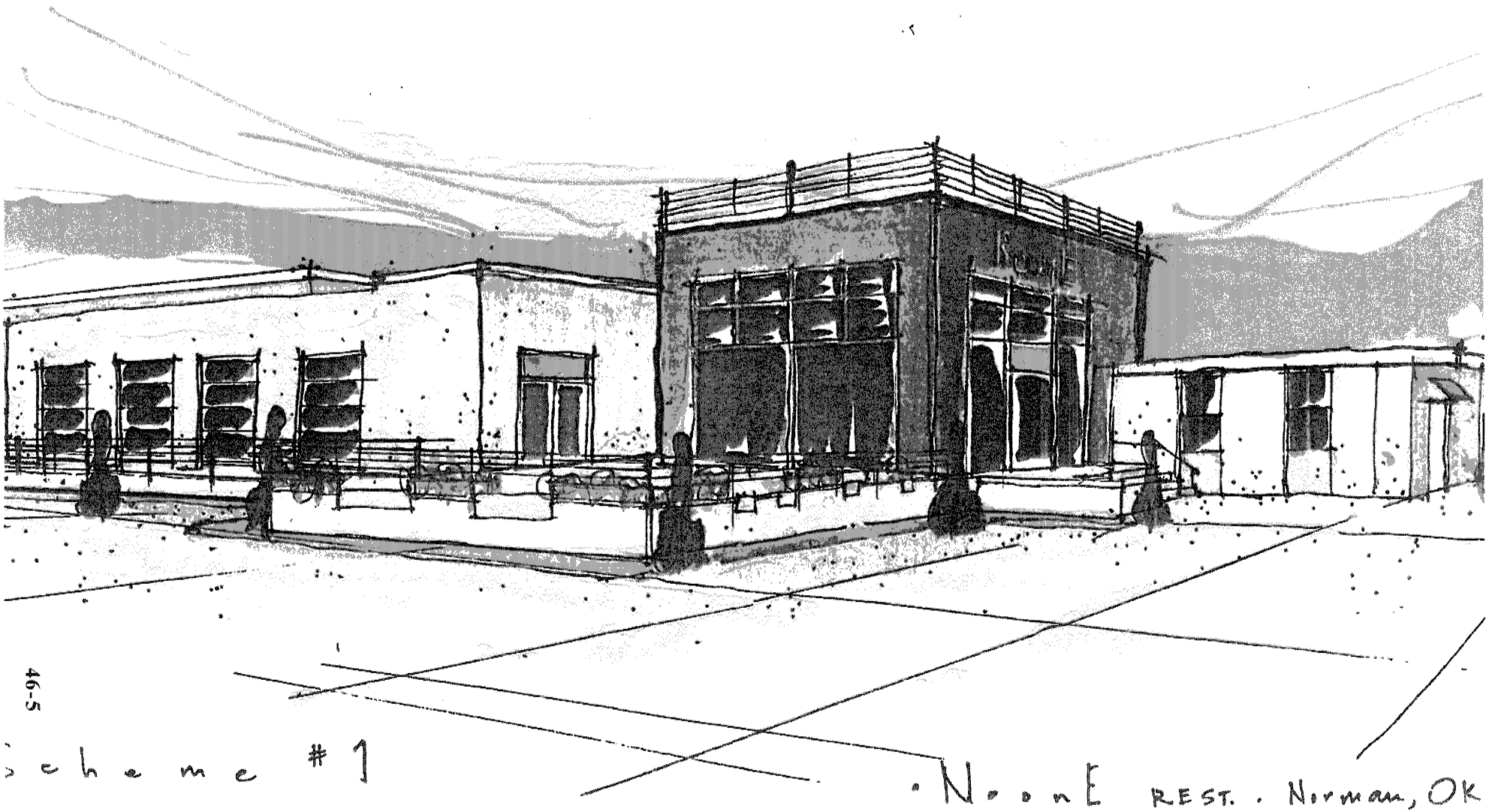
- **SITE PLAN** The building footprint will remain the same with interior and exterior remodeling and renovation keeping the original building structure and existing parking.

OTHER AGENCY COMMENTS:

- **PARK BOARD** Park Board does not require park land for commercial development.

- **PUBLIC WORKS** The property was platted as part of the Original Town site; therefore, there are no platting issues to be addressed.

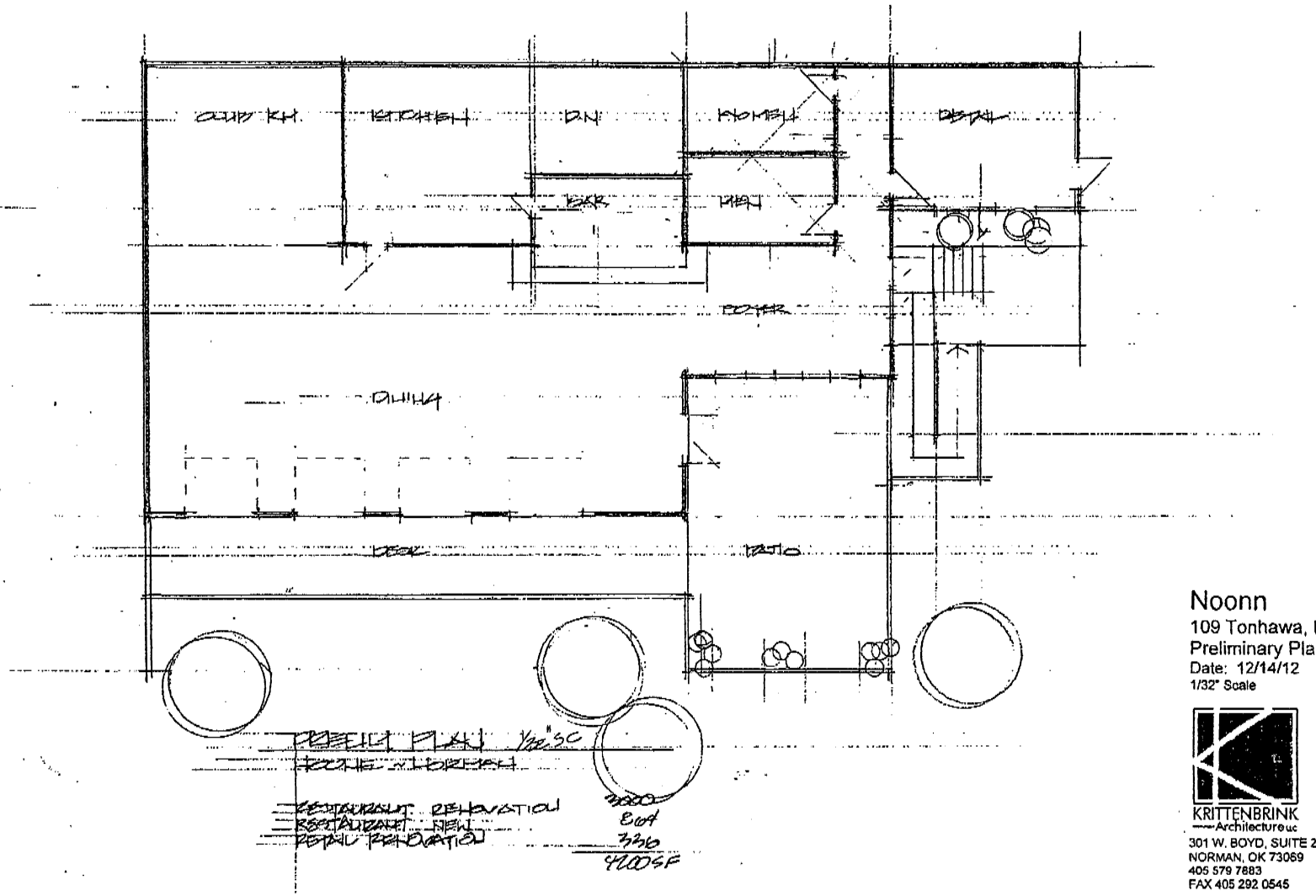
STAFF RECOMMENDATION Staff recommends approval of O-1213-55, from I-1 to C-3 zoning designation for the development of a restaurant.



46-5

scheme #1

·NOONE REST. · Norman, OK



Noonn
109 Tonhawa, Norman, OK
Preliminary Plans
Date: 12/14/12
1/32" Scale

KRITTENBRINK
Architecture uc
301 W. BOYD, SUITE 200
NORMAN, OK 73069
405 579 7883
FAX 405 292 0545

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

JUNE 13, 2013

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 13th day of June 2013. 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 Tom Knotts called the meeting to order at 6:30 p.m.

* * *

Item No. 1, being:
ROLL CALL

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

A quorum was present.

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

* * *

Item No. 12, being:
RESOLUTION NO. R-1213-136 – AB & ASSOCIATES, L.L.C. REQUEST AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN (LUP-1213-13) FROM OFFICE DESIGNATION TO COMMERCIAL DESIGNATION FOR PROPERTY LOCATED AT 109 EAST TONHAWA STREET.

ITEMS SUBMITTED FOR THE RECORD:
1. 2025 Map
2. Staff Report
3. Pre-Development Summary

and
ORDINANCE NO. O-1213-55 – AB & ASSOCIATES, L.L.C. REQUEST REZONING FROM I-1, LIGHT INDUSTRIAL DISTRICT, TO C-3, INTENSIVE COMMERCIAL DISTRICT, FOR PROPERTY LOCATED AT 109 EAST TONHAWA STREET.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Zoning Map
4. Artist's Rendering of Proposed Restaurant
5. Site Plan

PRESENTATION BY STAFF:
1. Janay Greenlee – AB & Associates are requesting a Land Use Plan amendment from Office to Commercial, and rezoning from I-1 to C-3, located at 109 East Tonhawa. Here's the existing Land Use and Transportation Plan, with the office designation. Here it is proposed commercial. As you can see, to the south, much commercial and to the east, with institutional and parkland to the north and high density residential to the north. We're going to go from I-1 to C-3. This is the existing zoning. This originally was part of the Original Township site and industrial maybe at that time fit. Right now, you can see that there's much commercial on Gray and on Main Street and within the vicinity. This is the existing land use. This is the existing site. Probably many are familiar. This was an old retail paint store; it was damaged in the tornado last year and has been vacant. Renovation is being proposed for this site for a European bistro, downtown, outdoor dining. We're looking to the north – high density residential – R-3 to the north. This is just on the north side of the structure, the alley way that separates the high density residential. Looking to the south, the Crucible is across the street and much commercial down the street on Main and Gray. To the east there is commercial and office use. Directly to the east the Crucible is keeping two lots that they use for some of their products and storage, so it will still stay I-1 directly to the east. Looking to the west, Legacy Park Trail and the City of Norman Municipal Complex, so it's institutional and parkland, zoned I-1. Looking to the south again, C-2 and C-3. This is a rendering of what is being proposed for the Noon Restaurant, and an interior design layout of the floor plan. Staff is recommending both the land use change amendment and the zoning from the I-1 to the C-3. I'd be happy to answer any questions.

2. Ms. Gordon – Can you go back to the picture of the floor plan for me? Ms. Greenlee – The structure is basically going to stay the same footprint is what they're proposing. So the outdoor patio would face Legacy Trail. Ms. Gordon – So the residential that's just north of that – those are single-family homes essentially. Yes? Ms. Greenlee – It's a mix. There's some single-family but it is high density – it's R-2 and the land use is high density residential. Ms. Gordon – But many of those are single family residences. Ms. Greenlee – Some of them are. Two people, I believe, showed up to the Pre-Development meeting and were actually in favor of the restaurant. Ms. Gordon – Well, I was just curious about the outside patio and hours and having a restaurant patio backing up right to somebody's back yard that's open late. I don't know what kind of hours they plan on keeping. Ms. Greenlee – Well, the hours, I'm not for sure, but I think it's going to be more of an evening dining type thing, not – the proposal is more of a European

bistro, outdoor bar. I don't want to use the word "upscale" but they're not going to have outdoor parties. It wouldn't be something like, I don't believe, with music and a venue for that.

3. Ms. Gordon – I had another question. The parking for this – based on the report here, I was not quite sure where the parking was going to be. Some of it was talking about lots of parking within a block of that area, and then others were talking about plenty of parking down on Main. I mean, that's a few blocks away, and I was just curious if you could give me an idea where the parking would be for this site. Ms. Greenlee – Right to the east there's several parking lots that are an office use, so there's some open parking lots there. There is the public parking on Gray Street. Right across the street, the Legacy Trail has parking and that's maybe a half a block. Right to the south there's another public parking lot across from the Sooner Theater. The whole idea is that this is on Legacy Trail, that it can be walkable on Main Street so it's within that vicinity. Ms. Gordon – And the office parking people have no problem with bistro people parking in their parking lots? Ms. Greenlee – I doubt that will happen. I think there's going to be some agreements made.

4. Ms. Connors – I just wanted to be clear, the request is for C-3 zoning and there is no parking requirement for C-3 zoning.

PRESENTATION BY THE APPLICANT:

1. Mark Krittenbrink, 428 West Eufaula, representing the applicant – This is the old paint store. The tornado did come and take out the middle section. We are not planning on expanding the building footprint; it will stay exactly the way it is. Some of the building that was taken out in the middle we will use for outdoor dining, but it will be governed by noise ordinances and everything else that you have to do within the City of Norman. You make a good point, Cynthia, about the neighborhood to the north. In fact, two neighbors came to the Pre-Development meeting concerned, not so much about noise, but about parking. What we are doing is we're extending a wall to the north of our property along the alley to separate the commercial use from the residential use. Their real concern was not so much now, but in the future, as Legacy Trail develops, will there be parking in their neighborhood and what can they do to prevent parking on two sides of the street. A staff member pointed out that they can go to the City and have one side of the street parking located there. It is geared toward a European concept. We are adding 18 parking spaces on our own property, and between Gray and Tonhawa, which is a block, there are another 70 parking spaces, so we felt comfortable with that. There is a parking lot that parks 50 that is one block east, and the owner thought they would create a relationship with them in terms of using after hours parking and whatnot. It's a great use. You know, we're trying to extend Legacy Trail down to the north along the tracks and this kind of extends it. You've got the Crucible, which extended it one block, and then this facility will extend it about another half block. The owner plans a very upscale – I will use the term upscale – European restaurant. "Noon" is Persian for bread. Kind of an open kitchen concept; uou sit at the counter and you watch the food being prepared. I feel like it's a really good project, a repurposing of that space. There were a lot of questions asked. We met with Susan and staff and they guided us in a way that they thought we should go, and we felt comfortable with that direction. I'd be happy to answer any other questions that anybody might have.

AUDIENCE PARTICIPATION:

1. Ellen Frank, 211 E. Daws – I'm one of the two people that showed up at the Pre-Development meeting. I think the idea is very nice. First, let me clarify. I wouldn't call the neighborhood high density. I wish high density was what the neighborhood is, and it's R-2 and R-3, and it's really a few multi-family units like maybe duplexes and single-family units, so I definitely, in our current lingo, would not call it high density neighborhood north of there. I also would also like to ask for a correction in the staff report, because present, as Mr. Krittenbrink had said, was an assistant city attorney, because we had a lot of questions about the parking and the spillover into the neighborhood. I don't remember her name; I think she's present tonight.

And she said, when we asked, that if the neighbors ask, the City will post signs to make one side of the street only parking. Because if you park on both sides of our street, you can't get through very easily and, certainly, emergency vehicles could not. My question is, though, two things. First of all, if this is an evening event, who is going to pay to monitor that? Do we have parking people on duty in the evening? No. That's a concern for me. I don't know, but as we begin our development – not just this project, but other projects – the question is, is our infrastructure supporting what we're building? I think the restaurant will be wonderful. But I think it might be incumbent on builders who are doing these things to – maybe we need to raise the impact fee or something, because what good is it to have one side of the street parking and nobody enforce it? This is my big concern. Also, why should we have to have a petition go around to all the neighbors and say is this a problem? It's kind of incumbent upon us to deal with the parking situation. The other question is, after the Pre-Development meeting, I did go to see what west Legacy Trail parking meant, and that means where the Police Department is, I believe, which is often full with the people that work in the Police Department. So that – I think the project is wonderful and I welcome it in our neighborhood, but I do think that – I don't know but maybe there are some creative ways to deal with this parking issue. Because I still think, as I think about it now, that could still be a question that we need to deal with, and maybe not just this project, but throughout the city. Thank you.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. McCarty – C-3 doesn't require parking. I presume that there's going to be some existing parking on-site. Correct? I guess my question would be what is the occupancy load of this restaurant going to be, and how many actual parking spots are going to be there. Mr. Krittenbrink – Preliminary counts put our required parking, if we were to provide parking, at around 70-74. We are providing 18 spaces on-site. In the half block to the north are 42 spaces, and then there is an additional, I think, 18 along Tonhawa going to the east, and that's not counting the parking lot that's across the street from the Sooner Theater to the west.

Cindy Gordon moved to recommend adoption of Resolution No. R-1213-136 and Ordinance No. O-1213-55 to City Council. Sandy Bahan seconded the motion.

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

YEAS	Curtis McCarty, Cindy Gordon, Dave Boeck, Sandy Bahan, Tom Knotts
NAYS	None
ABSENT	Jim Gasaway, Roberta Pailes, Andy Sherrer, Chris Lewis

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1213-136 and Ordinance No. O-1213-55 to City Council, passed by a vote of 5-0.

* * *