City of Norman, OK

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

Meeting Agenda

Tuesday, November 12, 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

3 Consent Docket

Consent Docket

This item is placed on the agenda so that the City Council, by unanimous consent, can designate those routine agenda items that they wish to be approved or acknowledged by one motion. If any item proposed does not meet with approval of all Councilmembers, that item will be heard in regular order. Staff recommends that Item 4 through Item 45 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: _____

Minutes

4 GID-1314-46 CONSIDERATION OF THE MINUTES AS FOLLOWS:

CITY COUNCIL RETREAT MINUTES OF AUGUST 24, 2013
CITY COUNCIL STUDY SESSION MINUTES OF OCTOBER 15, 2013
CITY COUNCIL CONFERENCE MINUTES OF OCTOBER 22, 2013
CITY COUNCIL MINUTES OF OCTOBER 22, 2013
NORMAN UTILITIES AUTHORITY MINUTES OF OCTOBER 22, 2013
NORMAN MUNICIPAL AUTHORITY MINUTES OF OCTOBER 22, 2013
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF OCTOBER 22, 2013
CITY COUNCIL COMMUNITY PLANNING AND TRANSPORTATION MINUTES OF OCTOBER 28, 2013
CITY COUNCIL SPECIAL SESSION MINUTES OF OCTOBER 29, 2013

Attachments: August 24 Annual Retreat minutes.pdf
October 15 Study Session Minutes.pdf
October 22 Conference minutes.pdf
October 22 CC Minutes.pdf
October 28 CPT Minutes.pdf
October 29 Special Session minutes.pdf

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: _____

Zoning Ordinance

5 O-1314-16 CONSIDERATION OF ORDINANCE NO. O-1314-16 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ORDINANCE NO. O-0708-18 TO ALLOW AN EXPANSION OF THE COMMERCIAL COMPONENT ON THE GROUND FLOOR OF THE ENTIRE DEVELOPMENT FOR 36TH NORTH BUSINESS PARK ADDITION TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE EAST SIDE OF 36TH AVENUE N.W. APPROXIMATELY ONE-HALF MILE NORTH OF ROCK CREEK ROAD)

Attachments: Text File O-1314-16 First Reading.pdf

O-1314-16

PUD Narrative O-1314-16.pdf

Location Map

Staff Report

10-10-13 PC Minutes

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1314-16 upon First Reading by title.

ACTION TAKEN: _____

6 O-1314-17 CONSIDERATION OF ORDINANCE NO. O-1314-17 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 REMOVE LOTS 5 AND 6, BLOCK 23, AMENDED PLAT OF BLOCKS 19 AND 23 OF CLASSEN-MILLER ADDITION FROM THE C-1, LOCAL COMMERCIAL DISTRICT, AND PLACE THE SAME IN THE C-2, GENERAL COMMERCIAL DISTRICT, AND TO GRANT SPECIAL USE FOR A MIXED BUILDING IN THE C-2, GENERAL COMMERCIAL DISTRICT, FOR LOTS 1, 2, 3, 4, 5 AND 6, BLOCK 23, AMENDED PLAT OF BLOCKS 19 AND 23 OF CLASSEN-MILLER ADDITION TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1226 CLASSEN BOULEVARD)

Attachments: Text File O-1314-17 first reading.pdf
O-1314-17
Site Plan Zain Fuel
Location Map
Staff Report
Zain Fuel Renderings.pdf
Predevelopment Zain Fuel
10-10-13 PC Minutes

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1314-17 upon First Reading by title.

ACTION TAKEN: _____

7 O-1314-20 CONSIDERATION OF ORDINANCE NO. O-1314-20 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 REMOVE LOTS 41 AND 42, BLOCK 5, HARDIE RUCKER ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, AND PLACE THE SAME IN THE R-2, TWO-FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1418 GEORGE AVENUE)

Attachments: Text File O-1314-20 first reading.pdf
O-1314-20
Location Map
Staff Report
1418 George Site Plan
10-10-13 PC Minutes

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1314-20 upon First Reading by title.

ACTION TAKEN: _____

Appointment

8 AP-1314-11 CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

NORMAN REGIONAL HOSPITAL AUTHORITY
TERM: 11-12-13 TO 10-31-16: DR. JERRY WEBER, #5 PEBBLECREEK ROAD
TERM: 11-12-13 TO 10-31-16: JOAN GREENLEAF, 2602 SOUTH PICKARD AVENUE
TERM: 10-31-13 TO 10-31-16: DON SHERMAN, 3128 ST. CLAIR COMMON

Attachments: Text File Appointments.pdf

ACTION NEEDED: Motion to confirm or reject the appointments.

ACTION TAKEN: _____

Report/Communication

9 RPT-1314-26 SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE DEVELOPMENT OVERSIGHT COMMITTEE FOR TIF DISTRICT NO. 2 ANNUAL REPORT FOR THE PERIOD JULY 1, 2012, TO SEPTEMBER 30, 2013, AND DIRECTING THE FILING THEREOF.

Attachments: Text File TIF Oversight.pdf

UNP TIF Oversight Committee Annual Report Sept 2013

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

ACTION TAKEN: _____

10 RPT-1314-27 SUBMISSION OF AND ACKNOWLEDGING RECEIPT OF A REPORT ENTITLED "PIONEER LIBRARY SYSTEM FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2013, TOGETHER WITH AUDITORS' REPORT" AS PREPARED BY GRAY, BLODGETT, AND COMPANY, P.L.L.C., CERTIFIED PUBLIC ACCOUNTANTS.

Attachments: Text File Library Audit.pdf

Pioneer Library Signed Audit Report 2012_13.pdf

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

ACTION TAKEN: _____

Bid

11 K-1314-50 CONSIDERATION OF ACCEPTANCE OF BID NO. 1314-23; APPROVAL OF CONTRACT NO. K-1314-50 WITH CORY'S AUDIO VISUAL SERVICES, L.L.C., IN THE AMOUNT OF $505,216.83; AND ADOPTION OF PROJECT AGENT RESOLUTION NO. R-1314-31 FOR THE MUNICIPAL BUILDING AUDIO/VIDEO SYSTEM REPLACEMENT PROJECT.

Attachments: Bid tab AV Project

Text File K-1314-50.pdf

Contract - K-1314-50

Project Agent - AV Project

Purchase Req - Cory's

ACTION NEEDED: Motion to accept or reject all bids meeting specifications; and, if accepted, award the bid to Cory's Audio Visual Services, Inc., as the lowest and best bidder meeting specifications; approve Contract No. K-1314-50 in the amount of $505,216.83; authorize execution of the contract and the Mayor to sign Performance Bond No. B-1314-31, Statutory Bond No. B-1314-32, and Maintenance Bond No. MB-1314-29 contingent upon the City Attorney's approval; and adopt Resolution No. R-1314-31.

ACTION TAKEN: _____

12 K-1314-48 CONSIDERATION OF ACCEPTANCE OF BID NO. 1314-19; CONTRACT NO. K-1314-48 WITH MARCUM'S NURSERY IN THE AMOUNT OF $153,030; PERFORMANCE BOND NO B-1314-29; STATUTORY BOND NO. B-1314-30; AND MAINTENANCE BOND NO. MB-1314-26 FOR THE ROBINSON STREET UNDERPASS LANDSCAPE AND IRRIGATION PROJECT AND PROJECT AGENT RESOLUTION NO. R-1314-30.

Attachments: Text File Landscaping Robinson.pdf
Bid Tab.pdf
Project Map.pdf
K1314-148.pdf
R-1314-30.pdf
PR Marcums.pdf

ACTION NEEDED: Motion to accept or reject the bid as meeting specifications; and, if accepted, award the bid to Marcum's Nursery in the amount of $150,030 as the lowest and best bidder meeting specifications; approve Contract No. K-1314-29 and the performance, statutory, and maintenance bonds; authorize execution of the contract and bonds; direct the filing of the bonds, and adopt Resolution No. R-1314-30.

ACTION TAKEN: _____

Final Plat

13 FP-1213-19 CONSIDERATION OF A FINAL PLAT FOR HIGHLAND VILLAGE ADDITION, SECTION 7, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (LOCATED ON THE NORTH SIDE OF HIGHLAND VILLAGE DRIVE WEST OF PORTER AVENUE).

Attachments: Text File Final Plat.pdf
Highland Village 7 Location Map
Highland Village 7 Staff Report
Final Plat Highland Village Addition, Section 7
Revised Prelim Highland Village
11-8-12 PC Minutes - Highland Village 7

ACTION NEEDED: Motion to approve or reject the final plat for Highland Village Addition, Section 7; 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 improvements and direct the filing of the final plat.

ACTION TAKEN: _____

Acceptance of Funds

14 GID-1314-44 CONSIDERATION OF ACCEPTANCE OF REIMBURSEMENT OF FUNDS IN THE AMOUNT OF $332,976.54 FROM FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND $48,351.56 FROM THE STATE OF OKLAHOMA FOR TORNADO RELATED EXPENSES DURING MAY 2013.

Attachments: Text File FEMA Reimb 1.pdf
FEMA OK-DR-4117 Debris I.pdf
FEMA OK-DR-4117-Debris II.pdf
OK-DR 4117 - Debris I & II.pdf

ACTION NEEDED: Motion to accept or reject reimbursement of funds in the amount of $332,976.54 from FEMA and $48,351.56 from the State of Oklahoma for tornado-related expenses during May 2013; and, if accepted, increase FEMA Reimbursements (010-0000-44.13-28) by $332,976.54 and Other Agency Reimbursements (010-0000-366.12-39) by $48,351.56.

ACTION TAKEN: _____

15 GID-1314-45 CONSIDERATION OF ACCEPTANCE OF REIMBURSEMENT OF FUNDS IN THE AMOUNT OF $15,873.89 FROM FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND $2,645.65 FROM THE STATE OF OKLAHOMA FOR TORNADO RELATED EXPENSES DURING MAY 2013.

Attachments: Text File Fema Reimb 2.pdf
FEMA OK-DR-4117 Parks.pdf
FEMA OK-DR-4117 Police.pdf
State OK-DR-4117 - Parks & Police.pdf

ACTION NEEDED: Motion to accept or reject reimbursement of funds in the amount of $15,873.89 from FEMA and $2,645.65 from the State of Oklahoma for tornado-related expenses during May 2013; and, if accepted, increase FEMA Reimbursements (010-0000-344-.13-28) by $15,873.89 and Other Agency Reimbursements (010-0000-366.12-39) by $2,654.65.

ACTION TAKEN: _____

Special Claim

16 SC-1314-7 SPECIAL CLAIM NO. SC-1314-7: A CLAIM IN THE AMOUNT OF $8,135.80 SUBMITTED BY JERRY MASTERS FOR CHARGES INCURRED DUE TO A WATER MAIN BREAK WHICH FLOODED 3101 AND 3103 PHEASANT RUN.

Attachments: Text File Masters Claim.pdf
Memo Masters.pdf
Claim Masters.pdf
Itemized Costs Masters.pdf

ACTION NEEDED: Motion to approve or reject Special Claim No. SC-1314-7; and, if approved, direct payment in the amount of $8,135.80 contingent upon obtaining a Release and Covenant Not to Sue from Jerry Masters.

ACTION TAKEN: _____

17 SC-1314-9 SPECIAL CLAIM NO. SC-1314-9: A CLAIM IN THE REDUCED AMOUNT OF $3,504.99 SUBMITTED BY COLBY WARDWELL FOR DAMAGES TO HIS VEHICLE AMD CHARGES INCURRED DUE TO AN ACCIDENT WITH A PARKING SERVICES VEHICLE AT THE INTERSECTION OF SANTA FE AVENUE AND SYMMES STREET.

Attachments: Text File Wardwell Claim.pdf
Clerk Memo Wardwell.pdf
Wardwell Claim.pdf
Police Report Wardwell.pdf

ACTION NEEDED: Motion to approve or reject Special Claim No. SC-1314-9; and, if approved, direct payment in the reduced amount of $3,504.99 contingent upon obtaining a Release and Covenant Not to Sue from Colby Wardwell.

ACTION TAKEN: _____

Contract

18 K-1314-90 CONSIDERATION OF ACCEPTANCE OF A GRANT IN THE AMOUNT OF $36,000 FROM THE STATE OF OKLAHOMA OFFICE OF HOMELAND SECURITY FOR THE POLICE DEPARTMENT TO PROVIDE SALARY, BENEFITS, AND TRAINING FOR THE CURRENT POLICE INTELLIGENCE ANALYST POSITION, APPROVAL OF CONTRACT NO. K-1314-90, AND BUDGET APPROPRIATION.

Attachments: Text File K-1314-90.pdf

K-1314-90.pdf

ACTION NEEDED: Motion to accept or reject a grant in the amount of $36,000 from the State of Oklahoma Office of Homeland Security for the Police Department; and, if accepted, approve Contract No. K-1314-90, authorize the execution thereof, appropriate $36,000 from the Special Grant Fund Balance (022-0000-253.20-00) designating $32,000 to Salary and Benefits (022-6040-421.20-01) and $4,000 to Professional Services & Workshops (022-6040-421.46-04); and, upon reimbursement, deposit funds into Other Revenue/Homeland Security (022-0000-331.13-52).

ACTION TAKEN: _____

19 K-0809-45 Amd #4 AMENDMENT NO. FOUR TO CONTRACT NO. K-0809-45: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND NEXTEL WEST CORPORATION TO PROVIDE ADDITIONAL PROJECT MANAGEMENT AT NO COST TO THE CITY OF NORMAN. AS PART OF THE FREQUENCY CONFIGURATION AGREEMENT FOR THE 800 MEGAHERTZ (MHZ) COMMUNICATION SYSTEM.

Attachments: Text File Amd 4 K-0809-45.pdf

Amd 4 K-0809-45.pdf

ACTION NEEDED: Motion to approve or reject Amendment No. Four to Contract No. K-0809-45 with Nextel West Corporation; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

20 K-1011-135 AMD #1 AMENDMENT NO. ONE TO CONTRACT NO. K-1011-135: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CARDINAL ENGINEERING, INC. INCREASING THE CONTRACT AMOUNT BY $52,661 FOR A REVISED CONTRACT PRICE OF $403,291 TO PROVIDE ADDITIONAL DESIGN SERVICES FOR THE CEDAR LANE ROAD WIDENING PROJECT.

Attachments: Text File Amendment Cedar Lane.pdf
K-1011-135#1.pdf
K-1011-135.pdf
Location map
PR Cardinal.pdf

ACTION NEEDED: Motion to approve or reject Amendment No. One to Contract No. K-1011-135 with Cardinal Engineering, Inc. increasing the contract amount by $52,661 for a revised contract price of $403,291; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

21 K-1314-68 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $13,200 AND ENTER INTO CONTRACT NO. K-1314-68 WITH NORMAN ADDICTION INFORMATION AND COUNSELING (NAIC).

Attachments: Text File K-1314-68 NAIC.pdf
SVSC Funding Requests 2013 2014.pdf
K-1314-68 NAIC.pdf
PO NAIC.pdf
SVSC Minutes September 30.pdf
Funding Request NAIC.pdf

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $13,200 from NAIC and Contract No. K-1314-68; and, if approved, authorize the execution thereof and direct payment in the amount of $13,200 to NAIC.

ACTION TAKEN: _____

22 K-1314-69 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $4,250 AND ENTER INTO CONTRACT NO. K-1314-69 WITH AMONG FRIENDS ACTIVITY CENTER, INC.

Attachments: Text File K-1314-69 Among Friends.pdf
SVSC Funding Requests 2013 2014.pdf
K-1314-69 Among Friends.pdf
PO Among Friends.pdf
SVSC Minutes September 30.pdf
Funding Request Among Friends.pdf

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $4,250 from Among Friends Activity Center, Inc., and Contract No. K-1314-69; and, if approved, authorize the execution thereof and direct payment in the amount of $4,250 to Among Friends Activity Center, Inc.

ACTION TAKEN: _____

23 K-1314-70 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $5,000 AND ENTER INTO CONTRACT NO. K-1314-70 WITH MEALS ON WHEELS OF NORMAN, INC.

Attachments: Text File K-1314-70 MOW.pdf
SVSC Funding Requests 2013 2014.pdf
K-1314-70 MOW.pdf
PO MOW.pdf
SVSC Minutes September 30.pdf
Funding Request Meals on Wheels.pdf

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,000 from Meals on Wheels of Norman, Inc., and Contract No. K-1314-70; and, if approved, authorize the execution thereof and direct payment in the amount of $5,000 to Meals on Wheels of Norman, Inc.

ACTION TAKEN: _____

24 K-1314-71 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $10,000 AND ENTER INTO CONTRACT NO. K-1314-71 WITH THE TRANSITION HOUSE, INC.

Attachments: Text File K-1314-71 Transition House.pdf
SVSC Funding Requests 2013 2014.pdf
K-1314-71 Transition House.pdf
SVSC Minutes September 30.pdf
PO Transition House.pdf
Funding Request Transition House.pdf

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $10,000 from the Transition House, Inc., and Contract No. K-1314-71; and, if approved, authorize the execution thereof and direct payment in the amount of $10,000 to the Transition House, Inc.

ACTION TAKEN: _____

25 K-1314-72 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $7,200 AND ENTER INTO CONTRACT NO. K-1314-72 WITH BRIDGES, INC.

Attachments: Text File K-1314-72 Bridges.pdf
SVSC Funding Requests 2013 2014.pdf
K-1314-72 Bridges.pdf
SVSC Minutes September 30.pdf
PO Bridges.pdf
Funding Request Bridges.pdf

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $7,200 from Bridges, Inc., and Contract No. K-1314-72; and, if approved, authorize the execution thereof and direct payment in the amount of $7,200 to Bridges, Inc.

ACTION TAKEN: _____

26 K-1314-73 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $15,000 AND ENTER INTO CONTRACT NO. K-1314-73 WITH THE CENTER FOR CHILDREN AND FAMILIES, INC.

Attachments: Text File K-1314-73 CCFI.pdf
SVSC Funding Requests 2013 2014.pdf
K-1314-73 CCFI.pdf
SVSC Minutes September 30.pdf
PO CCFI.pdf
Funding Request CCFI.pdf

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $15,000 from the Center for Children and Families, Inc., and Contract No. K-1314-73; and, if approved, authorize the execution thereof and direct payment in the amount of $15,000 to the Center for Children and Families, Inc.

ACTION TAKEN: _____

27 K-1314-74 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $27,500 AND ENTER INTO CONTRACT NO. K-1314-74 WITH FOOD AND SHELTER, INC.

Attachments: Text File K-1314-74 FSFF.pdf
SVSC Funding Requests 2013 2014.pdf
K-1314-74 FSFF.pdf
SVSC Minutes September 30.pdf
PO FSFF.pdf
Funding Request Food and Shelter.pdf

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $27,500 from Food and Shelter, Inc., and Contract No. K-1314-74; and, if approved, authorize the execution thereof and direct payment in the amount of $27,500 to Food and Shelter, Inc.

ACTION TAKEN: _____

28 K-1314-75 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $4,000 AND ENTER INTO CONTRACT NO. K-1314-75 WITH AGING SERVICES, INC.

Attachments: Text File K-1314-85 Aging Services.pdf
SVSC Funding Requests 2013 2014.pdf
K-1314-75 Aging Services.pdf
SVSC Minutes September 30.pdf
PO Aging Services.pdf
Funding Request Aging Services.pdf

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $4,000 from Aging Services, Inc., and Contract No. K-1314-75; and, if approved, authorize the execution thereof and direct payment in the amount of $4,000 to Aging Services, Inc.

ACTION TAKEN: _____

29 K-1314-76 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $4,200 AND ENTER INTO CONTRACT NO. K-1314-76 WITH FOOD FOR THOUGHT LEARNING INSTITUTE, INC.

Attachments: Text File K-1314-76 Food for Thought.pdf
SVSC Funding Requests 2013 2014.pdf
K-1314-76 food for Thought.pdf
SVSC Minutes September 30.pdf
PO Food for Thought.pdf
Funding Request Food for Thought.pdf

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $4,200 from Food for Thought Learning Institute, Inc., and Contract No. K-1314-76; and, if approved, authorize the execution thereof and direct payment in the amount of $4,200 from Food for Thought Learning Institute, Inc.

ACTION TAKEN: _____

30 K-1314-77 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $5,000 AND ENTER INTO CONTRACT NO. K-1314-77 WITH BETHESDA, INC.

Attachments: Text File K-1314-77 Bethesda.pdf
SVSC Funding Requests 2013 2014.pdf
K-1314-77 Bethesda.pdf
SVSC Minutes September 30.pdf
PO Bethesda.pdf
Funding Request Bethesda.pdf

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,000 from Bethesda, Inc., and Contract No. K-1314-77; and, if approved, authorize the execution thereof and direct payment in the amount of $5,000 to Bethesda, Inc.

ACTION TAKEN: _____

31 K-1314-78 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $7,150 AND ENTER INTO CONTRACT NO. K-1314-78 WITH MARY ABBOTT CHILDREN'S HOUSE, INC.

Attachments: Text File K-1314-78 Mary Abbott.pdf
SVSC Funding Requests 2013 2014.pdf
K-1314-78 Mary Abbott.pdf
SVSC Minutes September 30.pdf
PO Mary Abbott.pdf
Funding Request Mary Abbott.pdf

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $7,150 from Mary Abbott Children's House, Inc., and Contract No. K-1314-78; and, if approved, authorize the execution thereof and direct payment in the amount of $7,150 to Mary Abbott Children's House, Inc.

ACTION TAKEN: _____

32 K-1314-79 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $3,500 AND ENTER INTO CONTRACT NO. K-1314-79 WITH FULL CIRCLE SENIOR ADULT DAY CENTER, INC.

Attachments: Text File K-1314-79 Full circle.pdf
SVSC Funding Requests 2013 2014.pdf
K-1314-79 Full Circle.pdf
SVSC Minutes September 30.pdf
PO Full circle.pdf
Funding Request Full Circle.pdf

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $3,500 from Full Circle Senior Adult Day Center, Inc., and Contract No. K-1314-79; and, if approved, authorize the execution thereof and direct payment in the amount of $3,500 to Full Circle Senior Adult Day Center, Inc.

ACTION TAKEN: _____

33 K-1314-80 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $15,000 AND ENTER INTO CONTRACT NO. K-1314-80 WITH COMMUNITY SERVICES BUILDING, INC.

Attachments: Text File K-1314-80 CSBI.pdf
SVSC Funding Requests 2013 2014.pdf
K-1314-80 CSBI.pdf
SVSC Minutes September 30.pdf
PO CSBI.pdf
Funding Request CSBI.pdf

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $15,000 from Community Services Building, Inc.,and Contract No. K-1314-80; and, if approved, authorize the execution thereof and direct payment in the amount of $15,000 to Community Services Building, Inc.

ACTION TAKEN: _____

34 K-1314-81 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $5,000 AND ENTER INTO CONTRACT NO. K-1314-81 WITH EAST MAIN PLACE, INC..

Attachments: Text File K-1314-81 EMP.pdf
SVSC Funding Requests 2013 2014.pdf
K-1314-81.pdf
SVSC Minutes September 30.pdf
PO East Main Place.pdf
Funding Request Full Circle.pdf

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,000 from East Main Place, Inc., and Contract No. K-1314-81; and, if approved, authorize the execution thereof and direct payment in the amount of $5,000 to East Main Place, Inc.

ACTION TAKEN: _____

35 K-1314-82 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $4,000 AND ENTER INTO CONTRACT NO. K-1314-82 WITH THE WOMEN'S RESOURCE CENTER, INC.

Attachments: Text File K-1314-82 WRC.pdf
SVSC Funding Requests 2013 2014.pdf
K-1314-82 WRC.pdf
SVSC Minutes September 30.pdf
PO WRC.pdf
Funding Request WRC.pdf

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $4,000 from the Women's Resource Center, Inc., and Contract No. K-1314-82; and, if approved, authorize the execution thereof and direct payment in the amount of $4,000 to the Women's Resource Center, Inc.

ACTION TAKEN: _____

36 K-1314-83 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $3,000 AND ENTER INTO CONTRACT NO. K-1314-83 WITH HEARTLINE, INC.

Attachments: Text File K-1314-83 HeartLine.pdf
SVSC Funding Requests 2013 2014.pdf
K-1314-83 HeartLine.pdf
SVSC Minutes September 30.pdf
PO HeartLine.pdf
Funding Request HeartLine.pdf

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $3,000 from HeartLine, Inc., and Contract No. K-1314-83; and, if approved, authorize the execution thereof and direct payment in the amount of $3,000 to HeartLine, Inc.

ACTION TAKEN: _____

37 K-1314-84 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $7,000 AND ENTER INTO CONTRACT NO. K-1314-84 WITH THE SALVATION ARMY, A GEORGIA CORPORATION.

Attachments: Text File K-1314-84 Salvation Army.pdf
SVSC Funding Requests 2013 2014.pdf
K-1314-84 Salvation Army.pdf
SVSC Minutes September 30.pdf
PO Salvation Army.pdf
Funding Request Salvation Army.pdf

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $7,000 from the Salvation Army, a Georgia Corporation, and Contract No. K-1314-84; and, if approved, authorize the execution thereof and direct payment in the amount of $7,000 to the Salvation Army, a Georgia Corporation.

ACTION TAKEN: _____

38 K-1314-85 CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $10,000 AND ENTER INTO CONTRACT NO. K-1314-85 WITH THE COMMUNITY AFTER SCHOOL PROGRAM.

Attachments: Text File K-1314-85 Comm After School.pdf
SVSC Funding Requests 2013 2014.pdf
K-1314-85 Community After School.pdf
SVSC Minutes September 30.pdf
PO Community After School.pdf
Funding Request Community After School.pdf

ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $10,000 from the Community After School Program and Contract No. K-1314-85; and, if approved, authorize the execution thereof and direct payment in the amount of $10,000 to the Community After School Program.

ACTION TAKEN: _____

39 K-1314-88 CONTRACT NO. K-1314-88: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND PIONEER LIBRARY SYSTEM FOR THE OPERATION OF NORMAN PUBLIC LIBRARY AT 225 NORTH WEBSTER AVENUE AND SATELLITE LOCATIONS AT 300 NORMAN CENTER COURT AND 125 VICKSBURG AVENUE.

Attachments: Text File K-1314-88.pdf
K-1314-88.pdf
K-1112-120.pdf
K-1213-48.pdf

ACTION NEEDED: Motion to approve or reject Contract No. K-1314-88 with Pioneer Library System; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

40 K-1314-91 CONTRACT NO. K-1314-91: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CONVERGINT TECHNOLOGIES, INC., IN THE AMOUNT OF $49,686.20, FOR THE PURCHASE AND INSTALLATION OF A SECURITY CAMERA SYSTEM AND SOFTWARE FOR THE CITY OF NORMAN INVESTIGATIONS CENTER LOCATED AT 1507 WEST LINDSEY STREET AND ADOPTION OF PROJECT AGENT RESOLUTION NO. R-1314-65.

Attachments: Text File K-1314-91.pdf
K-1314-91 Convergint.pdf
R-1314-65.pdf

ACTION NEEDED: Motion to approve or reject Contract No. K-1314-91 with Convergint Technologies, Inc., in the amount of $49,686.20; and, if approved, authorize the execution thereo and adopt Resolution No. R-1314-66.

*ACTION TAKEN:*_____

41 K-1314-92 CONTRACT NO. K-1314-92: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RFIP SECURITY, INC., IN THE AMOUNT OF $27,088.64, FOR THE PURCHASE AND INSTALLATION OF A SECURITY ACCESS CONTROL SYSTEM AND SOFTWARE FOR THE CITY OF NORMAN INVESTIGATIONS CENTER LOCATED AT 1507 WEST LINDSEY STREET AND ADOPTION OF PROJECT AGENT RESOLUTION NO. R-1314-66.

Attachments: Text file K-1314-92.pdf
K-1314-92.pdf
R-1314-66.pdf

ACTION NEEDED: Motion to approve or reject Contract No. K-1314-92 with RFIP Security, Inc., in the amount of $27,088.64; and, if approved, authorize the execution thereof.

*ACTION TAKEN:*_____

42 GID-1314-47 AUTHORIZATION FOR THE PURCHASE AND INSTALLATION OF CISCO SYSTEMS NETWORK SWITCH EQUIPMENT FROM CHICKASAW TELECOM, INC., IN THE AMOUNT OF $29,284.60 TO PROVIDE NETWORK ACCESS AT THE CITY OF NORMAN INVESTIGATIONS CENTER LOCATED AT 1507 WEST LINDSEY STREET AND ADOPTION OF RESOLUTON R-1314-67.

Attachments: Text File Chickasaw Telecom.pdf
Chickasaw Telecom Invoice.pdf
R-1314-67.pdf

ACTION NEEDED: Motion to approve or reject authorization for the purchase and installation of Cisco Systems Network Switch Equipment form Chickasaw Telecom, Inc., in the amount of $28,284.60 to provide network access for each network device at the City of Norman Investigations Center located at 1507 West Lindsey Street; and, if approved, adopt Resolution No. R-1314-57.

*ACTION TAKEN:*_____

43 K-1314-93 CONTRACT K-1314-93: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND BARON EXPLORATION COMPANY FOR THE LEASE OF 160 ACRES OF MINERAL RIGHTS TO ALLOW DRILLING OPERATIONS ON PROPERTY LOCATED IN SECTION 18, TOWNSHIP 8 NORTH, RANGE 2 WEST OF CLEVELAND COUNTY OKLAHOMA, SOUTHWEST OF THE WASTEWATER TREATMENT PLANT ALONG THE SOUTH CANADIAN RIVER FOR A PERIOD OF THREE YEARS.

Attachments: Text File Baron Exploration.pdf
Oil and Gas Lease-Baron Exploration

ACTION NEEDED: Motion to approve or reject Contract No. K-1314-93 with Baron Exploration Company for a period of three years; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

44 K-1314-95 CONTRACT K-1314-95: A REVOCABLE LICENSE AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND FOOD AND SHELTER FOR FRIENDS IN THE AMOUNT OF $268 PER YEAR FOR THE LEASE OF CITY RIGHT-OF-WAY LOCATED ALONG JAMES GARNER AVENUE.

Attachments: Text File Revocable Licenset FSFF.pdf
Revocable License

ACTION NEEDED: Motion to approve or reject Contract No. K-1314-95, a revocable license agreement with Food and Shelter for Friends in the amount of $268 per year; and, if approved, authorize the execution thereof.

*ACTION TAKEN:*_____

Resolution

45 R-1314-56 RESOLUTION NO. R-1314-56: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA ADOPTING THE NORMAN SIGNAGE AND WAYFINDING PLAN, THE WAYFINDING ACTION PLAN, AND DIRECTING STAFF TO BEGIN IMPLEMENTATION OF SAID ACTION PLAN.

Attachments: Text File Wayfinding Plan.pdf
R-1314-56 Wayfinding Plan Adoption (2).pdf
Wayfinding Action Plan-Final
Norman Signage and Wayfinding Plan.pdf
Appendix A Stakeholder Survey Results.pdf
Appendix B Selection Criteria.pdf
Appendix C Phase 1 Major and Primary Destinations.pdf
Appendix D Destination Matrix.pdf
Appendix E Phase 1 Implementation and Preliminary Cost.pdf
Appendix F Pilot Project.pdf

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-56.

ACTION TAKEN: _____

Non-Consent Items

46 O-1314-22 CONSIDERATION OF ORDINANCE NO. O-1314-22 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE I, SECTIONS 5-101 AND 5-101.1, ARTICLE II, SECTIONS 5-201, 5-202, 5-203, 5-207, 5-208, 5-209, 5-210, AND ADDING SECTIONS 5-213, 5-214 OF THE CODE OF ORDINANCES OF THE CITY OF NORMAN AMENDING AND ADOPTING THE 2009 INTERNATIONAL BUILDING CODE, THE 2009 INTERNATIONAL MECHANICAL CODE;, THE 2009 INTERNATIONAL PLUMBING CODE, THE 2011 NATIONAL ELECTRICAL CODE, THE 2009 INTERNATIONAL FUEL GAS CODE, AND ADOPTING THE 2009 INTERNATIONAL EXISTING BUILDING CODE AND 2009 INTERNATIONAL FIRE CODE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Attachments: Text File O-1314-22.pdf

Attachment 1 State Code Amendments

Attachment 2 Proposed New Local amendments

O-1314-22

O-1314-22 annotated

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-22 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-22 upon Final Reading as a whole.

ACTION TAKEN: _____

47 R-1314-44 RESOLUTION NO. R-1314-44: 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 3, 4, AND 5, BLOCK 1, UNIVERSITY PLAZA ADDITION AND THE AREA FORMERLY KNOWN AS BOYD VIEW PARK, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE HIGH DENSITY RESIDENTIAL DESIGNATION AND REMOVE THE SAME FROM THE PARKLAND DESIGNATION AND THE COMMERCIAL DESIGNATION. (NEAR THE SOUTHEAST CORNER OF LINDSEY STREET AND CLASSEN BOULEVARD)

Attachments: Text File R-1314-44.pdf
R-1314-44
2025 Map
Staff Report
Millennium Update Memo
Predevelopment R-1314-44.pdf
10-10-13 PC Minutes
Minutes of Planning Commission Court Reporter.pdf

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-44; and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according thereto

ACTION TAKEN: _____

48 O-1314-18 CONSIDERATION OF ORDINANCE NO. O-1314-18 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 REMOVE LOTS THREE (3), FOUR (4), AND FIVE (5), BLOCK ONE (1), OF UNIVERSITY PLAZA ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-2, GENERAL COMMERCIAL DISTRICT; TO REMOVE LOT THREE (3) AND PART OF LOT TWO (2), BLOCK TWO (2), OF BOYD VIEW ADDITION NO. 2 FROM THE RM-6, MEDIUM DENSITY APARTMENT DISTRICT; AND TO REMOVE THE FORMER BOYD VIEW PARK FROM THE A-2, RURAL AGRICULTURAL DISTRICT; AND PLACE THEM IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NEAR THE SOUTHEAST CORNER OF LINDSEY STREET AND CLASSEN BOULEVARD)

Attachments: Text File O-1314-18.pdf

O-1314-18

Exhbiit A PUD Narrative

Exhibit A - Open Space Rendering

Exhibit A Pool amenities

Location Map

Staff Report O-1314-18

Millennium Update Memo

Protest Map

Millenium Protest Letter

10-10-13 PC Minutes

Minutes of Planning Commission Court Reporter.pdf

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-18 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-18 upon Final Reading as a whole.

ACTION TAKEN: _____

49 PP-1314-7 CONSIDERATION OF A PRELIMINARY PLAT FOR MILLENNIUM ADDITION, A PLANNED UNIT DEVELOPMENT. (GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD)

Attachments: Text File Millenium Prelim.pdf
Attachment A.pdf
Location Map
Preliminary Plat Millenium
Transportation Impacts
Stf-rept. prelim-plat-Millennium Addn.pdf
Supplemental Memo re Floodplain and Parks Board
Site Plan
Greenbelt Comments Millenium
10-10-13 PC Minutes
Minutes of Planning Commission Court Reporter.pdf

ACTION NEEDED: Motion to approve or reject the preliminary plat for Millennium Addition, a Planned Unit Development.

ACTION TAKEN: _____

50 O-1314-19 CONSIDERATION OF ORDINANCE NO. O-1314-19 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING ALL OF THE UTILITY EASEMENTS LOCATED IN LOTS 3, 4, AND 5, BLOCK 1 OF UNIVERSITY PLAZA, AND ALL OF LOT 3 AND A 10-FOOT UTILITY EASEMENT ALONG THE NORTH 234.75 FEET OF THE WEST LINE OF LOT 2, BLOCK 2, BOYD VIEW ADDITION NO. 2, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Attachments: Text File O-1314-19.pdf
Memo Vacation
Petition to Close UE
Radius Map O-1314-19
O-1314-19
Location Map
Staff Report
10-10-13 PC Minutes
Minutes of Planning Commission Court Reporter.pdf

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-19 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-19 upon Final Reading as a whole.

ACTION TAKEN: _____

51 R-1314-25 RESOLUTION NO. R-1314-25: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO PLACE PART OF THE SOUTHEAST QUARTER OF SECTION TWENTY-FIVE (25), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE INSTITUTIONAL DESIGNATION AND REMOVE THE SAME FROM THE LOW DENSITY RESIDENTIAL DESIGNATION. (1515 WEST MAIN STREET)

Attachments: Text File R-1314-25.pdf
R-1314-25
2025 Map
Staff Report
Predevelopment Rose Rock School
9-12-13 PC Minutes
Letter of Postponement

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-25; and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according thereto

ACTION TAKEN: _____

52 O-1314-12 CONSIDERATION OF ORDINANCE NO. O-1314-12 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE SOUTHEAST QUARTER OF SECTION 25 OF TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT AND REMOVE THE SAME FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1515 WEST MAIN STREET)

Attachments: Text File O-1314-12.pdf
O-1314-12
Site Plan Rose Rock
PUD Narrative
Location Map
Staff Report
Rose Rock Photographs
History of the House
Rose Rock Protest and Support Map as of November 7th.pdf
Protest Letters
Letters of Support Rose Rock
Letter of Support Oct 8 2013
Letter of support November 7.pdf
Letter of Postponement
9-12-13 PC Minutes - O-1314-12

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-12 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-12 upon Final Reading as a whole.

ACTION TAKEN: _____

53 PP-1314-5 CONSIDERATION OF A PRELIMINARY PLAT FOR ROSE ROCK SCHOOL ADDITION. (LOCATED AT 1515 WEST MAIN STREET).

Attachments: Text File Prelim Rose Rock.pdf
ATTACHMENT A.pdf
Location Map
Preliminary Plat Rose Rock Addition
Staff Report
Transportation Impacts
Rose Rock Site Plan
Greenbelt Comments Rose Rock Addition Prelim
9-12-13 PC Minutes - Rose Rock School
Letter of Postponement

ACTION NEEDED: Motion to approve or reject the preliminary plat for Rock Rock School Addition.

ACTION TAKEN: _____

54 **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.

55 **Adjournment**

City of Norman, OK

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

Master

File Number: GID-1314-46

File ID:	GID-1314-46	**Type:**	Minutes	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 4	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**		**File Created:**	11/01/2013
File Name:	Minutes			**Final Action:**	

Title: CONSIDERATION OF THE MINUTES AS FOLLOWS:

CITY COUNCIL RETREAT MINUTES OF AUGUST 24, 2013
CITY COUNCIL STUDY SESSION MINUTES OF OCTOBER 15, 2013
CITY COUNCIL CONFERENCE MINUTES OF OCTOBER 22, 2013
CITY COUNCIL MINUTES OF OCTOBER 22, 2013
NORMAN UTILITIES AUTHORITY MINUTES OF OCTOBER 22, 2013
NORMAN MUNICIPAL AUTHORITY MINUTES OF OCTOBER 22, 2013
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF OCTOBER 22, 2013
CITY COUNCIL COMMUNITY PLANNING AND TRANSPORTATION MINUTES OF OCTOBER 28, 2013
CITY COUNCIL SPECIAL SESSION MINUTES OF OCTOBER 29, 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: 11/12/2013

Agenda Number: 4

Attachments: August 24 Annual Retreat minutes.pdf, October 15 Study Session Minutes.pdf, October 22 Conference minutes.pdf, October 22 CC Minutes.pdf, October 28 CPT Minutes.pdf, October 29 Special Session minutes.pdf

Project Manager: Brenda Hall, City Clerk

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File GID-1314-46

CITY COUNCIL RETREAT MINUTES

August 24, 2013

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Retreat at 8:00 a.m. in the Fire Training Facility on the 24th day of August, 2013, and notice and agenda of the meeting were posted at the Fire Training Facility at 2207 Goddard Avenue, Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

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

PLANNING WORK SESSION REGARDING CITY COUNCIL POLICY AGENDA FOR FYE 2014 AND FYE 2015.

City Manager Steve Lewis highlighted the City of Norman 2012 Annual Report and 2014 Departmental Work Plans. Citywide accomplishments for 2012 include:

- Response to the April 13, 2012, tornado and August 3, 2012, wildfires;
- Public Safety
  - Development of a Teaching, Educating, and Mentoring (TEAM) Program between Norman Public Schools and the City of Norman Police Department,
  - Collaboration between the Norman Police Department and Norman Public Schools on bullying prevention,
  - Implementation of the Police Training Officer Program for post academy field training
  - Implementation of the Crime Free Multi-Housing Program
  - Fire Station No. 9 – began construction
  - Acceptance of Smalley Center to be used as a Public Safety Investigations Center
  - Public Safety Software Solution – Computer Aided Dispatch upgrade, Fire and Police Records Management Systems, and first responder Mobile Date Computer systems
- Animal Welfare
  - Development of the plans and specifications for the Animal Welfare Facility improvements
  - Pet Licensing Program awareness campaign
- Implementation of online payments for Municipal Court
- Park Development and Improvements
  - Dedication of Monroe Park
  - Renovation improvements to the Firehouse Art Center
  - Improvements at Little Axe, Rotary, and Normandy Parks
  - Implementation of Art in the Parks Program
  - Legacy Park – began construction
- Planning and Development Services
  - Adoption of the Greenways Master Plan
  - High Density Residential Zoning Community Dialogues
  - Amendments to Sign Code to allow for electronic digital signs
  - Original Townsite and Bishop Creek Neighborhood Plans developed and adopted
  - Expanded the Proactive Code Compliance Program to citywide
  - Implementation of online building permit inspections services, upgrade of the building permits automated phone line system, and implementation of a Mobile Field Inspection Program;
  - Implementation of development streamlining options for preliminary plats;
  - Adoption of the 2009 International Residential Code

Citywide accomplishments for 2012, continued:

- Transportation
  - Approval of the 2012 Bond Election for street/transportation and storm water improvement projects,
  - Completion of the Robinson Street Underpass Project and the East Lindsey Street Widening Project,
  - Completion of the scoping phase "Moving Forward" the preliminary step to kick-off the study and preparation of Norman's first Comprehensive Transportation Plan
  - Completion of the Main Street LED Street Lighting Project
- Environmental and Utility Services
  - CNG Fueling Facility Opens
  - Began the update of a Strategic Water Supply Plan
  - Completion of Lift Station D Improvements
  - Completion of the Phase 2 Water Reclamation Facility Expansion Engineering Report
- Appointment of a Charter Review Commission

Mr. Lewis also provided a budget revenue and expenditure overview.

Mayor Rosenthal highlighted Council Committee agenda issues for 2012; those completed and those ongoing.

Councilmembers discussed the 2013-2014 Policy Calendar, which included items previously identified by Council Committees as well as new policy items identified during the session. A total of 19 policy issues were identified for further discussion and review in the coming year. Following is a list of those issues identified including carry over issues from 2012-2013:

1. Core Area Issues, i.e., Downzoning, Overlay Districts, High Density, Downtown Enhancement
2. 2025 Update including review of postponement policies and an educational workshop on planning process for new councilmembers
3. Incentivize green growth
4. CART Long Range Plan – consider conversion to grid system vs. loop system
5. Quiet Zone implementation
6. Zoning Ordinance update
7. Budget Monitoring - projections to conservative - mid year budget adjustments
8. Water conservation - sprinkler system abuse, etc.
9. Review TIF debt and possibly early pay off
10. Incentives for employees who recommend & implement cost saving measures
11. Landlord registration - address dilapidated housing issues
12. Business development process - continue to monitor
13. Code Enforcement - staffing issues, enforcement of current ordinances; blowing grass clippings in street, etc.
14. Norman Regional Health System review
15. Parking Authority - permits for parking
16. New sources of revenue
17. IT Audit findings - next steps
18. Downtown electric grid
19. Follow-Up on Anti-Bullying Dialogue after November

Council also discussed expanding the current recycling program due to interest from commercial and multi-family users. Council suggested reviewing the program for multi-family as an opt-in basis. Councilmember Miller reminded Council an additional recycling center for the east side of Norman is still needed.

There are several ongoing policy issues that would warrant a vote of the citizens for approval and Councilmembers discussed potential elections over the next two years.

- *Renewal of the Public Safety Sales Tax*
  - How much – ½% or less
  - Temporary vs. permanent
  - Public Safety Oversight Committee & Chiefs work on capital list of projects and items
- *Stormwater Utility*
  - Finance Committee look at Options 1 & 3 at September meeting
  - Include rate to cover all needs and/or rate plus GO Bond scenario
  - Are there additional transportation projects that could be included to leverage federal dollars?
  - Neighborhood detention ponds failing – do we set aside funds to address this, if so, how much?
  - Include costs to address ODEQ's reductions mandate
  - Key component – how will churches, schools, non-profits & commercial be addressed
  - Explain and address the issue of drainage solutions, i.e., onsite detention designed to slow release or not make it more of an impact prior to development – this is to address the issue of credits
- *Potential Charter amendments pending recommendations from the Charter Review Commission*
- *Quality of Life Projects*
  - Grassroots efforts - stakeholder groups working in community – bring groups together prior for further dialogue
  - Quality of life projects spur economic development
- *Water*
  - Should inverted rate structure be increased?
  - Start more conservation/environmental efforts now to help educate citizens on the water needs so they will better understand the issue when asked to vote in 2015
    - year round odd/even conservation
    - non-potable resale
    - sprinkler systems waste – enforcement?

Council also discussed items of review for the Economic Development Advisory Board. Items identified are as follows:

- Do we have the analytical tools needed?
- Campus Corner/Downtown Parking
- Use of UNP TIF economic development dollars?
- Shape RFP for development WW Excise Tax evaluation?
- NCVB – Room Tax Allocation
- West Main/Ed Noble Parkway Revitalization

Items submitted for the record

1. Memorandum dated August 22, 2013, from Cindy Rosenthal, Mayor, to Norman City Council
2. 10 Habits of Highly Effective Governing Bodies by Carl H. Neu, Jr., Lakewood, Colorado
3. City of Norman 2012 Annual Report
4. 2014 Departmental Work Plans
5. 2014 Potential Election Dates
6. Storm Water Master Plan Potential Storm Water Utility Options
7. Storm Water Master Plan Financial Analysis

Participants in discussion

1. Mr. Steve Lewis, City Manager
2. Ms. Brenda Hall, City Clerk

The meeting was adjourned at 12:00 p.m.

* * * * *

ATTEST:

City Clerk

Mayor

CITY COUNCIL STUDY SESSION MINUTES
October 15, 2013

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a Study Session at 5:30 p.m. in the Municipal Building Conference Room on the 15th day of October, 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, Mayor Rosenthal
ABSENT:	None

DISCUSSION REGARDING THE DRAFT REPORT OF THE 2060 STRATEGIC WATER SUPPLY PLAN.

Mr. Ken Komiske, Director of Utilities, said Norman's last Strategic Water Supply Plan (SWSP) was completed in 2001, and a Request for Proposal (RFP) was distributed for interested engineering firms to prepare an update to the SWSP in late 2011. He said proposals from seven (7) engineering firms were received on December 20, 2011, and a review committee made up of three (3) Staff and two (2) citizens selected the team of Carrollo/Tetratech as the most qualified. Mr. Komiske said Contract No. K-1112-114 was approved on March 12, 2012, and a kick-off meeting was held on April 6, 2012. He said on May 8, 2012 an ad hoc committee of 15 citizens was appointed, to provide citizen input, direction, and feedback during development of the plan.

Mr. Komiske said seven (7) ad hoc committee meetings and four (4) public meetings were held between May 30, 2012, and July 16, 2013. He said an example of items discussed and studied include historic, current, and future water demands; growth patterns; conservation efforts and potential conservation measures; existing and possible future source of supplies; the quantity and quality of these supplies; evaluation of alternatives based on economic as well as non-economic criteria reflecting the values of the community; and combining individual water supply sources into portfolios that collectively would meet Norman's long term water needs.

Mr. Komiske said Carollo Engineering developed costs for upgrading and expanding existing sources, i.e., Lake Thunderbird, wells, Oklahoma City (OKC) water, and conservation, as well as potential new water supply sources. He said viable existing and future water supply options were grouped into 14 portfolios with each supplying the 2060 average annual water demand of about 29 million gallons per day (mgd). The water supply portfolios were evaluated on a monetary basis as well as non-economic criteria. Mr. Komiske said the draft version of the SWSP was received on September 9, 2013, and has been reviewed by Staff in preparation for tonight's Study Session meeting.

Mr. John Rehring, Carollo Engineering, said tonight's presentation will include status and progress update; recommended portfolios; implementation planning for recommended portfolios; and the path forward. The SWSP planning process included two (2) phases:

- Phase I: screening criteria for source options, determining short list of viable source options, and two (2) public meetings held; and
- Phase 2: detailing and evaluating the source options, determining two (2) – three (3) preferred portfolios, and two (2) public meetings.

The water supply options include both existing and new sources. Existing sources: Lake Thunderbird (at firm yield), Garber Wellington Aquifer Wells (with treatment), intermittent purchase of treated water from OKC (wholesale) and conservation and reuse. New local sources: additional conservation, direct non-potable reuse, Lake Thunderbird augmentation (indirect potable reuse), stormwater capture and reuse, Canadian River diversion, capture Lake Thunderbird spillage, and dredging Lake Thunderbird. New regional sources: co-owner with OKC for southeast Oklahoma treated water, co-owner with OKC for southeast Oklahoma raw water, Scissortail Reservoir, Parker Reservoir, and Kaw Lake.

Mr. Rehring said a relative comparison of individual source options was performed using the following criteria: supply availability, reliability, certainty and timeliness, and cost-effectiveness and scored from one (worst) to five (best). He said most of the new local sources, e.g., groundwater recharge, stormwater capture and reuse, Canadian River diversion, Lake Thunderbird spillage, and dredging Lake Thunderbird were ruled out because they were not practical on a cost scale due to the fact they were intermittent sources and a lot of infrastructure and storage would need to be constructed.

Garber Wellington Aquifer Wells (with treatment)
He said the Garber Wellington Aquifer Wells option would include keeping the City's existing wells without any new capacity and would continue to be treated for arsenic. He said due to federal regulations, between now and the year 2020, it is anticipated the existing wells would need to be treated for Chromium VI. Mr. Rehring said the probable regulated Chromium VI levels would essentially affect all of the City's existing wells and he showed a proposed schematic of how the wells would be tied together within a network of piping and taken to a Chromium VI treatment facility. He said some capital costs, infrastructure, and additional operating costs will be needed to construct a treatment facility for Chromium VI.

Conservation and Reuse
Conservation was another key element of all the water supply portfolios recommended by Carollo Engineering and data was taken from the state water plan to gain a sense of what the expected range of conservation potential might be. Mr. Rehring highlighted the potential savings for Norman stating the data recognized that the City is already doing a lot with conservation.

Direct Non-Potable Reuse
Mr. Rehring said Carollo Engineering also looked at expanding the potable water reuse by taking water from the Water Reclamation Facility (WRF), which is currently being done and being used at the University of Oklahoma (OU) Golf Course. He said a network of phased water piping would be extended, delivering non-potable water primarily as irrigation to industrial water customers or reuse sights. He said this would take demand off of the potable system and reduce the mgd peak day demands, particularly in the summer.

Lake Thunderbird Augmentation
Central Oklahoma Master Conservancy District (COMCD) studied a Lake Thunderbird augmentation in 2012, and produced a report in 2013 recommending this option. Mr. Rehring said this option would involve taking water from the WRF, pumping the water over the hill into the Dave Blue Creek tributary, then pumping the water into Lake Thunderbird, and finally pumping the water out of Lake Thunderbird to an expanded water treatment facility, possibly the same site as the current WRF. He said COMCD felt this option would best augment Lake Thunderbird and increase Norman's local supply. Mr. Rehring said this is often referred to as indirect potable reuse because water is being reused from the WRF indirectly because the water goes through a natural water body before treatment and before reusing the water for potable supply. Councilmember Castleberry asked if Norman would get 100% of the water that is pumped into Lake Thunderbird and Mr. Rehring said at this time it is unknown because there is not a precedent for this option in Oklahoma. Mr. Rehring said it could be argued that Norman is putting/pumping the water into Lake Thunderbird and Norman is augmenting the water; therefore, minus the evaporation and seepage losses in the reservoir, Norman should be able to take the same amount of water out that is put in. He said there will be costs to operate and maintain the reservoir; therefore, if Norman is using water in proportion of the reservoir it might seem fair that the increase of the share would be increased for Norman. Mr. Rehring said water quality is a key concern with this option and there is the possibility of regulatory hurdles that would still need to be worked through. He said Mr. Komiske has already started the process with the state and noted that other communities, i.e., OKC and Edmond, are interested in this option too. Mr. Rehring said this option is not new on the national scale, but is new to Oklahoma. Mayor Rosenthal asked whether the City would have to enter into negotiations with the partner cities since the water that would be augmented from Lake Thunderbird is not currently covered by the current agreement with COMCD and Mr. Rehring said yes.

New Regional Sources

Mr. Rehring said for many years discussions have involved bringing in water from Kaw Lake using a shared pipeline that is currently utilized by Stillwater who already gets water from Kaw Lake. He said other potential new reservoirs include Scissortail Reservoir , which could be shared with the City of Ada; Parker Reservoir has been studied in some detail by the Corp of Engineers and COMCD has some interest in this reservoir; and Southeast Oklahoma treated water and raw water options, which was part of the Central Oklahoma Water Supply Study done in 2009, where Norman would partner with OKC as well as other metro area communities to look at diversion locations, pipeline routing, and the associated costs.

Mr. Rehring the 2040 Strategic Water Supply Plan (SWSP), completed in 2001, reflected a range of potential water demands and City Staff made interim projections which were lower than the 2040 SWSP water demands. He said Norman has done a lot with water conservation and it is reflected in the current per-capita demands as compared to historical per-capita demand. Mr. Rehring said the proposed 2060 SWSP reflects a range of water demands; however, the water demands are lower than the 2040 SWSP as well as the interim projections. He said the water demand use already exceeds local supply because the City has both a supply gap and infrastructure gap. He highlighted the annual average demand compared to the peak day demand, which showed a *supply* gap and then compared the existing annual supply without OKC to the existing peak supply without OKC, which showed an *infrastructure* gap. Mr. Rehring said key factors used for these comparisons include Norman's existing conservation measures and programs; a 10% supply reserve; service area for the City of Norman only; and the assumption that all sources will stay operational. He said further supply losses are possible due to groundwater quality issues.

Mr. Rehring said Carollo Engineering initially developed 12 different water supply portfolios that included their individual supply sources that would meet the 2060 annual average daily supply. He said based on public meeting input, as well as Council input, the criteria and relative importance (weight) in comparing the 12 water supply portfolios were community values (7%), affordability (12%), long-term supply reliability (18%), phasing potential (9%), timely implementation and certainty (15%), efficient use of water resources (17%), environmental stewardship (12%), and treated water quality aesthetics (10%). Mr. Rehring said the portfolios were narrowed down to the top five; however, when final adjustments were made to the portfolios, another two were added to the group; P13, Regional Raw Water (co-owner with OKC) and P14, new wells and Lake Thunderbird augmentation.

Carollo Engineering recommends the following three (3) supply portfolios, which include capital costs and operations and maintenance (O&M) costs per year as follows:

1. **Thunderbird Augmentation (P1)**: Discharge permitting uncertainties; efficient use of water resources; and greater phasing potential than P13. $250 million in capital cost and $21 million per year for O&M;
2. **Regional Raw Water (co-owner with OKC) (P13)**: Local control over treatment but contingent on OKC projects moving forward. Does not include as much phasing as P1 because it involves building a parallel pipeline from southeast Oklahoma. $340 million in capital cost and $23 million per year for O&M; and
3. **New Wells and Thunderbird Augmentation (P14)**: Local control over sources; discharge permitting uncertainties; efficient use of water resources; and greater phasing potential than P1 - the City can phase in the construction of the wells. $270 million in capital cost and $22 million per year for O&M.

Mr. Rehring said all three recommended portfolios have diverse supplies; Lake Thunderbird at reduced (firm) lake yield; active and inactive existing wells with treatment; additional conservation; and additional non-potable water reuse. He said P1 and P14 are similar; however, P14 includes new groundwater wells and P1 does not. Mr. Rehring said having diversity in supply is a real strength.

Councilmember Jungman asked how the costs for some of the portfolios are so low, but the same option used in another scenario can be much higher and Mr. Rehring said there are three different ways Norman can obtain OKC water. Currently Norman pays OKC an "as available" rate of $5.00 per 1,000 gallons, which is a peaking rate; however, if Norman was a "more regular" customer utilizing a consistent water usage, Norman would be in a lower rate class. He said the third option to purchase treated water from OKC would be to partner with OKC financially as co-owners of the southeast Oklahoma water finance system. Mr. Rehring said through the analysis process, the preferable option was determined Norman should be a wholesale customer because it gives Norman a little bit more control over the system. He said OKC gave some direct feedback that they would much rather Norman help finance the debt rather than paying through the higher wholesale rates to OKC. He says for example, portfolio 2 was using a lot of OKC water at a much higher wholesale rate; therefore, the capital costs are low but the O&M costs are very high.

Councilmember Kovach said he is not sure he follows the logic or reasoning on the operating and maintenance costs being cheaper by being a partner over being a wholesale customer because the logic is determined by how big of a partner you are; therefore, the majority partner will make all the decisions. Mr. Rehring said there will be a lot to be negotiated in the agreements of how that would all come together and he would expect who would make decisions regarding how the system would be operated to be part of the negotiation discussions. Councilmember Kovach asked whether local control over treatment would be true for each of the three portfolios options and Mr. Rehring said yes, but the difference would be if Norman received treated water from OKC.

Mr. Rehring highlighted the key attributes of the recommended portfolios and the phased capacity increases to meet growing demand for each recommended portfolio. He highlighted comparisons of capital costs and O&M costs, stating the estimated costs are 2012 cost figures. Mr. Rehring said the costs that were used for portfolio screenings were new infrastructure required for capacity increases and new infrastructure improvements required by regulatory changes such as Chromium VI. He said when taking a look at the whole picture, there are a lot of costs that will be necessary to keep the existing infrastructure running at current capacities.

Mr. Rehring highlighted annual debt service and the O&M costs over time for P1, P13, and P14. He said initially the elements or early on costs for three recommended portfolios are common, but later on down the line when adding capacity and meeting the increases in demand the portfolios start becoming diverse from one another.

Mr. Rehring said combining all three portfolios is not the best solution or very practical. He said the next steps are to have healthy public dialogue about the recommended portfolios; update conservation plans relative to new programs such as not-potable reuse and incentives; and select an option.

Councilmember Heiple asked what would occur if Oklahoma Department of Environmental Quality (ODEQ) says no to reuse and Mr. Rehring said there is an important distinction between non-potable reuse and potable reuse stating ODEQ has already said yes to non-potable reuse. Mr. Rehring said ODEQ has designated Lake Thunderbird as a sensitive water supply source and although it is not forbidden to discharge into it the rules are fairly unclear. Councilmember Heiple asked how Lake Thunderbird became classified as a sensitive water source. Mr. Rehring said currently there are no other discharges allowed to Lake Thunderbird. Councilmember Kovach felt the City needed to make a request to ODEQ that the sensitive water shed designation for Lake Thunderbird be reduced and/or eliminated and Mr. Rehring said City Staff is currently working on doing just that.
Mr. Rehring said potable reuse is done in a lot of other places, but it is not common to Oklahoma.

Councilmember Miller said there are regulatory issues with reuse but it seems to make the most sense. She said the two issues she has with P13 are being in a partnership with another City where the balance of power would not be equal and the cost is tremendous. She said what happens if a huge amount of money is paid to build a pipeline and it does not work? Mr. Rehring said the reliability with that particular portfolio is th4-8OKC currently has a single pipeline from the Atoka area that has been in use for approximately 60 years.

Councilmember Kovach said P13 has the most variables, i.e., lawsuits, endangered species habitats, cost projections, etc. He felt P14 is the best option being the most diversified having the higher phasing ability and the highest number of community criteria; efficient use of water resources, environmental stewardship, and community values.

Councilmember Castleberry asked why Norman should not just continue being a customer of OKC and buy water from OKC on an as needed basis. Mr. Rehring said essentially that option was portfolio 2 (P2), which scored very well in capital costs; however, P2 did not score well for the long term costs.

Councilmember Kovach said OKC has a water enterprise fund and they charge their customers to finance that fund. As a customer, Norman would be paying OKC to finance their fund and also pay for a portion of the pipeline and felt Norman would not have quality control over the water as it would with local control. Mr. Rehring said that could be a potential option and would be discussed within the negotiations. He said OKC prefers Norman be a partner not only because they do not want to float someone else's debt in principle, but also because there are concerns regarding their bond ratings. Bond ratings are judged by the total revenue compared to the total bond amount; therefore, if OKC carries Norman's debt it can begin to make the bond equations look less attractive to bond companies and bond rates would increase.

Mayor Rosenthal said this process has brought about good choices and felt it would be helpful to get additional public comment on the three portfolio recommendations before Council choses a portfolio.

Councilmember Miller agreed and said she would like input from the Strategic Water Supply Plan Ad Hoc Committee prior to public meetings.

Councilmember Castleberry asked what the bonding capacity was for the City of Norman relative to the water fund and Mr. Anthony Francisco, Finance Director, said it would be dependent on the rate structure.

Ms. Joy Hampton, The Norman Transcript, asked whether Norman has considered any partnership opportunities with the City of Moore. She said it has been said that it would be cheaper for reuse to augment Lake Thunderbird coming from Moore due to gravity flow.

Mayor Rosenthal requested a public meeting be scheduled and Councilmember Kovach agreed a public meeting should be sooner than later.

Items submitted for the record

1. Memorandum dated October 9, 2013, from Ken Komiske, Director of Utilities, to Norman Utilities Authority
2. PowerPoint presentation entitled, "Norman Utilities Authority, 2060 Strategic Water Supply Plan, City Council Study Session," dated October 15, 2013

The meeting adjourned at 6:45 p.m.

ATTEST:

City Clerk

Mayor

CITY COUNCIL CONFERENCE MINUTES

October 22, 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 22nd day of October, 2013, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

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

Item 1, being:

CHANGE ORDER NO. ONE TO CONTRACT NO. K-1213-195 WITH DOWNEY CONTRACTING, L.L.C., INCREASING THE CONTRACT AMOUNT BY $80,966.19 FOR A REVISED CONTRACT AMOUNT OF $1,405,992.16 FOR THE REHABILITATION OF THE POLICE/FIRE INVESTIGATIONS FACILITY LOCATED AT 1507 WEST LINDSEY STREET.

Ms. Linda Price, Revitalization Manager, said the Joe A. Smalley Army Reserve Center acquisition began a little over seven years ago through the Base Realignment and Closure (BRAC) process from the federal government and the deed was transferred to the City of Norman in September 2012. The building will house the police and fire investigation offices. On July 9, 2013, City Council approved Contract No. K-1213-195 with Downey Contracting, L.L.C., in the amount of $1,325,500 for the renovation of the Joe A. Smalley Army Reserve Center now known as the Norman Investigations Center. She said during construction the necessary opening of walls and ceilings revealed unanticipated situations and discussions regarding security issues led to a variety of changes needed in the project plans. Change Order No. One will cover the additional costs for rekeying all existing locks; removing paper backed insulation; revising layout and millwork for copy/conference room; removing kitchen hood and grilles; additional hardware; power upgrades for IT room; additional power above security doors; installation of fume hood for crime lab; additional power to doors with wall box; additional costs for hardware; extending fire line work beyond plans; and installing a small bridge over a ditch at the west entry door.

Councilmember Williams asked about the differences between hardware additions and additional costs for hardware and Ms. Price said there is no difference, the quotes were acquired several weeks apart for different items and that is why she listed them separately in the change order. Councilmember Williams asked who provided the initial estimate of costs for the project and Ms. Price said the architect, but the changes that have occurred are due to changes the City has made not the architect.

Councilmember Castleberry asked if door locks will be electronic or if keys will actually be used and Ms. Price said keys will be used for most of the internal doors. Major J.D. Younger, Norman Police Department, said there will be keycard access to the entry and exit doors of the building, but many of the interior offices will have a physical key lock. Ms. Price said electronic locks are expensive and

Item 1, continued:

cost $1,000 per door. Ms. Joy Hampton, *The Norman Transcript*, asked if the electronic entry and exit doors would also have key backup capability if the building lost power. Mr. Stan Lewis, Architects in Partnership (AIP), said there is a backup generator, but manual keys can be used on the entry and exit doors as well as keycards.

Ms. Price said Change Order No. One also adds fourteen days to the contract for a substantial project completion date of December 21, 2013.

Items submitted for the record

1. Text File No. K-1213-195, Change Order No. One
2. Change Order No. One to Contract No. K-1213-195
3. PowerPoint presentation entitled, "City of Norman Investigations Center"

* * *

Item 2, being:

DISCUSSION REGARDING A PROPOSED OIL AND GAS LEASE WITH BARON EXPLORATION COMPANY FOR PROPERTY LOCATED SOUTH OF HIGHWAY 9 AND EAST OF JENKINS AVENUE.

Ms. Leah Messner, Assistant City Attorney, said the City of Norman owns 340 acres, with mineral rights, located south of Highway 9 and east of Jenkins Avenue. Currently, the City leases a portion of the property for a sand mining operation and uses a portion for the City's Compost Facility. In July 2006, the City leased the property to Hughes Oil Company for an oil and gas well for a three year term and 3/16th royalties; however, Hughes never drilled a well and the lease expired. After the lease expired with Hughes, City Staff began to take steps to determine if there was any interest to lease the same site for oil and gas purposes with another company. The City advertised proposals in *The Norman Transcript* on October 5 and 12, 2013. Bid documents were prepared with assistance from the Oklahoma City law firm of Elias, Books, Brown, and Nelson who specialize in oil and gas law.

The City received one proposal from Baron Exploration Company (Baron). Ms. Messner said Baron is a well-established Oklahoma based oil and gas operator that is entirely debt free, self-financed, and family owned. Baron drilled their first well in 1958 on North Pennsylvania Avenue in Oklahoma City and has drilled more than 75 wells in the greater Oklahoma City metro area with the vast majority being directional or horizontal wells. Baron has an unsurpassed record of successfully drilling and operating wells in municipalities, including on airports, church properties, college and public school campuses, as well as private land and municipal lands. Baron has earned and maintains its highly regarded standing with all governmental regulatory bodies, including Oklahoma City, Bethany, and Edmond.

Ms. Messner highlighted the terms of the lease that includes 160 acres of mineral rights; primary three year term with first year drilling obligation (if no well is drilled within first year the lease will terminate); continuation of lease as long as well is producing; 3/16th royalty payment on oil and gas production; bonus payment of $100/acre (total one-time payment of $16,000); and surface damages payment of $300 per month over term of lease.

Item 2, continued:

Ms. Messner said the City would be granting an exclusive drilling and production site to Baron including the right to lay a natural gas pipeline on City property to pipe gas from the well site. The City will be able to specify how Baron will access the well site and Baron must comply with all state and City laws. Baron will have to apply for and receive a drilling permit. Since the location is in a floodplain, Baron has already obtained a floodplain permit from the City of Norman Floodplain Permit Committee.

Ms. Messner said the lease agreement is scheduled for Council's review on their November 12, 2013, agenda.

Councilmember Kovach asked if there will be restrictions on the type of drilling they are allowed to do such as hydraulic fracturing (fracking) and Ms. Messner said that is not addressed in the lease, but Staff will ask that question.

Mayor Pro Tem Griffith asked if there is a particular reason only 160 acres of the 340 acres is being leased for oil and gas production and Ms. Robin Weins Campbell, attorney with Elias, Books, Brown, and Nelson, said Baron looked at the site and made a guess as to where the oil may be and are only interested in the 160 acres. Mayor Pro Tem Griffith asked if Baron has an option to lease additional acres if they choose to and Ms. Messner said the lease does not include that option.

Councilmember Castleberry asked what a typical lease bonus would be and Ms. Campbell said it varies dependent upon location. She has had no experience in Cleveland County, but has done a lot of leases in McClain County and they do not put bonus information in their leases. She said the lease with Baron seems to be pretty standard and since Baron bid on the rights they probably put their best fair market value in the bid not knowing whether or not they would be the lowest and best bid. She did not see anything unfair in the lease agreement.

Mr. Jeff Bryant, City Attorney, said Staff discussed taking a lower bonus payment or reducing the amount of surface damage with the possibility of getting a higher royalty percentage, but the interplay with that is it is a gamble. If Baron drills a well and there is no oil then the City gets nothing so with the surface damage payment and the bonus payment the City is guaranteed at least some payment.

Councilmember Castleberry asked if the City has done any seismic work to see how much oil is in the ground and Mr. Bryant said Baron will do that. Councilmember Castleberry felt the bonus payment was low. Mayor Pro Tem Griffith said at the end of the three year lease if the well is successful is it possible to renegotiate and Ms. Campbell said no. Ms. Campbell said cities being statutorily pooled at the Corporation Commission that want one-fourth or one-fifth in royalties usually do not get a bonus payment. Councilmember Castleberry said since the City owns the 160 acres being proposed for leasing the City will not be pooled. Ms. Campbell said she is just trying to explain that the property owner would have to make their case to the Corporation Commission. Mr. Bryant said the City has the advantage of owning the 160 acres, but if there were a situation where the City was poole, the Corporation Commission would set the rates and terms they believe are fair. Councilmember Castleberry asked if the City currently has oil and gas wells within the city limits. Ms. Linda Price, Revitalization Manager, said there are a couple of wells on the east side and a couple on the west side and the ones on the east side have been producing.

Item 2, continued:

Councilmember Miller said she loves enterprises that benefit the other; however, she cannot tell by the map how close the well would be to the river, but she does know there are oil wells near the river. She asked what the City would do to ensure there will be no environmental problems with the water source from the well and Mr. Bryant said the City's oil and gas ordinance requires insurance and bonding with any company that drills anywhere within the City. Ms. Messner said the well would be approximately one half mile from the river.

Councilmember Kovach asked if Staff had reviewed future plans of the south wastewater plant in regards to reclaimed water to make sure there will be no problems with an oil pipeline in the area and Mr. Ken Komiske, Director of Utilities, said yes.

Councilmember Holman asked who would be responsible for the security of the oil well site and Mr. Bryant said the drilling operater will be responsible, which is also dictated by the City's oil and gas ordinance. Councilmember Holman asked if there would be a fence around the perimeter and Ms. Messner said a fence would only be required if the well is within 600 feet of a residence, but the nearest residence is over 2,000 feet away. She said the ordinance gives the oil and gas inspector the discretion to require a fence if he feels a fence is needed. Councilmember Heiple said a lot of homeless people near the river in that area so a fence should definitely be required.

Councilmember Jungman asked the typical water supply needs of a drilling operation and Mr. David Woods, Oil and Gas Inspector, said the drilling contractor obtains a meter from the City of Norman, but generally a lot of water is not used. He said the drilling contractors also do a good job of reclaiming and reusing mud. Councilmember Jungman asked Mr. Woods if he is assuming the drilling company will not be doing a lot of fracking when answering that question and Mr. Woods said he is assuming they are not. Councilmember Jungman asked if a lot of water is needed when fracking wells and Mr. Woods said yes. Councilmember Kovach asked Staff to find out if Baron is planning on fracking and, if so, can they use non-potable water.

Councilmember Kovach asked if Staff has any revenue projections on the high and low sides and Mr. Bryant said no, because oil drilling is very unpredictable and sometimes wells produce for a very long time and other times they produce for a short time. Councilmember Castleberry said with the technology available today there are very few dry holes. He said most companies know if there is oil there before drilling.

Mayor Pro Tem Griffith asked if there is consensus to move forward with a lease and Mr. Steve Lewis, City Manager, said he would like get answers to some of the questions asked by Council and bring the item back for another informal session.

Mayor Pro Tem Griffith said he would like more information on the possibility of obtaining a higher bonus and some assurances from Baron that if fracking is involved, a non-potable water source could be used.

Ms. Joy Hampton, *The Norman Transcript*, asked why the City waited so long to let a bid when the lease with Hughes Oil Company expired in 2009. Mr. Woods said when the lease with Hughes was awarded in 2006, a representative from the United States Geological Survey Department (USGS) came forward and claimed USGS had an open ended lease for the 160 acres to study and monitor water flow as research for several universities throughout the United States including the University of Oklahoma. USGS stated an extended lease with Hughes would impact their research. In an effort

Item 2, continued:

to settle the issue, Council granted USGS the right to continue their studies by extending the Hughes lease an additional a three years for a total of six years. That agreement expired in early 2013, and at that time, Mr. Woods began to take steps to determine if there was any interest among oil and gas companies to lease the same area for a well.

Items submitted for the record

1. Memorandum dated October 17, 2013, from Leah Messner, Assistant City Attorney, through Jeff Bryant, City Attorney, to Mayor and City Councilmembers
2. Location map
3. PowerPoint presentation entitled, "Proposed Oil and Gas Lease with Baron Exploration Company," City Council Conference, October 22, 2013

The meeting adjourned at 6:05 p.m.

ATTEST:

City Clerk

Mayor

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

October 22, 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 22nd day of October, 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, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Pro Tem Griffith
ABSENT:	Mayor Rosenthal

The Pledge of Allegiance was led by Mayor Pro Tem Griffith.

* * * * *

Item 3, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 4 through Item 32 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Holman; and the question being upon the placement on the consent docket by unanimous vote of Item 4 through Item 32, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and Item 4 through Item 32 were placed on the consent docket by unanimous vote.

* * * * *

Item 4, being:

APPROVAL OF THE CITY COUNCIL MINUTES AS FOLLOWS:

CITY COUNCIL CONFERENCE MINUTES OF OCTOBER 8, 2013
CITY COUNCIL MINUTES OF OCTOBER 8, 2013
NORMAN UTILITIES AUTHORITY MINUTES OF OCTOBER 8, 2013
NORMAN MUNICIPAL AUTHORITY MINUTES OF OCTOBER 8, 2013
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF OCTOBER 8, 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 Williams;

Items submitted for the record
1. Text File No. GID-1314-41 dated October 16, 2013, by Brenda Hall, City Clerk
2. City Council Conference minutes of October 8, 2013
3. City Council minutes of October 8, 2013
4. Norman Utilities Authority minutes of October 8, 2013
5. Norman Municipal Authority minutes of October 8, 2013
6. Norman Tax Increment Finance Authority minutes of October 8, 2013

Participants in discussion
1. Ms. Ellen Usry, Deputy City Clerk
2. Mr. Jeff Bryant, City Attorney

Item 4, continued:

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

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

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

* * * * *

Item 5, being:

CONSIDERATION OF ORDINANCE NO. O-1314-18 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 REMOVE LOTS THREE (3), FOUR (4), AND FIVE (5), BLOCK ONE (1), OF UNIVERSITY PLAZA ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-2, GENERAL COMMERCIAL DISTRICT; TO REMOVE LOT THREE (3) AND PART OF LOT TWO (2), BLOCK TWO (2), OF BOYD VIEW ADDITION NO. 2 FROM THE RM-6, MEDIUM DENSITY APARTMENT DISTRICT; AND TO REMOVE THE FORMER BOYD VIEW PARK FROM THE A-2, RURAL AGRICULTURAL DISTRICT; AND PLACE THEM IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NEAR THE SOUTHEAST CORNER OF LINDSEY STREET AND CLASSEN BOULEVARD)

Councilmember Kovach moved that Ordinance No. O-1314-18 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Williams;

Items submitted for the record

1. Text File No. O-1314-18 dated September 11, 2013, by Jane Hudson, Principal Planner
2. Ordinance No. O-1314-18 with Exhibit A, PUD Narrative for the Millennium Addition originally submitted on September 9, 2013, and revised and resubmitted October 2, 2013, prepared by Sean Paul Rieger, the Rieger Law Group with Exhibit A, Proposed Preliminary Plat; Exhibit B, Proposed Preliminary Site Development Plan; Exhibit C, Allowable Density and Required Parking; and Exhibit D, Proposed Open Space Areas, Green Space Exhibit, and Pool Amenity Exhibit
3. Location map
4. Staff Report dated October 10, 2013 recommending approval
5. Protest area map containing 6.3% protest within notification area
6. Letter of protest filed October 7, 2013, from David H. Kinnard, Norman Citizen and owner of Summer Pointe and Springfield Apartments
7. Pertinent excerpts from Planning Commission minutes of October 10, 2013

and the question being upon the Introduction and adoption of Ordinance No. O-1314-18 upon First Reading by title, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and Ordinance No. O-1314-18 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 6, being:

CONSIDERATION OF ORDINANCE NO. O-1314-19 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING ALL OF THE UTILITY EASEMENTS LOCATED IN LOTS 3, 4, AND 5, BLOCK 1 OF UNIVERSITY PLAZA, AND ALL OF LOT 3 AND A 10-FOOT UTILITY EASEMENT ALONG THE NORTH 234.75 FEET OF THE WEST LINE OF LOT 2, BLOCK 2, BOYD VIEW ADDITION NO. 2, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1314-19 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Williams;

Items submitted for the record

1. Text File No. O-1314-19 dated September 11, 2013, by Ken Danner, Subdivision Manager
2. Memorandum dated September 9, 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
3. Ordinance No. O-1314-19
4. Location map
5. Letter of request filed September 9, 2013, from Sean Paul Rieger, Attorney at Law, Architect, to Ms. Brenda Hall, City Clerk, with Legal Description and Exhibit A, Location Map
6. Radius Map
7. Staff Report dated October 10, 2013 recommending approval
8. Pertinent excerpts from Planning Commission minutes of October 10, 2013

and the question being upon the Introduction and adoption of Ordinance No. O-1314-19 upon First Reading by title, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and Ordinance No. O-1314-19 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 7, being:

CONSIDERATION OF ORDINANCE NO. O-1314-22 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE I, SECTIONS 5-101 AND 5-101.1, ARTICLE II, SECTIONS 5-201, 5-202, 5-203, 5-207, 5-208, 5-209, 5-210, AND ADDING SECTIONS 5-213, 5-214 OF THE CODE OF ORDINANCES OF THE CITY OF NORMAN AMENDING AND ADOPTING THE 2009 INTERNATIONAL BUILDING CODE, THE 2009 INTERNATIONAL MECHANICAL CODE; THE 2009 INTERNATIONAL PLUMBING CODE, THE 2011 NATIONAL ELECTRICAL CODE, THE 2009 INTERNATIONAL FUEL GAS CODE, AND ADOPTING THE 2009 INTERNATIONAL EXISTING BUILDING CODE AND 2009 INTERNATIONAL FIRE CODE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that Ordinance No. O-1314-22 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Williams;

Items submitted for the record

1. Text File No. O-1314-22 dated October 9, 2013, by Susan Connors, Director of Planning and Community Development, with Attachment 1, State Code Amendments, and Attachment 2, Proposed New Local Amendments
2. Ordinance No. O-1314-22
3. Legislatively notated copy of Ordinance No. O-1314-22

Participants in discussion

1. Mr. Fred Pope, 1501 Navajo, made comments

Item 7, continued:

and the question being upon the Introduction and adoption of Ordinance No. O-1314-22 upon First Reading by title, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and Ordinance No. O-1314-22 was Introduced, read, and adopted upon First Reading by title.

* * * * *

Item 8, being:

CONSIDERATION OF THE MAYOR'S APPOINTMENTS AS FOLLOWS:

BOARD OF ADJUSTMENT
TERM: 10-22-13 TO 12-22-14: TODD MARPLE, 412 FLINT RIDGE COURT

ENVIRONMENTAL CONTROL ADVISORY BOARD
TERM: 10-27-13 TO 10-27-16: CORSON HIRSCHFELD, 8301 EAST CEDAR LANE
TERM: 10-27-13 TO 10-27-16: LINDA GOERINGER, 824 SOUTH FLOOD AVENUE
TERM: 10-27-13 TO 10-27-16: AARON PILAT, 1624 CRESTMONT AVENUE

HISTORIC DISTRICT COMMISSION
TERM: 10-26-13 TO 10-26-16: CHESLEY POTTS, 1201 WOODLAND DRIVE
TERM: 10-26-13 TO 10-26-16: LOY MACARI, 507 CHAUTAUQUA AVENUE
TERM: 10-26-13 TO 10-26-16: SCOTT WILLIAMS, 614 SOUTH LAHOMA AVENUE

PUBLIC ARTS BOARD
TERM: 10-23-13 TO 10-23-16: JONATHAN FOWLER, 422 PARK DRIVE

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

Items submitted for the record
1. Text File No. AP-1314-10 dated October 4, 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, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Pro Tem Griffith
NAYES:	None

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

* * * * *

Item 9, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF SEPTEMBER 30, 2013, AND DIRECTING THE FILING THEREOF.

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

Items submitted for the record
1. Text File No. RPT-1314-13 dated September 30, 2013, by Anthony Francisco, Director of Finance
2. Finance Director's Investment Report as of September 30, 2013

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, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Pro Tem Griffith
NAYES:	None

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

* * * * *

Item 10, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF SEPTEMBER, 2013, AND DIRECTING THE FILING THEREOF.

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

Items submitted for the record

1. Text File No. RPT-1314-13 dated September 30, 2013, by Carol Coles, Administrative Assistant
2. Monthly Departmental Report for the month of September, 2013

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

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

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

* * * * *

Item 11, being:

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

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

Items submitted for the record

1. Text File No. RPT-1314-24 dated October 1, 2013, by Brenda Hall, City Clerk
2. Memorandum dated September 9, 2013, from Charlie Thomas, Capital Projects Engineer, through Kenneth Komiske, Director of Utilities, to Steve Lewis, City Manager, with Attachment A, photograph of damaged pipe.
3. Change Order No. One to Contract No. K-1213-88

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, Heiple, Holman, Jungman, Kovach, Miller, Williams, Mayor Pro Tem Griffith
NAYES:	None

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

* * * * *

Item 12, being:

CONSIDERATION AND AWARDING OF BID NO. 1314-7 FOR THE PURCHASE OF AGGREGATE AND STONE FOR THE STREET MAINTENANCE DIVISION.

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

Councilmember Kovach moved that all bids meeting specifications on Sections 1, 2, 3, 5, 8, 9, and 14 be accepted; and the bid be awarded to Bernie Mathes Trucking, Inc., as the lowest and best bidder meeting specifications and Dale Brown, Inc., as the alternate bidder, which motion was duly seconded by Councilmember Williams;

Items submitted for the record

1. Text File No. BID-1314-7 dated September 25, 2013, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 12, 2013, for Aggregate and Stone, Section 1, Class B Bedding Material; Section 2, #1 Washed Chips; Section 3, Concrete Sand; Section 5, Traffic Bound Surface Course, Type A; Section 8, Aggregate Base, Type B, Delivered; Section 9, 3-inch Surge Rock, Minimum Fines, Delivered; and Section 14, Manufactured Sand, Course, Delivered

and the question being upon accepting all bids meeting specifications on 1, 2, 3, 5, 8, 9, and 14 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and all bids meeting specifications on Sections 1, 2, 3, 5, 8, 9, and 14 accepted; and the bid was awarded to Bernie Mathes Trucking, Inc., as the lowest and best bidder meeting specifications and Dale Brown, Inc., as the alternate bidder.

Thereupon, Councilmember Kovach moved that all bids meeting specifications on Section 4 be accepted and the bid be awarded to T.J. Campbell Construction Company as the lowest and best bidder meeting specifications and Bernie Mathes Trucking, Inc., as the alternate bidder, which motion was duly seconded by Councilmember Williams;

Items submitted for the record

1. Text File No. BID-1314-7 dated September 25, 2013, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 12, 2013, for Aggregate and Stone, Section 4, Aggregate Base, Type B

Item 12, continued:

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

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

The Mayor Pro Tem declared the motion carried and all bids meeting specifications on Section 4 accepted; and the bid was awarded to T.J. Campbell Construction Company as the lowest and best bidder meeting specifications and Bernie Mathes Trucking, Inc., as the alternate bidder.

Thereupon, Councilmember Kovach moved that the bid as meeting specifications on Section 6 be accepted and the bid be awarded to Silver Star Construction Company, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. BID-1314-7 dated September 25, 2013, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 12, 2013, for Aggregate and Stone, Section 6, Cement Kiln Dust

and the question being upon accepting all bids meeting specifications on Section 6 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and the bid as meeting specifications on Section 6 accepted; and the bid was awarded to Silver Star Construction Company, Inc., as the lowest and best bidder meeting specifications.

Thereupon, Councilmember Kovach moved that all bids meeting specifications on Section 7 be accepted and the bid be awarded to T.J. Campbell Construction Company as the lowest and best bidder meeting specifications and Dale Brown, Inc., as the alternate bidder, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. BID-1314-7 dated September 25, 2013, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 12, 2013, for Aggregate and Stone, Section 7, Select Borrow Subgrade Material

and the question being upon accepting all bids meeting specifications on Section 7 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and all bids meeting specifications on Section 7 accepted; and the bid was awarded T.J. Campbell Construction Company as the lowest and best bidder meeting specifications and Dale Brown, Inc., as the alternate bidder.

Thereupon, Councilmember Kovach moved that the bid as meeting specifications on Sections 10, 11, and 12 be accepted and the bid be awarded to Dale Brown, Inc., as the lowest and best bidder meeting specifications and Bernie Mathes Trucking, Inc., as the alternate bidder, which motion was duly seconded by Councilmember Williams;

Item 12, continued:

Items submitted for the record
1. Text File No. BID-1314-7 dated September 25, 2013, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 12, 2013, for Aggregate and Stone, Section 10, 8-inch Riprap, Delivered; Section 11, 12-inch Riprap, Delivered; and Section 12, 18-inch Riprap, Delivered

and the question being upon accepting the bid as meeting specifications on Sections 10, 11, and 12 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and the bid as meeting specifications on Sections 10, 11, and 12 accepted; and the bid was awarded to Dale Brown, Inc., as the lowest and best bidder meeting specifications and Bernie Mathes Trucking, Inc., as the alternate bidder.

Thereupon, Councilmember Kovach moved that the bid as meeting specifications on Section 13B be accepted and the bid be awarded to Dale Brown, Inc., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. BID-1314-7 dated September 25, 2013, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 12, 2013, for Aggregate and Stone, Section 13B, Topsoil, Delivered

and the question being upon accepting the bid as meeting specifications on Section 13B and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and the bid as meeting specifications on Section 13B accepted; and the bid was awarded to Dale Brown, Inc., as the lowest and best bidder meeting specifications.

* * * * *

Item 13, being:

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

1. HEAVY-DUTY CAST IRON 3 FLANGE INLET FRAMES
2. HEAVY-DUTY CAST IRON DOUBLE UNIT (LEFT AND RIGHT) INLET FRAMES WITH FASTENING HARDWARE
3. HEAVY-DUTY CAST IRON CENTER SECTION INLET FRAMES WITH FASTENING HARDWARE
4. HEAVY-DUTY CAST IRON RIBBED DRAIN GRATES
5. HEAVY-DUTY CAST IRON VANE GRATES
6. A - 6-INCH BARRIER CAST IRON CURB HOODS WITH FASTENING HARDWARE
   B - 8-INCH BARRIER CAST IRON CURB HOODS WITH FASTENING HARDWARE
7. DETECTABLE WARNING SURFACE/ADA TRUNCATED DOME, 2 FEET X 4 FEET TILE, CAST IN PLACE, BRICK RED

Councilmember Kovach moved that all bids meeting specifications on Sections 1, 2, 3, and 6A be accepted and the bid be awarded to Oklahoma Contractors Supply as the lowest and best bidder meeting specifications and HD Waterworks Supply as the alternate bidder, which motion was duly seconded by Councilmember Williams;

Item 13, continued:

Items submitted for the record
1. Text File No. BID-1314-8 dated September 25, 2013, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 12, 2013, for Section 1, Heavy-duty cast iron 3-flange inlet frame; Section 2, Design 2 inlet, Heavy-duty cast iron double unit (left & right) inlet frames; includes all fastening hardware; Section 3, Heavy- duty cast iron center section inlet; includes all fastening hardware; and Section 6A, 6-inch barrier cast iron curb hood; includes all fastening hardware

and the question being upon accepting all bids meeting specifications on Sections 1, 2, 3, and 6A and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and all bids meeting specifications on Sections 1, 2, 3, and 6A accepted; and the bid was awarded Oklahoma Contractors Supply as the lowest and best bidder meeting specifications and to HD Waterworks Supply as the alternate bidder.

Thereupon, Councilmember Kovach moved that all bids meeting specifications on Sections 4 and 5 be accepted and the bid be awarded to Ferguson Waterworks as the lowest and best bidder meeting specifications and Oklahoma Contractors Supply as the alternate bidder; which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. BID-1314-8 dated September 25, 2013, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 12, 2013, for Section 4, Heavy-duty cast iron ribbed vane grate, and Section 5, Heavy-duty cast iron vane grate,

and the question being upon accepting all bids meeting specifications on Sections 4 and 5 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and all bids meeting specifications on Sections 4 and 5 accepted; and the bid was awarded to Ferguson Waterworks as the lowest and best bidder meeting specifications, and Oklahoma Contractors Supply as the alternate bidder.

Thereupon, Councilmember Kovach moved that all bids meeting specifications on Sections 6B and 7 be accepted and the bid be awarded to Oklahoma Contractors Supply as the lowest and best bidder meeting specifications and Ferguson Waterworks as the alternate bidder, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. BID-1314-8 dated September 25, 2013, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 12, 2013, for Section 6B, 8-inch barrier cast iron curb hood; includes all fastening hardware, and Section 7, Detectable Warning Surface/ADA Truncated Dome 2 foot x 4-foot tile, cast in place, brick red

Item 13, continued:

and the question being upon accepting all bids meeting specifications on Sections 6B and 7 and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and all bids meeting specifications on Sections 6B and 7 accepted; and the bid was awarded to Oklahoma Contractors Supply as the lowest and best bidder meeting specifications and Ferguson Waterworks as the alternate bidder.

* * * * *

Item 14, being:

CONSIDERATION AND AWARDING OF BID NO. 1314-9 FOR THE PURCHASE OF PORTLAND CEMENT CONCRETE PER CUBIC YARD FOR THE STREET MAINTENANCE AND STORM WATER DIVISIONS.

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

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

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

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

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

Councilmember Kovach moved that all bids meeting specifications be accepted on Sections 1A, 2A, and 5A and the bid be awarded to Metheny Concrete Products, Inc., as the lowest and best bidder meeting specifications, Van Eaton Ready Mix as the first alternate bidder, and Dolese Brothers Company as the second alternate bidder, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. BID-1314-9 dated September 25, 2013, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 12, 2013, for Portland Cement Concrete, Section 1A, Class A concrete less than 5 cubic yards; Section 2A, High Early strength concrete less than 5 cubic yards; and Section 5A, Flowable Fill, less than 5 cubic yards

and the question being upon accepting all bids meeting specifications on Sections 1A, 2A, and 5A and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and all bids meeting specifications on Sections 1A, 2A, and 5A accepted; and the bid was awarded to Metheny Concrete Products, Inc., as the lowest and best bidder meeting specifications, Van Eaton Ready Mix as the first alternate bidder, and Dolese Brothers Company as the second alternate bidder;

Item 14, continued:

Thereupon, Councilmember Kovach moved that all bids meeting specifications on be accepted and the bid be awarded to Dolese Brothers Company as the lowest and best bidder meeting specifications, Metheny Concrete Products, Inc., as the first alternate bidder, and Van Eaton Ready Mix as the second alternate bidder, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. BID-1314-9 dated September 25, 2013, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 12, 2013, for Portland Cement Concrete, Section 1B, Class A concrete, 5 cubic yards or greater; Section 3A, Fast-Track concrete, less than 5 cubic yards; Section 3B, Fast-Track concrete, 5 cubic yards or greater; and Section 5B, Flowable Fill, 5 cubic yards or greater

and the question being upon accepting all bids meeting specifications on Sections 1B, 3A, 3B, and 5B and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and all bids meeting specifications on Sections 1B, 3A, 3B, and 5B accepted; and the bid was awarded to Dolese Brothers Company as the lowest and best bidder meeting specifications, Metheny Concrete Products, Inc., as the first alternate bidder, and Van Eaton Ready Mix as the second alternate bidder.

Thereupon, Councilmember Kovach moved that all bids meeting specifications on Sections 1C and 1D be accepted and the bid be awarded to Van Eaton Ready Mix as the lowest and best bidder meeting specifications, Dolese Brothers Company as the first alternate bidder, and Metheny Concrete Products, Inc., as the second alternate bidder, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. BID-1314-9 dated September 25, 2013, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 12, 2013, for Portland Cement Concrete, Section 1C, Class A concrete, one-percent calcium chloride added, and Section 1D, Class A concrete, two-percent calcium chloride added

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

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

The Mayor Pro Tem declared the motion carried and all bids meeting specifications on Sections 1C and 1D accepted; and the bid was awarded to Van Eaton Ready Mix as the lowest and best bidder meeting specifications, Dolese Brothers Company as the first alternate bidder, and Metheny Concrete Products, Inc., as the second alternate bidder.

Thereupon, Councilmember Kovach moved that all bids meeting specifications on Section 2B be accepted and the bid be awarded to Dolese Brothers Company as the lowest and best bidder meeting specifications and Van Eaton Ready Mix and Metheny Concrete Products, Inc., as the alternate bidders, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. BID-1314-9 dated September 25, 2013, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 12, 2013, for Portland Cement Concrete, Section 2B, High Early strength concrete, 5 cubic yards or greater

Item 14, continued:

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

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

The Mayor Pro Tem declared the motion carried and all bids meeting specifications on Section 2B accepted; and the bid was awarded to Dolese Brothers Company as the lowest and best bidder meeting specifications and Van Eaton Ready Mix and Metheny Concrete Products, Inc., as the alternate bidders.

Thereupon, Councilmember Kovach moved that all bids meeting specifications on Sections 4A and 4B be accepted and the bid be awarded to Van Eaton Ready Mix as the lowest and best bidder meeting specifications and Metheny Concrete Products, Inc., as the alternate bidder, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. BID-1314-9 dated September 25, 2013, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 12, 2013, for Portland Cement Concrete, Section 4A, 5-sack grout mix, less than 5 cubic yards, and Section 4B, 5-sack grout mix, 5 cubic yards or greater

and the question being upon accepting all bids meeting specifications on Section 4A and 4B and upon the subsequent awarding of the bid, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and all bids meeting specifications on Section 4A and 4B accepted; and the bid was awarded to Van Eaton Ready Mix as the lowest and best bidder meeting specifications and Metheny Concrete Products, Inc., as the alternate bidder.

* * * * *

Item 15, being:

CONSIDERATION AND AWARDING OF BID NO. 1314-10 FOR TYPE II BARRICADE RENTAL FOR THE STREET MAINTENANCE AND STORM WATER DIVISIONS.

1. (A) 200 BARRICADES PER MONTH

2. (A) 20 BARRICADES PER SEVEN DAYS
   (B) 40 BARRICADES FOR SEVEN DAYS
   (C) 60 BARRICADES PER SEVEN DAYS

Councilmember Kovach moved that the bid as meeting specifications be accepted and the bid be awarded to Advanced Workzone Services, L.L.C., as the lowest and best bidder meeting specifications, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. BID-1314-10 dated September 25, 2013, by Greg Hall, Street Superintendent
2. Bid tabulation dated September 12, 2013, for Type II Barricade Rental, Section 1A, 200 barricades per month; Section 2A, 20 barricades per seven days; Section 2B, 40 barricades for seven days; and Section 2C, 60 barricades per seven days
3. Photograph of barricade

Item 15, continued:

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

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

The Mayor Pro Tem declared the motion carried and the bid as meeting specifications accepted; and the bid was awarded to Advanced Workzone Services, L.L.C., as the lowest and best bidder meeting specifications.

* * * * *

Item 16, being:

CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT FOR UNIVERSITY NORTH PARK ADDITION, SECTION XII, A PLANNED UNIT DEVELOPMENT AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED AT THE NORTHEAST CORNER OF INTERSTATE DRIVE AND CONFERENCE DRIVE).

Councilmember Kovach moved that the final site development plan and final plat for University North Park Addition, Section XII, a Planned Unit Development, be approved; the public dedications contained within the plat be accepted; the Mayor be authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements; and the filing of the final site development plan and final plat be directed, which motion was duly seconded by Councilmember Williams;

Items submitted for the record

1. Text File No. FP-1213-27 dated February 14, 2013, by Ken Danner, Subdivision Manager
2. Location map
3. Final plat
4. Staff Report dated March 14, 2013, recommending approval
5. Final site development plan
6. Revised preliminary plat
7. Pertinent excerpts from Planning Commission minutes of March 14, 2013

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

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

The Mayor Pro Tem declared the motion carried and the final site development plan and final plat for University North Park Addition, Section XII, a Planned Unit Development, approved; the public dedications contained within the plat were accepted, the Mayor was authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements, and the filing of the final site development plan and final plat was directed.

* * * * *

Item 17, being:

CONSIDERATION OF AN AMENDED FINAL PLAT FOR P.B. ADDITION, ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN, AND APPROVAL OF DEFERRED CONSTRUCTION OF PAVING IMPROVEMENTS FOR FLOOD AVENUE. (GENERALLY LOCATED ON THE WEST SIDE OF FLOOD AVENUE NORTH OF HIGHLAND PARKWAY)

Councilmember Kovach moved that the amended final plat for P.B. Addition and deferral of street improvements for Flood Avenue be approved; the public dedications contained therein be accepted; the Mayor be authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of a fee in the amount of $550 for deferral of street improvements for Flood Avenue within ten days and the filing of the final plat be directed, which motion was duly seconded by Councilmember Williams;

Items submitted for the record

1. Text File No. FP-1213-28A dated September 17, 2013, by Ken Danner, Subdivision Manager
2. Location map
3. Development Committee Staff Report dated September 16, 2013, recommending approval
4. Approved final plat
5. Letter dated August 29, 2013, from Tom L. McCaleb, P.E., SMC Consulting Engineers, P.E., to Ken Danner, City of Norman
6. Development Committee Application dated August 30, 2013, submitted by Tom L. McCaleb, P.E., agent for applicant, Precision Builders, for P.B. Addition, Amended Final Plat
7. Amended final plat

and the question being upon approving amended final plat for P.B. Addition and deferral of street improvements for Flood Avenue and upon the subsequent acceptance, authorization, and directive, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and the final plat for P.B. Addition and deferral of street improvements for Flood Avenue approved; the public dedications contained within the plat were accepted, the Mayor was authorized to sign the final plat and subdivision and maintenance bonds subject to the City Development Committee's acceptance of all required public improvements and receipt of a fee in the amount of $550 for deferral of street improvements for Flood Avenue within ten days, and the filing of the final plat was directed.

* * * * *

Item 18, being:

CONSIDERATION OF CONSENT TO ENCROACHMENT NO. EN-1314-4 FOR LOT 1, BLOCK 1, LOTS 1 AND 10, BLOCK 2, AND LOT 1, BLOCK 3, INDEPENDENCE VALLEY ADDITION, SECTION 1. (INTERSECTIONS OF CEDAR LANE AND GLENDALE DRIVE AND CEDAR LANE AND TRUMAN AVENUE)

Councilmember Kovach moved that Consent to Encroachment No. EN-1314-4 be approved and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Williams;

Items submitted for the record

1. Text File No. EN-1314-4 dated October 8, 2013, by Leah Messner, Assistant City Attorney
2. Memorandum dated September 30, 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
3. Letter of request filed September 30, 2013, from Zia Muneer, Attorney, Colony Homes, L.L.C., to City Clerk of Norman
4. Location map
5. Consent to Encroachment No. EN-1314-4

Item 18, continued:

Items submitted for the record, continued

6. Memorandum dated October 4, 2013, from Jane Hudson, Principal Planner, to Honorable Mayor and Councilmembers
7. Memorandum dated October 2, 2013, from Jim Speck, Capital Projects Engineer, to Brenda Hall, City Clerk
8. Memorandum dated October 4, 2013, from Ken Danner, Subdivision Development Manager, to Leah Messner, Assistant City Attorney
9. Letter dated September 17, 2013, from Timothy J. Bailey, Right-of-Way Agent, OG&E Electric Services, to Liz King, CAD Specialist, HOME Creations
10. Letter dated September 19, 2013, from Brian Navarro, Operations Supervisor, Oklahoma Natural Gas Company, a Division of ONEOK, to Ms. Liz King, Home Creations
11. Letter dated September 20, 2013, from Terri Hayes, Manager – OSP Planning and Engineering Design, Norman and Noble Wirecenters, AT&T, to Whom It May Concern

and the question being upon approving Consent to Encroachment No. EN-1314-4 and upon the subsequent directive, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and Consent to Encroachment No. EN-1314-4 approved; and the filing thereof with the Cleveland County Clerk was directed.

* * * * *

Item 19, being:

CONSIDERATION OF THE NORMAN MUNICIPAL AUTHORITY'S ACCEPTANCE OF A GRANT IN THE AMOUNT OF $20,000 FROM THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY TO BE USED BY THE SANITATION DIVISION TO PURCHASE ADDITIONAL RECYCLING POLYCARTS FOR THE NEW CURBSIDE RECYCLING PROGRAM AND BUDGET APPROPRIATION.

Acting as the Norman Municipal Authority, Trustee Kovach moved that a grant in the amount of $20,000 from the Oklahoma Department of Environmental Quality to be used by the Sanitation Division to purchase additional recycling carts for the new Curbside Recycling Program be accepted; Other Revenue/Miscellaneous Grant Reimbursements (033-0000-331.13-46) be increased by $20,000 and $20,000 be appropriated from that account to Plant and Operating Equipment/Refuse Receptacles (033-5566-432.51-08), which motion was duly seconded by Trustee Williams;

Items submitted for the record

1. Text File No. GID-1314-51 dated October 2, 2013, by Ken Komiske, Director of Utilities
2. Purchase Order No. 2929017703 dated August 19, 2013, in the amount of $20,000 from the Department of Environmental Quality to City of Norman

Participants in discussion

1. Mr. Ken Komiske, Director of Utilities
2. Mr. Jimmy Givens, Interim Director of the Oklahoma Department of Environmental Quality

Item 19, continued:

and the question being upon accepting a grant in the amount of $20,000 from the Oklahoma Department of Environmental Quality to be used by the Sanitation Division to purchase additional recycling carts for the new Curbside Recycling Program and upon the subsequent increase and appropriation, a vote was taken with the following result:

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

The Vice-Chairman declared the motion carried and a grant in the amount of $20,000 from the Oklahoma Department of Environmental Quality to be used by the Sanitation Division to purchase additional recycling carts for the new Curbside Recycling Program accepted; Other Revenue/Miscellaneous Grant Reimbursements (033-0000-331.13-46) was increased by $20,000 and $20,000 was appropriated from that account to Plant and Operating Equipment/Refuse Receptacles (033-5566-432.51-08).

* * * * *

Item 20, being:

CONSIDERATION OF ACCEPTANCE OF A COVERDALE NATIONAL FORENSIC SCIENCES IMPROVEMENT ACT GRANT THROUGH THE DISTRICT ATTORNEY'S COUNCIL IN THE AMOUNT OF $7,480.57 TO BE USED BY THE NORMAN POLICE DEPARTMENT FOR ACCREDITATION TRAINING AND TO PURCHASE EQUIPMENT FOR LABORATORY TECHNICIANS AND SUPERVISORS OF THE CITY OF NORMAN FORENSIC LABORATORY, APPROVAL OF CONTRACT NO. K-1314-87; AND BUDGET APPROPRIATION.

Councilmember Kovach moved that a Coverdale National Forensic Sciences Improvement Act Grant through the District Attorney's Council in the amount of $7,480.57 to be used by the Police Department be accepted; Contract No. K-1314-87 be approved; execution of the contract be authorized; Other Revenue/Police Grants (022-0000-334.13-43) be increased by $7,481 and $2,231 be appropriated from Other Revenue/Police Grants (022-0000-334.13-43) to Project No. GP0023, Coverdale NFSIA Grant, Professional Services/Seminars and Workshops (022-6011-421.46-22) and $5,250 to Laboratory Equipment (022-6011-421.46-22), which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. K-1314-87 dated October 9, 2013, by Captain Todd Gibson, Criminal Investigations Division
2. Grant Award Notice dated October 1, 2013, from the State of Oklahoma District Attorney's Council
3. Contract No. K-1314-87

and the question being upon a Coverdale National Forensic Sciences Improvement Act Grant through the District Attorney's Council in the amount of $7,480.57 to be used by the Police Department, and upon the subsequent approval, authorization, increase, and appropriation, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and a Coverdale National Forensic Sciences Improvement Act Grant through the District Attorney's Council in the amount of $7,480.57 to be used by the Police Department accepted; Contract No. K-1314-87 was approved; execution of the contract was authorized; Other Revenue/Police Grants (022-0000-334.13-43) was increased by $7,481 and $2,231 was appropriated from Other Revenue/Police Grants (022-0000-334.13-43) to Project No. GP0023, Coverdale NFSIA Grant, Professional Services/Seminars and Workshops (022-6011-421.46-22) and $5,250 to Laboratory Equipment (022-6011-421.46-22).

* * * * *

Item 21, being:

CONSIDERATION OF ACCEPTANCE OF A GRANT IN THE AMOUNT OF $95,884 FROM THE OKLAHOMA HIGHWAY SAFETY OFFICE TO BE USED TO HOST TWO STATEWIDE TRAINING CLASSES FOR NORMAN POLICE OFFICERS TO BECOME DRUG RECOGNITION EXPERTS (DRE) AND BUDGET APPROPRIATION.

Councilmember Kovach moved that a grant in the amount of $95,884 from the Oklahoma Highway Safety Office be accepted, DRE Training (022-0000-331.13-30) be increased by $95,884, and $51,000 be appropriated to Professional Services/Seminars and Workshops (022-6037-421.46-04) and $44,884 to General Supplies/Employee Training (022-6037-421.30-13), which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. GID-1314-42 dated October 14, 2013, by Deputy Chief Jim Maisano
2. Grant Application from the Oklahoma Highway Safety Office

and the question being upon a grant in the amount of $95,884 from the Oklahoma Highway Safety Office being accepted; and upon the subsequent increase and appropriation, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and a grant in the amount of $95,884 from the Oklahoma Highway Safety Office accepted; DRE Training (022-0000-331.13-30) was increased by $95,884 and $51,000 was appropriated to Professional Services/Seminars and Workshops (022-6037-421.46-04) and $44,884 to General Supplies/Employee Training (022-6037-421.30-13).

* * * * *

Item 22, being:

LIMITED LICENSE NO. LL-1314-9: A LIMITED LICENSE TO PLACE FOUR (4) VINYL SIGNS WITH WOODEN FRAMES WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM MISSION NORMAN FOR PHASE ONE, HOMES FOR THE HOMELESS CAPITAL CAMPAIGN, FROM OCTOBER 23, 2013, UNTIL FEBRUARY 28, 2014.

Councilmember Kovach moved that Limited License No. LL-1314-9 to place four (4) vinyl signs with wooden frames within the public right-of-way pursuant to a request from Mission Norman for the Phase One, Homes of the Homeless Capital Campaign, from October 23, 2013, until February 28, 2014, be approved and the issuance thereof be authorized, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. LL-1314-9 dated October 15, 2013, by Wayne Stenis, Planner II
2. Application for Limited License dated October 14, 2013, for four vinyl signs with wooden frames from Mission Norman
3. Photograph of ground banner
4. Limited License No. LL-1314-9

and the question being upon approving Limited License No. LL-1314-9 to place four (4) vinyl signs with wooden frames within the public right-of-way pursuant to a request from Mission Norman for the Phase One, Homes of the Homeless Capital Campaign, from October 23, 2013, until February 28, 2014, and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and Limited License No. LL-1314-9 to place four (4) vinyl signs with wooden frames within the public right-of-way pursuant to a request from Mission Norman for the Phase One, Homes of the Homeless Capital Campaign, from October 23, 2013, until February 28, 2014, approved; and the issuance thereof was authorized.

* * * * *

Councilmember Castleberry asked that he be allowed to abstain from voting on Item 23 due to a conflict of interest. Thereupon, Councilmember Kovach moved that Councilmember Castleberry be allowed to abstain from voting on Item 23 due to a conflict of interest, which motion was duly seconded by Councilmember Williams; and the question being upon allowing Councilmember Castleberry to abstain from voting on Item 23 due to a conflict of interest, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and Councilmember Castleberry was allowed to abstain from voting on Item 23 due to a conflict of interest.

* * * * *

Item 23, being:

AMENDMENT NO. TWO TO CONTRACT NO. K-1213-126: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND SAIC ENERGY, ENVIRONMENT, AND INFRASTRUCTURE, INC., (SAIC) INCREASING THE CONTRACT AMOUNT BY $301,250 FOR A REVISED CONTRACT PRICE OF $2,400,065 TO PROVIDE ADDITIONAL ENGINEERING DESIGN SERVICES FOR UTILITY RELOCATION ALONG LINDSEY STREET AND A GEOTECHNICAL INVESTIGATION SUPPLEMENT AS PART OF THE CONTRACT FOR THE DESIGN OF LINDSEY STREET FROM 24TH AVENUE S.W. TO BERRY ROAD.

Councilmember Kovach moved that Amendment No. Two to Contract No. K-1213-126 with SAIC, Inc., increasing the contract amount by $301,250 for a revised contract price of $2,400,065 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Williams;

Items submitted for the record

1. Text File No. K-1213-126, Amendment No. Two, dated September 25, 2013, by John Clink, Capital Projects Engineer
2. Location map
3. Detail of costs
4. Existing design contracts
5. Revised typical roadway drawing
6. Amendment No. Two to Contract No. K-1213-126
7. Requisition No. 0000224483 dated October 8, 2013, in the amount of $301,250 to SAIC, Inc.

Participants in discussion

1. Mr. Shawn O'Leary, Director of Public Works
2. Ms. Ann Gallagher, 1522 East Boyd, asked questions
3. Mr. Fred Pope, 1501 Navajo, made comments

and the question being upon approving Amendment No. Two to Contract No. K-1213-126 with SAIC, Inc., increasing the contract amount by $301,250 for a revised contract price of $2,400,065 and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and Amendment No. Two to Contract No. K-1213-126 with SAIC, Inc., increasing the contract amount by $301,250 for a revised contract price of $2,400,065 approved; and the execution thereof was authorized.

* * * * *

Item 24, being:

CONSIDERATION OF FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT NO. K-1213-151 WITH AZTEC BUILDINGS SYSTEMS, INC., FOR THE REAVES PARK SOFTBALL BUILDING REPLACEMENT PROJECT.

Councilmember Kovach moved that the project be accepted and final payment in the amount of $15,598.90 to Aztec Building Systems, Inc., be directed, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. K-1213-151, Final, dated October 8, 2013, by Mitch Miles, Park Planner
2. Purchase Order No. 226849 dated January 18, 2013, in the amount of $155,989 to Aztec Building Systems, Inc., subtracting partial payments totaling $140,390.10 leaving a balance of $15,598.90

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

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

The Mayor Pro Tem declared the motion carried and the project accepted; and final payment in the amount of $15,598.90 to Aztec Building Systems, Inc., was directed.

* * * * *

Item 25, being:

CHANGE ORDER NO. ONE TO CONTRACT NO. K-1213-195: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND DOWNEY CONTRACTING, L.L.C., INCREASING THE CONTRACT AMOUNT BY $80,966.19 FOR A REVISED CONTRACT AMOUNT OF $1,406,466.16 AND EXTENDING THE CONTRACT UNTIL DECEMBER 21, 2013, FOR THE REHABILITATION OF THE POLICE/FIRE INVESTIGATIONS FACILITY LOCATED AT 1507 WEST LINDSEY STREET.

Councilmember Kovach moved Change Order No. One to Contract No. K-1213-195 with Downey Contracting, L.L.C., increasing the contract amount by $80,966.19 for a revised contract price of $1,405,992.16 and extending the contract to December 21, 2013, be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. K-1213-195 Change Order No. One, dated October 10, 2013, by Linda Price, Revitalization Manager
2. Change Order No. One to Contract No. K-1213-195
3. Purchase Requisition No. 0000224807 dated October 15, 2013, in the amount of $80,966.19 to Downey Contracting, L.L.C.

and the question being upon approving Change Order No. One to Contract No. K-1213-195 with Downey Contracting, L.L.C., increasing the contract amount by $80,966.19 for a revised contract price of $1,405,992.16 and extending the contract to December 21, 2013, and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and Change Order No. One to Contract No. K-1213-195 with Downey Contracting, L.L.C., increasing the contract amount by $80,966.19 for a revised contract price of $1,405,992.16 and extending the contract to December 21, 2013, approved; and the execution thereof was authorized.

* * * * *

Item 26, being:

CONSIDERATION OF FINAL ACCEPTANCE AND FINAL PAYMENT OF CONTRACT NO. K-1213-201 WITH AND Z-FLOOR COMPANY, LTD., FOR THE WHITTIER AND IRVING RECREATION CENTERS GYM FLOOR REPLACEMENT PROJECT.

Councilmember Kovach moved that the project be accepted and final payment in the amount of $7,055.70 to Z-Floor Company, Ltd., be directed, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. K-1213-201, Final, dated October 7, 2013, by Mitch Miles, Park Planner
2. Photographs of the new Irving and Whittier School gym floors
3. Purchase Order No. 233883 dated June 27, 2013, in the amount of $141,114.00 to Z-Floor Company, Ltd., subtracting partial payments totaling $134,058.30 leaving a balance of $7,055.70

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

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

The Mayor Pro Tem declared the motion carried and the project accepted; and final payment in the amount of $7,055.70 to Z-Floor company, Ltd., was directed.

* * * * *

Item 27, being:

CONTRACT NO. K-1314-64: A UTILITY RELOCATION AGREEMENT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) FOR RELOCATION OF SEGMENT A WATER LINE LOCATED AT HIGHWAY 9 AND 24TH AVENUE S.W. IN CONNECTION WITH THE I-35 WIDENING PROJECT WITH 100% OF THE COST BEING REIMBURSED BY ODOT.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Contract No. K-1213-64, a utility relocation agreement with ODOT, be approved and the execution thereof be authorized thereof, which motion was duly seconded by Trustee Williams;

Items submitted for the record
1. Text File No. K-1314-64 dated October 10, 2013, by Mark Daniels, Utilities Engineer
2. Contract No. K-1314-64
3. I-35 Water Line Relocations
4. Location map

and the question being upon approving Contract No. K-1314-64, a utility relocation agreement with ODOT, and upon the subsequent authorization, a vote was taken with the following result:

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

The Vice-Chairman declared the motion carried and Contract No. K-1314-64, a utility relocation agreement with ODOT, approved; and the execution of thereof was authorized.

* * * * *

Item 28, being:

CONTRACT NO. K-1314-65: A UTILITY RELOCATION AGREEMENT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION (ODOT) FOR RELOCATION OF SEGMENT B WATER LINE LOCATED AT BRIGGS STREET AND SEGMENT C WATER LINE LOCATED AT BROOKS STREET IN CONNECTION WITH THE I-35 WIDENING PROJECT WITH 100% OF THE COST BEING REIMBURSED BY ODOT.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Contract No. K-1314-65, a utility relocation agreement with ODOT, be approved and the execution thereof be authorized thereof, which motion was duly seconded by Trustee Williams;

Items submitted for the record
1. Text File No. K-1314-65 dated October 11, 2013, by Mark Daniels, Utilities Engineer
2. Contract No. K-1314-65
3. I-35 Water Line Relocations
4. Location map

and the question being upon approving Contract No. K-1314-65, a utility relocation agreement with ODOT, and upon the subsequent authorization, a vote was taken with the following result:

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

The Vice-Chairman declared the motion carried and Contract No. K-1314-65, a utility relocation agreement with ODOT approved and the execution of the contract thereof was authorized.

* * * * *

Trustee Castleberry asked that he be allowed to abstain from voting on Item 29 due to a conflict of interest. Thereupon, Trustee Kovach moved that Trustee Castleberry be allowed to abstain from voting on Item 29 due to a conflict of interest, which motion was duly seconded by Trustee Williams; and the question being upon allowing Trustee Castleberry to abstain from voting on Item 29 due to a conflict of interest, a vote was taken with the following result:

YEAS:	Trustees Heiple, Holman, Jungman, Kovach, Miller, Williams, Vice-Chairman Griffith
NAYES:	None
ABSTAIN:	Trustee Castleberry

The Vice-Chairman declared the motion carried and Trustee Castleberry was allowed to abstain from voting on Item 29 due to a conflict of interest.

* * * * *

Item 29, being:

CONTRACT NO. K-1314-66: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND SAIC ENERGY, ENVIRONMENT AND INFRASTRUCTURE, L.L.C., (SAIC) IN THE AMOUNT OF $143,000 TO PROVIDE ENGINEERING DESIGN, BIDDING AND LIMITED CONSTRUCTION ADMINISTRATION FOR THE I-35 WATER LINE RELOCATIONS AND THE SEGMENT D WATER LINE ON LINDSEY STREET FROM BRIGGS TO BERRY AND BUDGET TRANSFERS.

Acting as the Norman Utilities Authority, Trustee Kovach moved that Contract No. K-1314-66 with SAIC in the amount of $143,000 be approved; the execution of the contract be authorized; and $75,000 be transferred from Project WA0191, Highway 9 Water Line Relocation Project, Design (031-9727-462-62-01), $380,000 from Highway 9 Water Line Relocation Project, Construction (031-9727-462.61-01), and $220,000 from Project No. WA0253, Arsenic Treatment, Construction (031-9345-462.61-01) to Project No. WA0196, I-35 Waterline Relocation, Construction (031-9727-462-61-01), which motion was duly seconded by Trustee Williams;

Item 29, continued:

Items submitted for the record
1. Text File No. K-1314-66 dated October 1, 2013, by Mark Daniels, Utilities Engineer
2. Contract No. K-1314-66
3. Location maps
4. Requisition No. 0000224667 dated October 11, 2013, in the amount of $143,000.00 to SAIC Energy

and the question being upon approving Contract No. K-1314-66 with SAIC in the amount of $143,000 and upon the subsequent authorization and transfers, a vote was taken with the following result:

YEAS:	Trustees Heiple, Holman, Jungman, Kovach, Miller, Williams, Vice-Chairman Griffith
NAYES:	None
ABSTAIN:	Trustee Castleberry

The Vice-Chairman declared the motion carried and Contract No. K-1314-66 with SAIC in the amount of $143,000 approved; the execution of the contract was authorized and $75,000 was transferred from Project WA0191, Highway 9 Water Line Relocation Project, Design (031-9727-462-62-01), $380,000 from Highway 9 Water Line Relocation Project, Construction (031-9727-462.61-01), and $220,000 from Project No. WA0253, Arsenic Treatment, Construction (031-9345-462.61-01) to Project No. WA0196, I-35 Waterline Relocation, Construction (031-9727-462-61-01).

* * * * *

Item 30, being:

CONTRACT NO. K-1314-86: A MEMORANDUM OF UNDERSTANDING WITH THE OKLAHOMA OFFICE OF HOMELAND SECURITY REGARDING GRANT FUNDS IN THE AMOUNT OF $566,250 RECEIVED FROM THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY TO BE ASSIGNED TO THE OKLAHOMA STATE BUREAU OF INVESTIGATION (OSBI) TO CONTINUE SUPPORT OF THE INFORMATION SHARING AND EXCHANGE SYSTEMS.

Councilmember Kovach moved that Contract No. K-1314-86 with the Oklahoma Office of Homeland Security be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. K-1314-86 dated October 7, 2013, by Jim Spearman, Professional Standards
2. Contract No. K-1314-86

and the question being upon approving Contract No. K-1314-86 with the Oklahoma Office of Homeland Security and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and Contract No. K-1314-86 with the Oklahoma Office of Homeland Security approved; and the execution thereof was authorized.

* * * * *

Item 31, being:

RESOLUTION NO. R-1314-38: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN OKLAHOMA, AUTHORIZING COMPROMISE SETTLEMENT OF A CLAIM FILED BY GREGORY W. HARRIS UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASE OF GREGORY W. HARRIS V. THE CITY OF NORMAN, WORKERS' COMPENSATION CASE NO. WCC-2013-03951 A; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORKERS' COMPENSATION COURT, OKLAHOMA CITY, OKLAHOMA; AND AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO SUBSEQUENTLY PURCHASE SUCH WORKERS' COMPENSATION COURT JUDGMENTS FROM THE RISK MANAGEMENT INSURANCE FUND.

Councilmember Kovach moved that Resolution No. R-1314-38 be adopted and payment of claims in the amount of $15,781.21 be directed which will constitute judgment against the City of Norman, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. R-1314-38 dated August 29, 2013, by Jeanne Snider, Assistant City Attorney
2. Resolution No. R-1314-38
3. Purchase Requisition No. 0000224743 dated October 14, 2013, in the amount of $14,927.75 to Gregory Harris and his attorney
4. Purchase Requisition No. 0000224745 dated October 14, 2013, in the amount of $172.50 to Oklahoma Centralized Report Register
5. Purchase Requisition No. 0000224746 dated October 14, 2013, in the amount of $302.01 to Workman's Compensation Administrative Fund
6. Purchase Requisition No. 0000224748 dated October 14, 2013, in the amount of $113.25 to Special Occupational Health Administration
7. Purchase Requisition No. 0000222672 dated August 29, 2013, in the amount of $140 to Workers' Compensation Court
8. Purchase Requisition No. 0000222673 dated August 29, 2013, in the amount of $125.70 to Cleveland County Court Clerk

and the question being upon adopting Resolution No. R-1314-38 and upon the subsequent directive, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and Resolution No. R-1314-38 adopted; and payment of claims in the amount of $15,781.21 was directed which will constitute judgment against the City of Norman

* * * * *

Item 32, being:

RESOLUTION R-1314-53: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $108,684 FROM THE PUBLIC SAFETY SALES TAX FUND BALANCE TO PURCHASE AND INSTALL COMPUTER NETWORK CONNECTIVITY HARDWARE FOR THE COMPUTERS IN THE FIRE DEPARTMENT'S FIRST RESPONSE VEHICLES AND THE FIRE STATIONS WHERE THE VEHICLES ARE HOUSED.

Councilmember Kovach moved that Resolution No. R-1314-53 be adopted, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. R-1314-53 dated October 10, 2013, by David Riesland, Assistant Traffic Engineer
2. Resolution No. R-1314-53
3. Quotation No. 13-08230949 dated August 23, 2013, from Chickasaw Telecom, Inc., in the amount of $48,895.20 to City of Norman
4. Quote No. 18596823 dated August 28, 2012, in the amount of $1,050.01 from Locke Supply Company to City of Norman
5. Rental Quote No. 105189036 dated August 28, 2012, in the amount of $506.50 from United Rentals to City of Norman
6. Norman Fire Department Shore Power Project dated August 30, 2012, in the amount of $43,187.09 prepared by Stolz Telecom, L.L.C.

Item 32, continued:

and the question being upon adopting Resolution No. R-1314-53, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and Resolution No. R-1314-53 was adopted.

* * * * *

Item 33, being:

RESOLUTION NO. R-1314-25: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO PLACE PART OF THE SOUTHEAST QUARTER OF SECTION TWENTY-FIVE (25), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE INSTITUTIONAL DESIGNATION AND REMOVE THE SAME FROM THE LOW DENSITY RESIDENTIAL DESIGNATION. (1515 WEST MAIN STREET)

Councilmember Kovach moved that Resolution No. R-1314-25 be postponed until November 12, 2013, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

1. Text File No. R-1314-25 dated August 20, 2013, by Jane Hudson, Principal Planner
2. Letter requesting postponement dated October 16, 2013, from R. Blaine Nice, Fellers Snider, to Brenda Hall, City of Norman City Clerk
3. Resolution No. R-1314-25
4. Location map
5. Staff Report dated September 12, 2012, recommending approval
6. City of Norman Predevelopment Summary, Case No. PD-13-22 dated August 22, 2013, for Brent Swift for Rose Rock School for property located at 1515 West Main Street
7. Pertinent excerpts from Planning Commission minutes of September 12, 2013

and the question being upon postponing Resolution No. R-1314-25 until November 12, 2013, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and Resolution No. R-1314-25 was postponed until November 12, 2013.

* * * * *

Item 34, being:

CONSIDERATION OF ORDINANCE NO. O-1314-12 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE SOUTHEAST QUARTER OF SECTION 25 OF TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT AND REMOVE THE SAME FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1515 WEST MAIN STREET)

Ordinance No. O-1314-12 having been Introduced and adopted upon First Reading by title in City Council's meeting of October 8, 2013, Councilmember Kovach moved that Ordinance No. O-1314-12 be postponed until November 12, 2013, which motion was duly seconded by Councilmember Holman;

Item 34, continued:

Items submitted for the record

1. Text File No. O-1314-12 dated August 20, 2013, by Jane Hudson, Principal Planner
2. Letter requesting postponement dated October 16, 2013, from R. Blaine Nice, Fellers Snider, to Brenda Hall, City of Norman City Clerk
3. Ordinance No. O-1314-12
4. Location map
5. Staff Report dated September 12, 2013, recommending approval
6. Rose Rock School Foundation PUD Narrative submitted August 5, 2013 and revised August 29 and September 5, 2013
7. Site plan
8. Architectural drawings of existing and proposed project
9. General Information of Johnson House
10. Protest and support map containing 38% protest and 7.9% support within notification area
11. Letter of protest filed September 3, 2013, from James F. Ryan, O.D. to Planning Commission c/o City Clerk
12. Letter of protest filed September 3, 2013, from Colette Fudge to Planning Commission
13. Petition of protest filed September 9, 2013, containing 32 signatures
14. Petition of support filed September 6, 2013, containing 56 signatures
15. Email of support filed September 6, 2013, from Stephanie Royse to Whom It May Concern
16. Letter of support filed September 6, 2013, from Mr. L. Dee Fink to Norman City Council
17. Letter of support filed September 6, 2013, from Mary Jo Tinsley to City Council
18. Letter of support filed September 6, 2013, from David Kelso Spradling and Family to Whom It May Concern
19. Letter of support filed October 1, 2013, from Arletta Fink to Brenda Hall, City Clerk
20. Letter of support filed October 8, 2013, from Alicia M. Collins to Brenda Hall

and the question being upon postponing Ordinance No. O-1314-12 until November 12, 2013, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and Ordinance No. O-1314-12 was postponed until November 12, 2013.

* * * * *

Item 35, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR ROSE ROCK SCHOOL ADDITION. (LOCATED AT 1515 WEST MAIN STREET).

Councilmember Kovach moved that the preliminary plat for Rose Rock School Addition be postponed until November 12, 2103, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

1. Text File No. PP-1314-5 dated August 20, 2013, by Ken Danner, Subdivision Manager, with Attachment A, Traffic Impacts
2. Letter requesting postponement dated October 16, 2013, from R. Blaine Nice, Fellers Snider, to Brenda Hall, City of Norman City Clerk
3. Location map
4. Preliminary plat
5. Staff Report dated September 12, 2013, recommending approval
6. Development Review Form, Traffic Impacts, dated September 4, 2013, reviewed by David R. Riesland, P.E., Assistant City Traffic Engineer
7. Site plan
8. Greenbelt Commission Final Comments

Item 35, continued:

and the question being upon postponing the preliminary plat for Rose Rock School Addition until November 12, 2013, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and the preliminary plat for Rose Rock School Addition was postponed until November 12, 2013.

* * * * *

Item 36, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR SOONER LEGENDS ADDITION, A REPLAT OF DICKERSON NO. ONE ADDITION. (GENERALLY LOCATED ON THE SOUTH SIDE OF WEST LINDSEY STREET BETWEEN 24TH AVENUE S.W. AND I-35)

Councilmember Kovach moved that the preliminary plat for Sooner Legends Addition be approved, which motion was duly seconded by Councilmember Williams;

Items submitted for the record

1. Text File No. PP-1314-3 dated August 20, 2013, by Ken Danner, Subdivision Manager, with Attachment A, Traffic Impacts
2. Location map
3. Preliminary plat
4. Staff Report dated September 12, 2013, recommending approval
5. Development Review Form, Traffic Impacts, dated September 4, 2013, reviewed by David R. Riesland, P.E., Assistant City Traffic Engineer
6. Site plan
7. City of Norman Predevelopment Summary, Case No. PD 13-21, dated August 29, 2013, for Sooner Legends, L.L.C., for property located at 1200 24th Avenue S.W.
8. Greenbelt Commission Final Comments
9. Pertinent excerpts from Planning Commission minutes of September 12, 2013

Participants in discussion

1. Mr. Dwight Butler, Anchor Engineering, L.L.C., engineer for the applicant

and the question being upon approving the preliminary plat for Sooner Legends Addition, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and the preliminary plat for Sooner Legends Addition was approved.

* * * * *

Item 37, being:

CONSIDERATION OF A PRELIMINARY PLAT FOR ANDES ADDITION, INCLUDING A PART OF LOT ONE, BLOCK ONE, PB ADDITION, AND WAIVER OF ALLEY REQUIREMENTS. (GENERALLY LOCATED ON THE WEST SIDE OF FLOOD AVENUE MIDWAY BETWEEN MOSIER STREET AND HIMES STREET)

Councilmember Kovach moved that the preliminary plat and waiver of alley requirements for Andes Addition, including a part of Lot One, Block One, PB Addition, be approved, which motion was duly seconded by Councilmember Williams;

Item 37, continued:

Items submitted for the record

1. Text File No. PP-1314-4 dated August 20, 2013, by Ken Danner, Subdivision Manager, with Attachment A, Traffic Impacts
2. Location map
3. Preliminary plat/site plan
4. Staff Report dated September 12, 2013, recommending approval
6. Development Review Form, Traffic Impacts, dated September 4, 2013, reviewed by David R. Riesland, P.E., Assistant City Traffic Engineer
7. Letter requesting alley waiver dated August 28, 2013, from Tom L. McCaleb, P.E., SMC Consulting, P.C., to Mr. Chris Lewis, Chairman, Planning Commission
8. Greenbelt Commission Final Comments
9. Pertinent excerpts from Planning Commission minutes of September 12, 2013

Participants in discussion

1. Mr. Tom McCaleb, SMC Consulting, P.C., 815 West Main Street, Oklahoma City, engineer representing applicant

and the question being upon approving the preliminary plat and waiver of alley requirements for Andes Addition, including a part of Lot One, Block One, PB Addition, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and the preliminary plat for and waiver of alley requirements for Andes Addition, including a part of Lot One, Block One, PB Addition, was approved.

* * * * *

Item 38, being:

CONSIDERATION OF ORDINANCE NO. O-1314-10 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A PORTION OF A UTILITY EASEMENT LOCATED IN LOT 4, BLOCK 4, RED CANYON RANCH SECTION 3, A PLANNED UNIT DEVELOPMENT, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NORTH OF TECUMSEH ROAD AND WEST OF 12TH AVENUE N.E.)

Ordinance No. O-1314-10 having been Introduced and adopted upon First Reading by title in City Council's meeting of October 8, 2013, Councilmember Kovach moved that Ordinance No. O-1314-10 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Williams;

Items submitted for the record

1. Text File No. O-1314-10 dated August 20, 2013, by Ken Danner, Subdivision Manager
2. Ordinance No. O-1314-10
3. Location map
4. Memorandum dated July 22, 2013, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney; Ken Komiske, Director of Utilities; Ken Danner, Subdivision Manager; Rone Tromble, Administrative Technician IV; and Jane Hudson, Principal Planner
5. Letter of request filed July 22, 2013, from Robert L. Bailey, II, Bailey and Poarch, to Brenda Hall, City Clerk
6. Final plat
7. Radius map
8. Staff Report dated September 12, 2013, recommending approval
9. Pertinent excerpts from Planning Commission minutes of September 12, 2013

Participants in discussion

1. Mr. Robert L. Bailey, II, Bailey and Poarch, attorney representing the applicant

Item 38, continued:

and the question being upon adopting Ordinance No. O-1314-10 upon Second Reading section by section, a vote was taken with the following result:
result:

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

The Mayor Pro Tem declared the motion carried and Ordinance No. O-1314-10 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1314-10 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Williams; and the question being upon adopting Ordinance No. O-1314-10 upon Final Reading as a whole, the roll was called with the following result:
result:

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

The Mayor Pro Tem declared the motion carried and Ordinance No. O-1314-10 was adopted upon Final Reading as a whole.

*****

Item 39, being:

CONSIDERATION OF ORDINANCE NO. O-1314-11 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING THAT PART OF FARMER STREET LYING BETWEEN JENKINS AVENUE AND LINCOLN AVENUE LOCATED IN HARDIE-RUCKER ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-1314-11 having been Introduced and adopted upon First Reading by title in City Council's meeting of October 8, 2013, Councilmember Kovach moved that Ordinance No. O-1314-11 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Williams;

Items submitted for the record

1. Text File No. O-1314-11 dated August 20, 2013, by Ken Danner, Subdivision Manager
2. Ordinance No. O-1314-11
3. Location map
4. Memorandum dated July 22, 2013, from Brenda Hall, City Clerk, to Rone Tromble, Administrative Assistant IV; Jeff Bryant, City Attorney; Ken Komiske, Director of Utilities; Ken Danner, Subdivision Manager; and Jane Hudson, Principal Planner
5. Letter dated filed July 22, 2013, from H. L. Heiple, Attorney-Agent, to Brenda Hall, City Clerk
6. Letter dated August 26, 2013, from Pat Mason, Assistant to Thomas Ishamel, AT&T
7. Memorandum dated August 1, 2013, from Jim Speck, Capital Projects Engineer, to Ken Danner, Subdivision Development Manager
8. Letter dated September 9, 2013, from Timothy J. Bailey, Right-of-Way Agent, OG&E Electric Services
9. Location maps
10. Site plan
11. Staff Report dated September 12, 2013, recommending approval
12. Pertinent excerpts from Planning Commission minutes of September 12, 2013

Participants in discussion

1. Mr. Harold Heiple, 218 East Eufaula Avenue, attorney representing the applicant
2. Mr. Shawn O'Leary, Director of Public Works
3. Ms. Joy Hampton, *The Norman Transcript*, asked questions
4. Major J.D. Younger, Norman Police Department

Item 39, continued:

and the question being upon adopting Ordinance No. O-1314-11 upon Second Reading section by section, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and Ordinance No. O-1314-11 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1314-11 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Williams; and the question being upon adopting Ordinance No. O-1314-11 upon Final Reading as a whole, the roll was called with the following result:

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

The Mayor Pro Tem declared the motion carried and Ordinance No. O-1314-11 was adopted upon Final Reading as a whole.

* * * * *

Item 40, being:

CONSIDERATION OF ORDINANCE NO. O-1314-13 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA AMENDING CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN TO ALLOW CREMATORIUMS IN CONJUNCTION WITH A FUNERAL PARLOR OR MORTUARY, WHETHER A PERMITTED OR SPECIAL USE IN THE DISTRICT, WITH CONDITIONS IN THE OFFICE-INSTITUTIONAL (O-1), SUBURBAN OFFICE COMMERCIAL (CO), LOCAL COMMERCIAL (C-1), GENERAL COMMERCIAL (C-2), INTENSIVE COMMERCIAL (C-3), AND LIGHT INDUSTRIAL (I-1) ZONING DISTRICTS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Ordinance No. O-1314-13 having been Introduced and adopted upon First Reading by title in City Council's meeting of October 8, 2013, Councilmember Kovach moved that Ordinance No. O-1314-13 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Williams;

Items submitted for the record
1. Text File No. O-1314-13 dated August 20, 2012, by Susan Connors, Director of Planning and Community Development, with Exhibit A, Survey on Crematoriums
2. Ordinance No. O-1314-13
3. Legislatively notated copy of Ordinance No. O-1314-13
4. Location map
5. Staff Report dated September 12, 2013, recommending approval
6. Pertinent excerpts from Planning Commission minutes of September 12, 2013

Participants in discussion
1. Ms. Susan Connors, Director of Planning and Community Development

and the question being upon adopting Ordinance No. O-1314-13 upon Second Reading section by section, a vote was taken with the following result:

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

The Mayor Pro Tem declared the motion carried and Ordinance No. O-1314 was adopted upon Second Reading section by section.

Item 40, continued:

Thereupon, Councilmember Kovach moved that Ordinance No. O-1314-13 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Williams; and the question being upon adopting Ordinance No. O-1314-13 upon Final Reading as a whole, the roll was called with the following result:

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

The Mayor Pro Tem declared the motion carried and Ordinance No. O-1314-13 was adopted upon Final Reading as a whole.

* * * * *

MISCELLANEOUS DISCUSSION

University North Park. Ms. Jacy Crosbie, 204 Mountain Oaks Drive, said Designer Shoe Warehouse has a new store in University North Park and is advertising their location as being in the Norman Town Center. She said many could be confused by the development being called University North Park because they might think it is a park instead of a retail area. She said Norman Town Center is a better name and suggested the City consider changing the name of the development.

*

Election. Ms. Jacy Crosbie, 204 Mountain Oaks Drive, said she had received her absentee ballot for the special election on Tuesday, November 12th regarding the wastewater rate increase. She said the wording of the ballot does not give specific information about how the money would be used. She said there had been discussions about using the money for the existing south plant or for a new north plant and it should be specified in the ballot because the citizens would really appreciate knowing before they voted.

Mr. Steve Lewis, City Manager, said a public information meeting will be held Tuesday, October 29th at 6:30 p.m. in the Council Chambers. There will be a short presentation about the wastewater rate increase followed by a question and answer session. He said on the home page of the website is information regarding the purpose of the election and a public information flyer will be sent to all households in Norman later this month. He said there is a lot of information available to the voters about the election. He said revenue raised through this election will be used exclusively for improvements to the South Wastewater Treatment Plant.

*

Agenda Items: Ms. Ann Gallagher, 1522 East Boyd Street, thanked Mr. Shawn O'Leary, Director of Public Works, for explaining how the money would be spent on the Lindsey Street Project. She also thanked Councilmembers who ask for presentations so the public will be better informed. She thanked Councilmembers who study agenda items because it is important for citizens to know Council is taking the time to read each item. She thanked Councilmember Castleberry for bringing up the issue of discussing topics that do not appear on the agenda.

Councilmember Miller said she has heard the transparency and accountability issue brought up by many Councilmembers and constituents. She said it is important and what Council is supposed to be about, representing the public and letting the public know what is going on so they can be informed. She said transparency and the Open Meetings Act are two very important things that Councilmembers are taught from the very beginning. She said Council is cautioned about communicating with one another, messaging, emailing, etc. She said in the meeting where roundabouts were discussed, there was no lengthy discussion on the subject. She clarified that Council was given an opportunity to continue studying roundabouts and was asked their opinion.

*

Audience. Councilmember Holman thanked those who attended tonight's meeting and those watching at home. He said there are several University of Oklahoma students in the audience and told them if they live on campus, he is their Councilmember and he would like to hear from them. He said one of his goals is to get more students active in local government.

*

Miscellaneous Discussion, continued:

House Fire. Councilmember Castleberry said his neighbor and friend's house caught on fire last Sunday. He said the victim happens to be a Norman firefighter who was not at home at the time. He said five fire trucks came to help put out the fire while he and his neighbors watched. He said it was reassuring to see the Norman Fire Department at work and he was impressed with their professionalism. He said the house was fully engulfed but the Fire Department kept the fire contained with no other home damaged. He said the house was a total loss and the family lost everything. He said the firefighter is too proud to ask for help, but he will not turn down help for his children. He suggested donations of gift cards because the family can purchase clothing and shoes and household items. He said many donations have been left at the fire stations and said if anyone wants to help, they can drop off donations at his office on the corner of Berry Road and Lindsey Street and he will make sure the donations get to the family. He asked everyone to keep the family in their prayers.

*

Norman Regional Hospital. Councilmember Heiple said he, Councilmember Miller, and others met with Staff at Norman Regional Hospital to continue discussion about receiving a price for twenty top medical procedures. He said he got a list, but the list needed to be simplified. He thanked NRH Staff for their help and highlighted some of the prices on the list. He understands it will take time to get a one price procedure list and will continue to work with NRH Staff.

*

Terra Verde School. Councilmember Heiple thanked Terra Verde School for asking him to speak to the students about government. He said he created a hypothetical zoning situation and asked students to find a solution. He said the students started out opposing the zoning request but ended up finding solutions that were beneficial to the neighborhood by including a park, bike and walking trails, and other amenities. He said the final analysis was that it takes trust and imagination to get people to work together. He said these six, seven, and eight year olds were able to working through the problem and that adults should take a lesson from the students.

*

Being Wrong. Councilmember Heiple said during a recent purchase of electronic equipment, he had his own ideas of what he wanted and eventually had to admit he was wrong to the store clerk. He said the point of this story was that people get immersed in being right and hold on to the idea of being right all the time. He said federal, state, and local governments fight all the time because they want to be right, but it is okay to be wrong. He said it takes a little humbleness and humility to believe in being wrong.

*

Park Improvements. Councilmember Kovach thanked Parks and Recreation Staff for improvements to Rotary Park. He said the park looks wonderful.

Mayor Pro Tem Griffith thanked Bill Ulch, Parks and Recreation Superintendent; James Briggs, Park Planner; and Jud Foster, Director of Parks and Recreation, for meeting with 20 citizens to discussion maintenance and problems at Crestland Park as well as future development plans for the park.

*

Household Hazardous Waste. Mr. Steve Lewis, City Manager, said the 15th annual Household Hazardous Waste event was a huge success. He thanked all the volunteers who worked the event. He gave a brief overview of items collected that included almost 31,000 pounds of electronic equipment; 400 tires; thousands of gallons of motor oil; and ten gallons of prescription drugs. He said without the volunteers the event could not have been a success.

*

Veteran's Parade. Mr. Steve Lewis, City Manager, encouraged everyone to attend the Veteran's Parade on Saturday, November 9th at 10:00 a.m. The parade will start at the First Baptist Church parking lot and end at Andrews Park. He said 100 parade entries are anticipated and the speaker will be General Harry Bud White, III, Director of the Air National Guard, Washington, D.C.

*

Miscellaneous Discussion, continued:

Traffic Issue. Mayor Pro Tem Griffith thanked Angelo Lombardo and David Riesling, Traffic Engineers, for their assistance in addressing a traffic concern at Rock Creek Road and Sequoyah Trail. He said after a thorough investigation of this intersection, a traffic light will be needed in the next few years, and funds will be included in the Capital Improvements Budget for the FYE 2016-2019 cycle.

* * * * *

ADJOURNMENT

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

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

The Mayor Pro Tem declared the motion carried and the meeting was adjourned at 8:10 p.m.

ATTEST:

City Clerk Mayor

CITY COUNCIL
COMMUNITY PLANNING AND TRANSPORTATION
COMMITTEE MINUTES

October 28, 2013

The City Council Community Planning and Transportation Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 5:30 p.m. in the Conference Room on the 28th day of October, 2013, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Holman, Miller, Williams, and Chairman Jungman
ABSENT:	None
OTHER COUNCIL PRESENT	Councilmembers Castleberry and Heiple
STAFF PRESENT:	Mr. Jeff Bryant, City Attorney
Development	Ms. Susan Connors, Planning and Community Director
	Mr. Steve Lewis, City Manager
	Mr. Shawn O'Leary, Public Works, Director
	Ms. Karla Chapman, Administrative Technician
OTHER GUESTS PRESENT:	Ms. Karleen Smith, Planner and Grant Specialist, CART
	Mr. Walt Strong, Westheimer Airport

Chairman Jungman requested that Item 2 be heard prior to Item 1, since a Cleveland Area Rapid Transit (CART) representative was not present.

Item 2, being:

CONTINUED DISCUSSION OF CITY COUNCIL DEVELOPMENT APPLICATION POSTPONEMENT PRACTICES.

Ms. Susan Connors, Director, Community Planning and Transportation, said Staff was asked to propose a policy regarding the postponement of development cases when they are before City Council. She said at the September 30, 2013, Community Planning and Transportation Committee (CPTC) meeting, Staff presented information on how other cities handle postponements, a list of City of Norman applications that have been postponed at Planning Commission and City Council since 2009, and items to consider in determining when a postponement was appropriate.

Item 2, continued:

Ms. Connors said the Committee requested Staff develop a policy at the September meeting for CPTC review. She highlighted the purpose of the policy as follows:

- All interested parties and the public should have an opportunity to participate in public hearings regarding real estate development applications for zoning amendments, land use plan (LUP) amendments, and preliminary plat approvals for Council consideration;
- Applications for zoning amendments, LUP amendments, and preliminary plat approvals periodically need to reschedule a hearing date due to unforeseen circumstances;
- Council has the discretion to postpone applications for zoning amendments, LUP amendments, and/or preliminary plat approvals to a future date to obtain additional information with which to consider an application or other valid reasons; and
- It is recognized that postponements, whether at the request of the applicant, by Staff, or by action of Council, may present an inconvenience to the public or the parties that have an interest in participating in the public hearing process; however, it is the intent of this policy to limit the inconvenience to the public that could be caused by these postponements.

Ms. Connors said postponement of development cases at City Council include:

- An applicant for a real estate development application before Council seeking a zoning amendment, LUP amendment, or preliminary plat approval may postpone that application as a matter of right no more than two (2) times. Each request must be in writing and the total postponement period cannot exceed six (6) months;
- If an application is not heard after the second postponement at Council, the application must start over; except that Council may postpone an application to a date specific with or without the consent of the applicant after considering the following factors (below). An affirmative vote of at least five (5) councilmembers shall be required to grant a postponement and the record shall indicate any stipulations and/or conditions placed on the postponement;
- If an item that is subject to a public hearing is continued or otherwise carried over to a subsequent date and the public hearing has been opened, the public hearing shall not be deemed concluded until the date on which the hearing is formally closed. If a continuance provided that date on which the matter will be heard, the re-publication of the notice is not required. If a continuance does not specify a date on which the matter will be heard, the public notice, as applicable, shall be provided prior to the date on which the matter is heard; and
- Should an applicant fail to move an application forward to the next step in the development process for a period of 12 months, it shall be considered withdrawn unless the applicant provides written reasons why the application has remained inactive, including a schedule indicating when the application will again be active.

Item 2, continued:

Ms. Connors said Council may consider the following in determining a development application postponement:

- Substantive changes in the project or the area of the project after the Planning Commission hearing;
- Major scheduling conflicts for the applicant or the applicant's representative or agent with the date of a hearing;
- Missing or incomplete information that does not allow a full review of the project;
- Whether a City-sponsored study may give an applicant additional guidance on whether a pending application is consistent with overall Council planning objectives;
- Neighborhood input or concerns; and
- Other causes for the postponement found to be reasonable by five (5) affirmative votes of Council.

Councilmember Castleberry said he did not believe there was an issue with postponements and felt there was not a need for this policy. Ms. Connors said Staff was asked to bring forward postponement information and a proposed policy for discussion.

Councilmember Heiple asked what policies or methods other metro cities follow regarding postponements and Ms. Connors said none of the cities researched have policies; however, most cities allow one or two postponements and typically the general consensus is to move the application forward.

Mr. Steve Lewis, City Manager, said it can be difficult when hearing a land use plan (LUP) zoning application because neighbors may believe the developer and/or applicant is trying to wear them down by continually postponing and visa versa. He said either way, the Council is generally blamed for the continuations. Councilmember Heiple asked whether Staff was leaning one way over another regarding a policy. Mr. Lewis said a policy would provide everyone notice of the expectations regarding postponements when bringing applications forward. Mr. Shawn O'Leary agreed and felt a policy should be reasonable and consistent with other cities.

Councilmember Miller felt a policy would provide Council guidance, especially where new Councilmembers are concerned, but still allow latitude. Councilmember Williams felt a policy may hinder applicants who genuinely need a postponement and asked if any other projects, besides the Risser project, were postponed over and over at the Council level. Ms. Connors said not to her recollection, stating applications are typically postponed at the Planning Commission (PC) rather than at Council.

Councilmember Williams questioned whether a policy was needed since there has only been one, possibly two, continuous postponements at the Council level; however should a policy be approved, he felt there needed to be language that protected citizens who neighbored the project. He was more concerned when an applicant asked for postponement and the neighbors do not come to the meeting when there is nothing in place to prevent the applicant from withdrawing their request for postponement at the meeting and moving forward without any notice to the neighborhood of the change. He said that is the part of the current process that made him more uncomfortable for the neighborhood. Councilmember Castleberry said one consideration is to add the language stating an applicant and/or developer that wishes to postpone an application must do so by the Friday before the City Council meeting.

Item 2, continued:

Councilmember Williams asked whether the same end result could be accomplished by adopting a resolution that stated after three postponements, Council may discuss how to address a particular application. He is afraid the proposed solution will have adverse effects on the applicant who really needs a postponement due to unforeseen circumstances.

Councilmember Castleberry said Council already has the ability to do the things the new policy is proposing; however, Chairman Jungman disagreed and said Council cannot create concrete timelines or a new rule such as "postponement by right" without changing the ordinance and asked for clarification from City Attorney Jeff Bryant. Mr. Bryant said it is correct that the applicant currently does not have a postponement by right. Councilmember Castleberry felt a policy could increase costs for the applicant/developer and Chairman Jungman said there are potential costs for both sides.

Councilmember Heiple said there is no perfect answer; however it provides some consistency to everyone involved and helps the process. He said it can always be revisited, if needed, and Councilmember Williams offered the same argument about implementing changes stating it has only happened once and if it came up again, Council could look at making changes at that time. Councilmember Heiple stated to say it has happened only once is not accurate and he believes it has been a long standing practice by attorneys and others to "slow walk" projects. Councilmember Castleberry said the information provided by staff for the prior five years does not support that statement.

Chairman Jungman asked if the Committee had any additional suggestions and/or changes for the proposed policy and Councilmember Castleberry said he felt a policy was not needed at all. Councilmember Holman supported adding language that would require an applicant and/or developer who wishes to postpone an application to do so by the Friday before the City Council meeting and and the postponement request could not be withdrawn by the applicant. Councilmember Williams said he did not have a problem with a postponement, but felt the applicant and/or developer could not request a postponement the Friday before the City Council meeting only to withdraw the postponement at the City Council meeting.

Councilmember Miller felt the policy would reassure the public but was not sure whether it should be by ordinance or resolution. Councilmember Castleberry said if the policy is approved, he preferred a resolution. Chairman Jungman asked whether the policy language stating an application would have a six-month end date would need to be done by ordinance and Mr. Bryant said a resolution is a statement of Council intent and an ordinance carries the weight of law.

Councilmember Williams said he did not really want an overall policy, but agreed a new Council policy would give direction for new Councilmembers and assist them in handling such cases and he felt a resolution would take care of this issue.

Chairman Jungman said constituents voiced concerns regarding the timeline for a recent high density proposal on Campus Corner. He said lessons were learned and felt the high density/Campus Corner application will come forward again; therefore, he felt reasonable rules needed to be in place to help guide the process. Councilmember Castleberry questioned why Council would want to limit its ability by adding a provision that provided an applicant a "postponement by right."

Item 2, continued:

Chairman Jungman asked Staff whether precedence has been set regarding postponements since Council has always allowed postponements and Mr. Bryant said attorneys would argue yes, precedence has been set, even though they know Council is not required to allow a postponement.

Chairman Jungman restated the proposed changes and asked that language be added requiring requests for postponements by right be submitted by the Friday before a City Council meeting and cannot be withdrawn by the applicant. Councilmember Williams asked what the next step would be and Chairman Jungman felt full Council should discuss this issue at a future Study Session. Chairman Jungman said if it is Council's desire to move it forward at that time an item could be scheduled for Council consideration.

Items submitted for the record

1. Memorandum dated October 28, 2013, from Susan F. Connors, AICP, Director of Planning and Community Development, to Chairman and Members of Council Community Planning and Transportation Committee
2. Email dated October 28, 2013, from Sean Rieger, Attorney, to Greg Jungman, Steven Holman, Lynn Miller, Chad Williams, Jeff Bryant, Steve Lewis, Susan Connors, Kathryn Walker, and Leah Messner

* * * * *

Chairman Jungman announced a Cleveland Area Rapid Transit (CART) representative was present and requested Item 1 be heard at this time.

Item 1, being:

CART RIDERSHIP REPORT INCLUDING SAFERIDE AND EXTENDED SERVICE FOR THE MONTH OF SEPTEMBER, 2013.

Ms. Karleen Smith, OU Parking and Transportation, said Cleveland Area Rapid Transit (CART) distributed the CART Ridership Report for September, 2013, and the automatic passenger counters have been down for an extended period so the numbers are not reliable. She said CART has begun performing manual counts and hopes to have this problem resolved in the near future. Ms. Smith said CART will have the CART Ridership Report for both September 2013, and October 2013, at the November Community Planning and Transportation Committee (CPTC) meeting.

Ms. Smith distributed a CART flyer entitled, "Safety Concerns Prompt CART to Discontinue the Farside Stop at James Garner/Eufaula effective November 30." She said alternate stops are available at Webster Avenue and Main Street. Ms. Smith said the safety of CART's passengers necessitated this action and CART apologizes for any inconveniences.

Ms. Smith said CART will hold two public hearings to discuss proposed fare changes from 6:00 p.m. to 7:00 p.m. on Wednesday, November 13, 2013, and Thursday, November 21, 2013. She said both meetings will be held at the Municipal Building Council Chambers located at 201 W. Gray Street. She encouraged citizens to attend the meeting to provide comments or feel free to mail/email public comments. She said a comparison of the old and proposed rate increases are on CART's website at www.ou.edu/cart.html.

Item 1, continued:

Councilmember Castleberry requested CART consider moving CART stop #54 located at Brooks Street and 24th Avenue S.E., approximately 50 feet to the east on Brooks Street. He said at times, the CART stop causes traffic to jam up near Whittier Middle School and he said he is concerned the traffic jamming would cause an accident. Ms. Smith said CART certainly does not want to create any traffic problems and she would talk to Mr. Doug Myers, Director, OU Parking and Transportation, about Councilmember Castleberry's request. She said she would report any changes that are to be made at the November CPTC meeting.

Councilmember Miller said the CART Zone Two route is for the core area of Norman and asked whether the route took more passengers to/from the east side or west side of Norman. Ms. Smith said she would research and report back to the CPTC next month.

Councilmember Holman asked for an update on the Lindsey Street route located in front of Springfield Apartments, specifically the concrete for the public shelter has been poured; however, the shelter has not been installed. Ms. Smith said the University of Oklahoma (OU) students are designing the shelter and she will check on the progress.

Items submitted for the record

1. Cleveland Area Rapid Transit Ridership Totals for the Month of September, 2013
2. Cleveland Area Rapid Transit (CART) flyer "Safety concerns prompt CART to discontinue the farside stop at James Garner/Eufaula effective November 30."

* * * * *

Item 3, being:

MISCELLANEOUS DISCUSSION.

Mr. Steve Lewis, City Manager, said at the June 24, 2013, Community Planning and Transportation Committee (CPTC) the Committee accepted Norman Economic Development Coalition's (NEDC) and the University of Oklahoma's (OU) request to forego any action regarding high density ordinances until a positive vision has been created for the Campus Corner and downtown Norman corridors. He said in the position statement, NEDC voted not to sell the NEDC property located at 710 Asp Avenue, in which an application for said property had, in the previous months, been submitted to the City for a high density project. The position statement indicated after careful thought and deliberation, NEDC decided a well-defined vision and comprehensive plan needs to be developed for the Campus Corner and downtown areas. Mr. Lewis said the position statement also stated that President Boren pledged to use the OU's resources and support in developing a visioning process and development plan.

Mr. Lewis said geographically the area would be bounded by the railroad tracks on the east, Gray Street on the north, Boyd Street on the south, and is still varying somewhat for the west boundary line.

Item 3, continued:

Mr. Lewis said OU is envisioning a two-phase process as follows:

- Phase 1: A visioning process with the community, which may include a very intense charrette process of up to five (5) days in length and estimated to be complete by Spring 2014; and
- Phase 2: Implementation for the guidelines, i.e., new City Codes, development guidelines, etc., and estimated completion date is scheduled six (6) months after the visioning phase.

Mr. Lewis said the University initially felt IQC could develop a visioning process and development plan; however, due to the intensity and scope of the two-phase process, the University now believes it very important to use an outside consultant. He said the University has estimated the development of a visioning process and plan for Campus Corner and downtown Norman corridors to cost $200,000 to $250,000 and is requesting the City to participate and pay half of the estimated costs. Mr. Lewis said there are still on-going discussions regarding the structure, i.e., who will be the chair, how many co-chairs, how big the Committee will be, who will manage the project, etc.

Mr. Lewis said this issue was discussed at the October 16, 2013, Council Finance Committee meeting and Mayor Rosenthal requested this issue be considered at mid-year budget process.

Councilmember Castleberry asked whether the Finance Committee, CPTC, or full Council will discuss and/or approve the agreement with the University and Mr. Lewis said upon Council approval, a Memorandum of Understanding (MOU) between Council and the University will need to be signed once the discussions concerning the scope, timeline, and costs have determined.

The meeting adjourned at 6:19 p.m.

City Clerk

Mayor

CITY COUNCIL SPECIAL SESSION MINUTES

October 29, 2013

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Special Session at 5:30 p.m. in the Municipal Building Conference Room on the 29th day of October, 2013, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

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

Item 1, 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 Special Session be adjourned out of and an Executive Session be convened 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 Special Session and convening an Executive Session, 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 Special Session adjourned out of; and an Executive Session was convened in order to discuss negotiations regarding employees and representatives of employee groups.

The City Council adjourned into Executive Session at 5:32 p.m. Mr. Steve Lewis, City Manager; Mr. Jeff Bryant, City Attorney; Ms. Gala Hicks, Director of Human Resources; and Mr. Michael Bates, Labor Consultant, were in attendance at the Executive Session.

Mayor Rosenthal acknowledged return to Open Session.

Thereupon, Councilmember Kovach moved that the Special Session be reconvened, which motion was duly seconded by Councilmember Griffith; and the question being upon reconvening the Special Session, 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 Special Session was reconvened at 7:18 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 Kovach moved that the meeting be adjourned, which motion was duly seconded by Councilmember Griffith; and the question being upon adjournment of the meeting, a vote was taken with the following result:

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

The Mayor declared the motion carried and the meeting was adjourned at 7:19 p.m.

ATTEST:

City Clerk

Mayor

City of Norman, OK

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

Master

File Number: O-1314-16

File ID:	O-1314-16	**Type:**	Zoning Ordinance	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 5	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	09/11/2013
File Name:	36th North Business Park PUD Amendment			**Final Action:**	

Title: ORDINANCE NO. O-1314-16 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ORDINANCE NO. O-0708-18 TO ALLOW AN EXPANSION OF THE COMMERCIAL COMPONENT ON THE GROUND FLOOR OF THE ENTIRE DEVELOPMENT FOR 36TH NORTH BUSINESS PARK ADDITION TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED ON THE EAST SIDE OF 36TH AVENUE N.W. APPROXIMATELY ONE-HALF MILE NORTH OF ROCK CREEK ROAD)

Notes: ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1314-16 upon First Reading by title.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 5

Attachments: Text File O-1314-16 First Reading.pdf, O-1314-16, PUD Narrative O-1314-16.pdf, Location Map, Staff Report, 10-10-13 PC Minutes

Project Manager: Jane Hudson, Principal Planner

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	10/10/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	11/12/2013		Pass

Action Text: A motion was made by Commissioner Gasaway, 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 11/12/2013. The motion carried by the following vote:

Text of Legislative File O-1314-16

Body

SYNOPSIS: This application is for revisions to an existing Planned Unit Development (PUD) 36th North

Business Park, approved by Ordinance No. O-0708-18. The applicant is proposing to expand the previously approved uses to allow commercial uses on the ground floors of all buildings in the development where previously commercial uses were limited to specific areas of the PUD.

ANALYSIS: The particulars of this PUD include:

1. USE: This development will consist of a Mixed Use PUD; office, commercial and possible residential uses will be included.

The west seven acres of the development will continue to be limited to buildings of no greater than two stories, and commercial uses will be restricted to the ground floor with the possibility of residential or office uses on the second floor. One automobile service station is permitted within this portion of the development.

The remaining area will consist of buildings with a maximum height of four stories, with commercial, office and residential uses permitted. Again, commercial uses will be restricted to the ground floor of the buildings.

2. DESIGN: The buildings within this development will be similar in design and color. Buildings in the west seven acres must have pitched roofs, minimum 6/12 pitch, and designs compatible with existing residential uses on the west side of 36th Avenue NW and the existing office complex located to the south of the development. Buildings will comply with the current exterior material requirements outlined in the Zoning Ordinance.

3. OPEN SPACE: The development has been designed with several open landscaped features.

4. PARKING: The PUD acknowledges that parking requirements for each use in the development will be met.

5. LIGHTING: The lighting proposed for the site shall be installed in conformance with the Commercial Outdoor Lighting Standards.

6. SIGNAGE: There are four joint identification signs located at the entry points along 36th Avenue NW. The locations of these signs are approved as part of the Site Development Plan. The allowed square footage for all four signs will be 1,250. The Sign Code allows a maximum of 1,040 square feet but with approximately twenty acres in this development the applicant has requested the additional area to accommodate the multiple businesses. The site will have other wall signs permitted within the development but no other ground signs will be permitted.

OTHER AGENCY COMMENTS

□ **PARKS BOARD** The Norman Board of Parks Commissioners recommended fee-in-lieu of park land provided that no more than seventeen RM-6 units are developed. Any change from the seventeen units needs to come back to the Parks Board for review.

□ **PUBLIC WORKS** Detention will be provided for storm water run-off on the site. The underground detention has been installed. The detention ponds northeast and southeast of the property have been installed but not completed. Water has been installed but not yet accepted. Interior water lines have been installed per City standards to serve the fire protection. Sanitary sewer is on the property and the interior sewer will be private. There will be a ten foot sidewalk installed along 36th Avenue NW.

□ **TRAFFIC** There is a proposed traffic signal at Crail Drive and 36th Avenue NW. The proposed access points along 36th Avenue NW have been reviewed and approved by the Traffic Engineer. \

STAFF RECOMMENDATION: This development was previously approved as a PUD and there are no significant changes that will additionally impact the adjacent properties. Staff recommends approval of Ordinance No. O-1314-16. At their meeting of October 10, 2013, the Planning Commission recommended adoption of this ordinance by a vote of 6-0.

O-1314-16

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ORDINANCE NO. O-0708-18, TO ALLOW AN EXPANSION OF THE COMMERCIAL COMPONENT ON THE GROUND FLOOR OF THE ENTIRE DEVELOPMENT FOR 36TH NORTH BUSINESS PARK ADDITION TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (Generally located on the east side of 36th Avenue N.W. approximately one-half mile north of Rock Creek Road)

§ 1. WHEREAS, 36th North Business Park, the owner of the hereinafter described property, has made application to amend the Planned Unit Development approved by Ordinance No. O-0708-18 so as to allow an expansion of the commercial component on the ground floor of the entire development; and

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

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

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

§ 4. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to amend the Planned Unit Development approved by Ordinance No. O-0708-18 so as to allow an expansion of the commercial component on the ground floor of the entire development, to wit:

A tract of land being a part of the S.W. ¼ of Section 14, Township 9 North, Range 3 West of the Indian Meridian, Norman, Cleveland County, Oklahoma, being more particularly described as follows:
BEGINNING at the Northwest corner of said S.W. ¼;
THENCE North 89°14'12" East along the North line of said S.W. ¼ a distance of 1107.00 feet;
THENCE South 00°45'48" East a distance of 167.33 feet to a point on a curve;
THENCE along a curve to the left having a radius of 85.67 feet (said curve subtended by a chord which bears South 00°45'48" East a distance of 171.34 feet) and an arc length of 269.13 feet;
THENCE South 00°45'48" East a distance of 281.48 feet;
THENCE South 88°12'42" West a distance of 196.07 feet;
THENCE South 89°12'22" West a distance of 76.92 feet;
THENCE South 20°31'25" East a distance of 171.67 feet;
THENCE South 19°57'24" East a distance of 93.65 feet;
THENCE South 89°14'22" West a distance of 627.22 feet;
THENCE South 00°28'38" East a distance of 1.48 feet;

THENCE South 89°31'22" West a distance of 300.00 feet to a point on the West line of said S.W. ¼ and the centerline of 36th Avenue N.W.;
THENCE North 00°28'38" West, and along said west line of S.W. ¼ and centerline of 36th Avenue N.W., a distance of 249.99 feet;
THENCE North 00°28'39" West, and continuing along said west line of S.W. ¼ and centerline of 36th Avenue N.W., a distance of 623.68 feet to the POINT OF BEGINNING.

Said tract contains 20.67 acres, more or less.

§ 5. Further, pursuant to the provisions of Section 22:420 of the Code of the City of Norman, as amended, the following condition is hereby attached to the zoning of the tract:

a. The site shall be developed in accordance with the Site Development Plan (Exhibit A), approved October 10, 2013, and the revised PUD Narrative (Exhibit B) submitted by the applicant and approved by the Planning Commission, attached and made a part hereof.

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

ADOPTED this _____ day of _____, 2013.

_____
(Mayor)

ATTEST:

_____
(City Clerk)

NOT ADOPTED this _____day of _____, 2013.

_____
(Mayor)

2013 Amendment to
36 NORTH PUD Development Plan
as approved by Norman City Council
on January 8, 2008

36 NORTH, LLC ("**36N**"), hereinafter referred to as "**Applicant**", respectfully submits this proposed Amendment to PUD Development Plan for approximately 20.5 acres, known as 36th NORTH BUSINESS PARK P.U.D. ("**PUD**"), located on the East side of 36th Avenue NW approximately one-half (½) mile north of Rock Creek Road, all as more particularly described on the previously approved (*now expired*) Preliminary Plat (hereinafter referred to as "the **Property**"). A PUD rezoning Application and a new Preliminary Plat are submitted concurrently with this Development Plan PUD Amendment request, along with related engineering documents approved in 2008.

BACKGROUND: The Preliminary Plat of the Property consists of two platted lots (*Lot 6, Block 1 of BROCE INDUSTRIAL PARK and Lot 1, Block 1 of SCMC ADDITION*), plus a 5.5 acre unplatted tract which adjoins said platted lots on the South. No part of the Property is within the 100 Year Flood Plain according to FEMA maps currently adopted by the City of Norman.

The following Exhibits are incorporated herein by reference:

Exhibit A – Preliminary Plat
Exhibit B - Preliminary Site Plan
Exhibit C - Landscape Site Plan

USE and PLATS: Under this PUD Amendment, the Property will remain a Mixed Use PUD for Office/Residential/Commercial purposes.

To further its plan, 36N replatted the two platted lots described above along with the 5.5 acre unplatted tract described above, into a new Final Plat named **36 NORTH BUSINESS PARK Addition.** That Final Plat was submitted and required improvements were installed and *"as-builts"* turned in, but that Final Plat has never been filed.

The West seven (7) acres of the Property will continue to be limited to buildings of no greater than two (2) stories, and Commercial uses will be restricted to the ground floor only, with Residential or Office uses being permitted on the second floor. Because the ultimate end users in the West seven acres (*other than a one-story bank*), and their respective uses, have not been identified, the PUD will continue to have the flexibility of having either Residential or Office uses on the second floors of the various buildings in the West seven acres of the Property.

The remaining 13.5 acres of the Property will consist of buildings with a maximum height of four (4) stories, with mixed Commercial, Office and Residential uses, with Commercial uses being restricted to the ground floor, only, in each building.

When the term "Commercial" is used in this document, it shall have the following meaning for the entire PUD: "The uses currently permitted as a matter of right under C-1 Local Commercial District in Norman Zoning Code Section 19-423.2.2(a), (b) and (c) except for theaters, assembly halls for non-profit corporations, churches and trade schools and schools for vocational training. In addition, one automobile service station will be permitted throughout the PUD, and it must be located in the West 7 acres."

When the term "Office" is used in this document, it shall have the following meaning for the entire PUD: "The uses currently permitted as

a matter of right under CO Suburban Office Commercial District in Norman Zoning Code Section 19-423.1.2(a) except for theaters, assembly halls for non-profit corporations, churches and trade schools and schools for vocational training. In addition, one (1) veterinary clinic and one (1) physical fitness facility may be permitted."

When the term "Residential" is used in this document, it shall have the following meaning for the entire PUD: Apartments.

Regardless of any other provision of this document, the following uses (as currently defined by Norman ordinances) are expressly prohibited anywhere in the PUD: "Bar"; "Tavern"; and "Adult Entertainment Uses".

Depending on market demand, the PUD may be developed in phases, with a separate Final Plat for each phase. All Final Plats and building permits will be subject to then-applicable ordinances and regulations of the City of Norman and to fees connected therewith.

PARKING: The amount of parking provided will meet or exceed the requirements of Norman ordinances for each use.

WATER RIGHTS: Applicant reserves and retains all rights to non-potable groundwater lying in and under and that may be produced from the entire Property, to be used for PUD irrigation and landscaping, provided that should the City need to include the acreage of platted property within this PUD to meet a Garber-Wellington Aquifer water allocation request with the Oklahoma Water Resources Board to meet municipal water supply demands and the City has extended municipal water supply to the platted property, then any groundwater use permits issued by the Oklahoma Water Resources Board for such platted

property shall be surrendered so as to not impede the City's request for use of said groundwater allocation. Should Applicant desire to use groundwater for irrigation, landscaping, or other non-potable purposes, Applicant will be required to obtain an appropriate City permit.

LANDSCAPING/GREENWAY: At least ten percent (10%) of the net area of the Property will be designated as open space. The project will fully comply with all Norman ordinances and regulations relating to landscaping and drainage. Landscaping and irrigation are shown on the Landscape Site Plan, Exhibit C. Actual construction of landscaping on a building site can be deferred to the time a building permit is issued for the building embraced in such Site Plan. Each building owner will always be responsible for the installation and maintenance of landscaping, plus the installation and maintenance of any detention area, for his/her/its building. 36th North LLC is responsible for all common areas, landscaping and bonding.

PARKING AND OFF-STREET LOADING: All uses within the PUD shall comply with the off-street parking and loading requirements, and related landscaping provisions, provided by applicable Norman ordinances for each use.

BUILDING LIMITATIONS: The setbacks and coverages for each building shall be shown on, and governed by, the Preliminary Site Plan, Exhibit B.

DRAINAGE/DETENTION: Drainage/Detention plans for the PUD were submitted and approved. The drainage/detention plans are on file with Public Works, Engineering Division.

PROPERTY OWNERS ASSOCIATION and RESTRICTIONS: For any common elements within the PUD which are owned by two (2) or more entities, a mandatory Property Owners Association ("POA") will be required. Installation and maintenance of landscaping for individual buildings will be the responsibility of the owner of each such building. If any part of the PUD is owned by two (2) or more entities, Restrictive Covenants will be prepared and filed with the Cleveland County Clerk.

BUILDING DESIGN AND MATERIALS: Buildings on the Property throughout the PUD are to be compatible in design, and in color, with each other and with adjoining Residential and Office uses. Buildings in the West seven acres of the PUD must have pitched 6/12 roofs and designs compatible with existing Residential uses on the West side of 36th Avenue NW and the existing Office complex located to the South of the Property. Buildings with metal exterior walls are prohibited in the PUD, except for ancillary storage buildings less than 108 s.f. All buildings will comply with the current Norman regulations relating to exterior building materials for Commercial buildings.

All exterior lighting shall be installed in conformance with the Commercial Outdoor Lighting standards.

SIGNS: Joint Identification Ground Signs: Signs may be installed along 36th Avenue NW, at the four locations shown on the Site Development Plan. Wall signs may be installed within the development at locations authorized under the Norman Sign Code (Chapter 18) and permitted as C-1 uses. Each sign must comply with the height and size limitations of the Norman Sign Code and other applicable regulations; with the exception of the square footage allowed for the Joint Identification Ground Signs as shown on the Site Development Plan. The maximum allowed area for all of the Joint Identification Ground Signs will be 1,250. As stated in the Sign Code, Section 18-504, the area noted

above for Joint Identification Ground Signs shall be in addition to the maximum allowed area under wall signs, marquee signs, suspended signs, window signs, time-temperature-date signs grand opening signs and address identification signs.

STREET IMPROVEMENTS: None required

Respectfully submitted,

Tom L. McCaleb (Engineer/Agent)
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Oklahoma City OK 73106
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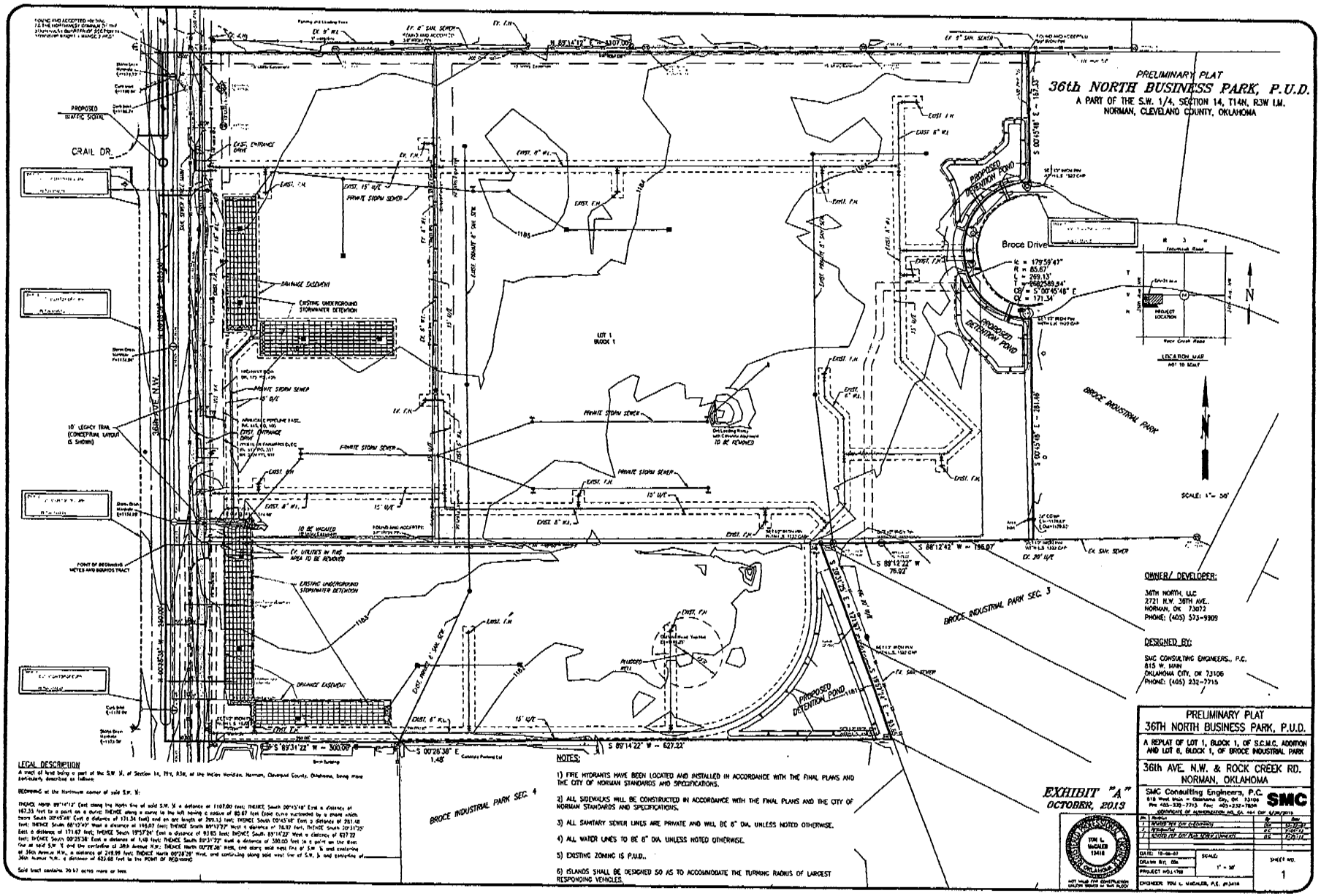
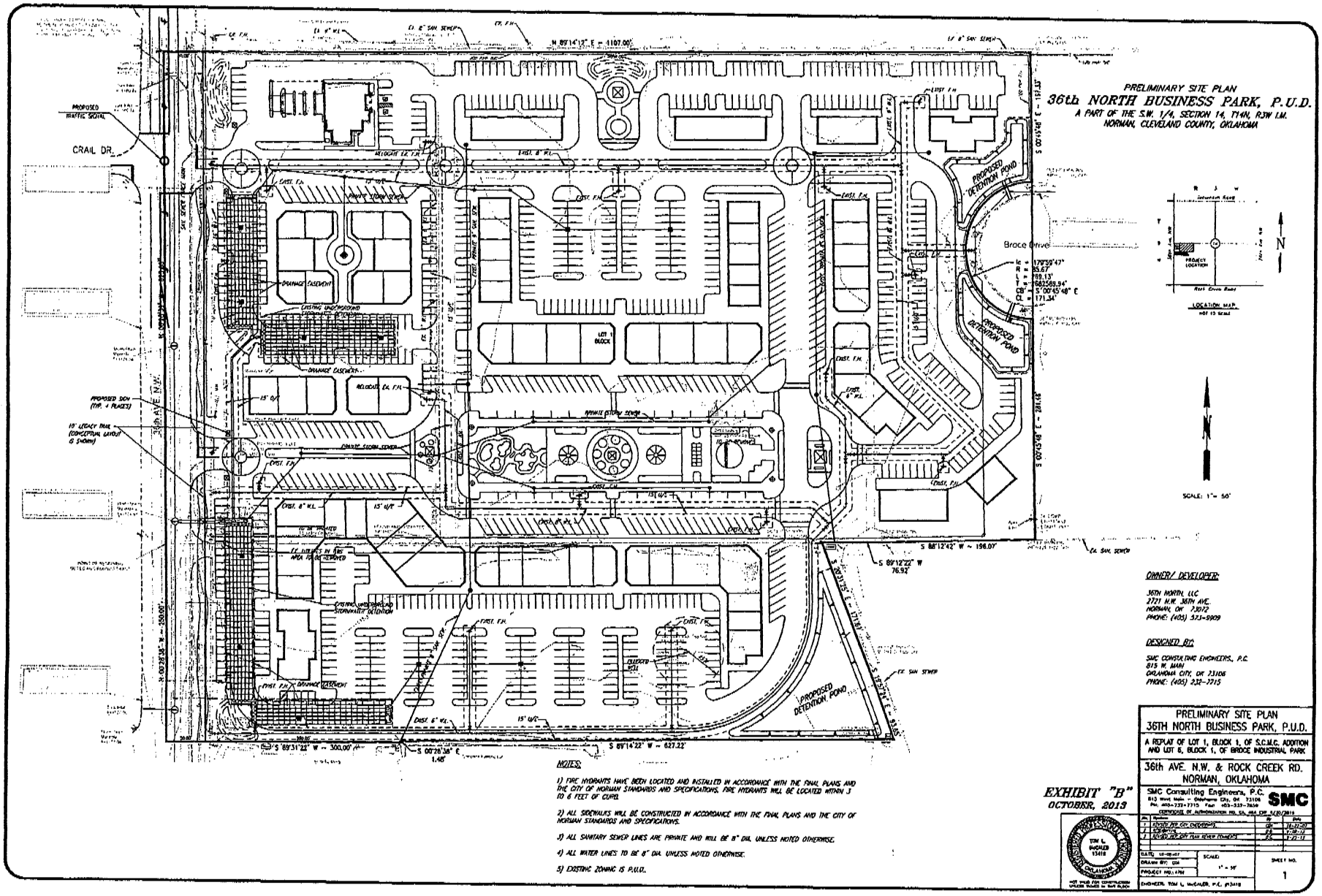
www.smcokc.com


PRELIMINARY PLAT
36th NORTH BUSINESS PARK, P.U.D.
A PART OF THE S.W. 1/4, SECTION 14, T14N, R3W I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA
CRAIL DR.
PROPOSED TRAFFIC SIGNAL
Broce Drive
PROPOSED DETENTION POND
EXISTING UNDERGROUND STORMWATER DETENTION
DRAINAGE EASEMENT
PRIVATE STORM SEWER
15' U/E
10' LEGACY TRAIL (CONCEPTUAL LAYOUT IS SHOWN)
LOT 1 BLOCK 1
BROCE INDUSTRIAL PARK
BROCE INDUSTRIAL PARK SEC. 3
BROCE INDUSTRIAL PARK SEC. 4
LOCATION MAP
NOT TO SCALE
PROJECT LOCATION
SCALE: 1" = 50'
OWNER/ DEVELOPER:
36TH NORTH, LLC
2721 N.W. 36TH AVE.
NORMAN, OK 73072
PHONE: (405) 573-9909
DESIGNED BY:
SMC CONSULTING ENGINEERS, P.C.
815 W. MAIN
OKLAHOMA CITY, OK 73106
PHONE: (405) 232-7715
LEGAL DESCRIPTION
NOTES:
1) FIRE HYDRANTS HAVE BEEN LOCATED AND INSTALLED IN ACCORDANCE WITH THE FINAL PLANS AND THE CITY OF NORMAN STANDARDS AND SPECIFICATIONS.
2) ALL SIDEWALKS WILL BE CONSTRUCTED IN ACCORDANCE WITH THE FINAL PLANS AND THE CITY OF NORMAN STANDARDS AND SPECIFICATIONS.
3) ALL SANITARY SEWER LINES ARE PRIVATE AND WILL BE 8" DIA. UNLESS NOTED OTHERWISE.
4) ALL WATER LINES TO BE 8" DIA. UNLESS NOTED OTHERWISE.
5) EXISTING ZONING IS P.U.D..
6) ISLANDS SHALL BE DESIGNED SO AS TO ACCOMMODATE THE TURNING RADIUS OF LARGEST RESPONDING VEHICLES.
EXHIBIT "A"
OCTOBER, 2013
PRELIMINARY PLAT
36TH NORTH BUSINESS PARK, P.U.D.
A REPLAT OF LOT 1, BLOCK 1, OF S.C.M.C. ADDITION AND LOT 6, BLOCK 1, OF BROCE INDUSTRIAL PARK
36th AVE. N.W. & ROCK CREEK RD.
NORMAN, OKLAHOMA
SMC Consulting Engineers, P.C.
SMC
SHEET NO. 1



NOTES:

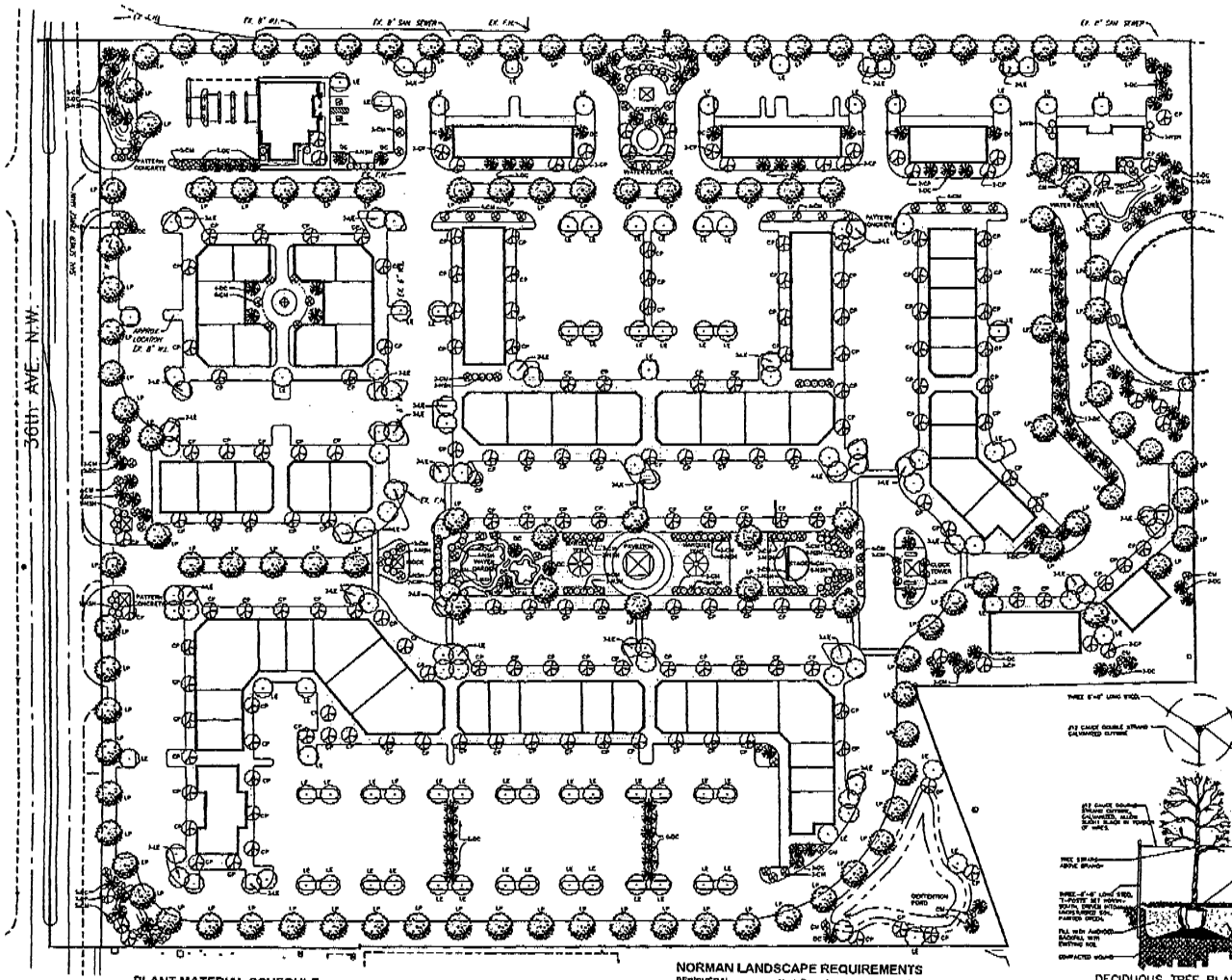
1) FIRE HYDRANTS HAVE BEEN LOCATED AND INSTALLED IN ACCORDANCE WITH THE FINAL PLANS AND THE CITY OF NORMAN STANDARDS AND SPECIFICATIONS. FIRE HYDRANTS WILL BE LOCATED WITHIN 3 TO 6 FEET OF CURB.

2) ALL SIDEWALKS WILL BE CONSTRUCTED IN ACCORDANCE WITH THE FINAL PLANS AND THE CITY OF NORMAN STANDARDS AND SPECIFICATIONS.

3) ALL SANITARY SEWER LINES ARE PRIVATE AND WILL BE 8" DIA. UNLESS NOTED OTHERWISE.

4) ALL WATER LINES TO BE 8" DIA. UNLESS NOTED OTHERWISE.

5) EXISTING ZONING IS P.U.D.



LANDSCAPE INSTRUCTIONS:

PLANT MATERIAL INSTALLATION:

SOD:

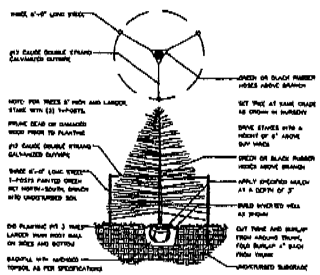
A. SOD IS TO BE LAID SMOOTHLY, EDGE TO EDGE AND WITH STAGGERED JOINTS. PRESS FIRMLY INTO CONTACT WITH SOD BED BY TAMPING OR ROLLING. SOD ALL DISTURBED AREAS.
B. SOD IS TO BE WATERED IMMEDIATELY AFTER BEING INSTALLED. ALL SODDED AREAS ARE TO BE WATERED UNTIL GRASS IS ESTABLISHED. BARE AREAS ARE TO BE RE-SODDED.
C. ON SLOPES GREATER THAN 2:1 SOD SHALL BE STAKED IN PLACE UNTIL ROOT SYSTEM IS ESTABLISHED.

TREES AND SHRUBS:

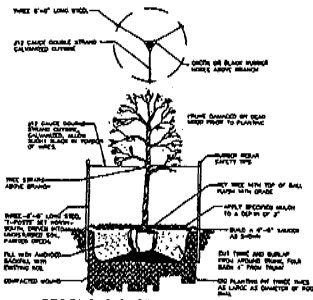
A. PLANT PITS ARE TO BE STAKED PRIOR TO EXCAVATION.
B. PLANT PITS ARE TO BE BACKFILLED WITH A 50% MIXTURE OF 2/3 CLEAN, DECANTED SOIL AND 1/3 BACK-IN-EARTH BY VOLUME WITH 3 LBS. FERTILIZER FOR EACH TREE AND 8 OZ. FERTILIZER FOR EACH SHRUB. BACKFILLING IS TO BE EXECUTED IN 6" LAYERS, EACH CAREFULLY TAMPED AND THOROUGHLY WATERED.
C. ALL BALLED AND BURLAPPED PLANTS ARE TO HAVE THE TOP ONE THIRD OF THE BURLAP CUT BACK FROM THE TOP OF THE BALL AFTER PLANT IS STABILIZED.
D. CREATIVE BRANCH STRUCTURE TOWARD PUBLIC (STREET AND PARKING AREA) VIEW FOR FULLEST APPEARANCE AND SYMMETRICAL FORM.
E. FREESTANDING TREES AND SHRUBS ARE TO HAVE A 4" HIGH EARTH SAUCER, 4'-0" IN DIAMETER, FORMED AROUND THE PIT AND FILLED WITH MULCH.
F. ALL TREES 2" IN CALIPER OR LARGER ARE TO BE PROPERLY GUYED AND STAKED. TRUNKS ARE TO BE WRAPPED FROM THE GROUND UP TO THE FIRST LOWER BRANCHES.
G. REMOVE ALL DEAD WOOD, SUCKERS, BROKEN OR BADLY BRUISED BRANCHES. PRUNE APPROXIMATELY 1/3 OF LAST SEASON'S GROWTH BY THINNING OR SHORTENING BRANCHES.
H. MULCH SHALL BE SHREDDED BARK, PINE NEEDLES OR OTHER PRODUCT APPROVED BY THE ARCHITECT.
I. TREES THAT NEED TO BE "LIMBED UP" SHALL BE OF SUFFICIENT SIZE AND HEALTH AS TO NOT HAVE GROWTH STRUCTURE AFFECTED. SEAL ALL CUTS OVER 3/4" IN DIAMETER WITH TREE PAINT. PAINT MUST BE WATERPROOF, FREE OF PETROLEUM, MUSSATE OR OTHER HARMFUL MATERIALS.

WARRANTY:

A. CONTRACTOR SHALL MAINTAIN UNTIL SUBSTANTIAL COMPLETION IS ISSUED ALL LANDSCAPING (GRASSES, TREES, SHRUBS, ETC.) INCLUDING WATERING, WEEDING, CUTTING, PRUNING, CLEANING UP AND OTHER NORMAL CARE AS IS APPROPRIATE.
B. CONTRACTOR SHALL WARRANTY ALL WORK INCLUDING IRRIGATION SYSTEM, GRASS AREAS AND ALL PLANT MATERIALS IN WRITING FOR ONE FULL GROWING SEASON OR ONE FULL CALENDAR YEAR WHICH EVER IS LONGER THE WARRANTY PERIOD WILL COMMENCE ON THE DATE OF SUBSTANTIAL COMPLETION OF THE INSTALLATION OF THE LANDSCAPE AND IRRIGATION SYSTEM.
C. CONTRACTOR SHALL AT NO EXPENSE TO THE OWNER REPLACE WITH LIKE MATERIAL ANY DAMAGED, DISEASED OR DEAD PLANT OR GRASS AREAS WHICH OCCURS WITHIN THE WARRANTY PERIOD. ALL REPLACEMENT MATERIAL SHALL BE SO WARRANTED FOR THE SAME ORIGINAL REQUIREMENTS BEGINNING WITH THE DATE OF ITS INSTALLATION



CONIFEROUS TREE PLANTING DETAIL



DECIDUOUS TREE PLANTING DETAIL

PLANT MATERIAL SCHEDULE

Key	Quantity	Common Name	Botanical Name	Size	Comments
TREES:					
DC	128	Deodara Cedar	Cedrus deodara	8'-9' ht	Strong central leader, full to ground.
CP	193	Chinese Pistache	Pistachia chenensis	3" cal	Straight trunk, balanced branching.
LE	150	Lacebark Elm	Ulmus parvifolia	3" cal	Straight trunk, balanced branching.
LP	121	London Plane Tree	Platanus occidentalis	3" cal	Straight trunk, balanced branching.
SHRUBS:					
NRS	101	Nellie R. Stevens Holly	Ilex x 'Nellie R. Stevens'	7'-8' ht	Sheared pyramid, full to ground.
CM	116	Crapemyrtle	Lagerstroemia indica	6'-10' ht	Minimum 3 trunks, limb up to tree form.

NORMAN LANDSCAPE REQUIREMENTS

PERIPHERAL LANDSCAPE REQUIREMENTS	North Perimeter:	1109	/ 20	=	55	Trees
	South Perimeter:	1465	/ 20	=	73	Trees
	East Perimeter:	620	/ 20	=	31	Trees
	West Perimeter:	873.7	/ 20	=	44	Trees
	Peripheral Trees Required:				203	Trees
OFF-STREET PARKING REQUIREMENTS EXCEEDING 30 SPACES	820 Spaces x 15 = 12300 / 100 =				123	Trees
	TOTAL TREES REQUIRED:				326	Trees

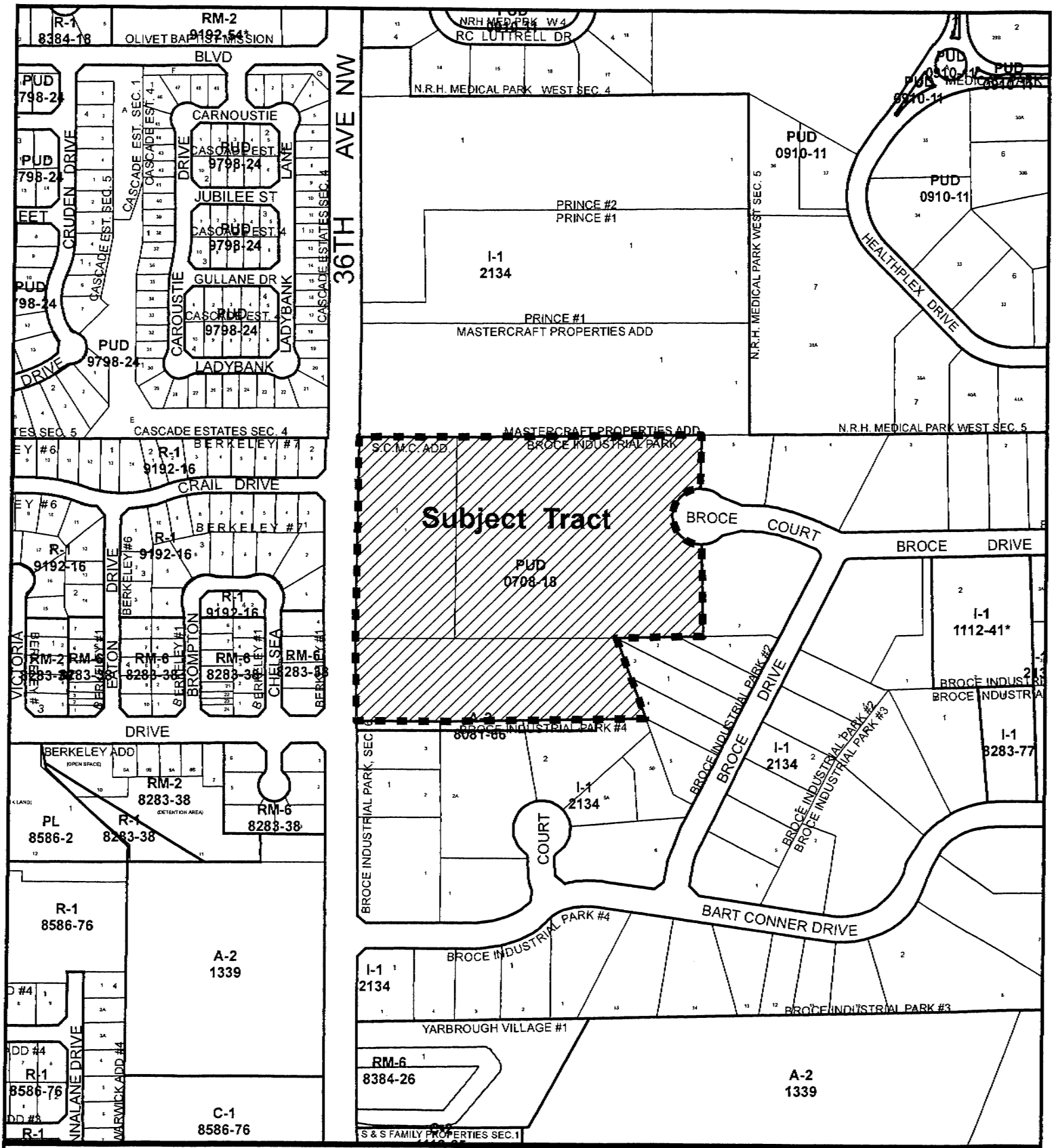
EXHIBIT "C"
OCTOBER, 2013

Mark H. Myers
Landscape Architect
3713 Brookside Road
Edmond, OK 73013

LANDSCAPE SITE PLAN
36th NORTH BUSINESS PARK, P.U.D.
36th AVE. N.W. & ROCK CREEK RD.

SMC Consulting Engineers, P.C.
915 West Wash • Oklahoma City, OK 73106
PH: 405-232-7715 FAX: 405-232-7699

DATE: 10-01-07
DRAWN BY: MM
PROJECT NO.: 4748
SCALE: 1" = 50'
SHEET NO. L-1



Location Map

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

N W E S

August 6, 2013

0 200 400 Ft.

Subject Tract

Zoning

5-12

G:\ArcGIS\10.MapTemplates\8x11_LocationMapArcMap10.mxd

ORDINANCE NO. O-1314-16 ITEM NO. 3a

STAFF REPORT

GENERAL INFORMATION

APPLICANT	36th North Business Park
REQUESTED ACTION	Amendment of the approved uses and the Site Development Plan approved with the Planned Unit Development established by Ordinance No. O-0708-18
EXISTING ZONING	PUD, Planned Unit Development District
SURROUNDING ZONING	North: I-1, Light Industrial East: I-1, Light Industrial South: I-1, Light Industrial West: R-1, Single Family and RM-6, Medium Density Apt.
LOCATION	East side of 36th Avenue N.W. at Crail Drive
SIZE	20.67 acres, more or less
PURPOSE	Mixed Uses; Commercial, Office and Residential
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Warehouse East: Industrial South: Office West: Residential
2025 LAND USE PLAN DESIGNATION	Mixed Use
GROWTH AREA DESIGNATION	Current Urban Service Area

SYNOPSIS: This application is for revisions to an existing Planned Unit Development, PUD approved under Ordinance No. O-0708-18, 36th North Business Park. The applicant is proposing to expand the previously approved uses to include commercial uses on the ground floors of the development where previously commercial was limited to specific areas of the PUD.

ANALYSIS: The particulars of this PUD include:

1. **USE:** This development will consist of a Mixed Use PUD; office, commercial and possible residential uses will be included.

   The west seven acres of the development will continue to be limited to buildings of no greater than two stories, and commercial uses will be restricted to the ground floor with the possibility of residential or office uses on the second floor. There will be one automobile service station permitted within this portion of the development.

   The remaining area will consist of buildings with a maximum height of four stories, with commercial, office and residential uses permitted. Again, commercial uses will be restricted to the ground floor of the buildings.

2. **DESIGN:** The buildings within this development will be similar in design and color. Buildings in the west seven acres must have pitched roofs, minimum 6/12 pitch, and designs compatible with existing residential uses on the west side of 36th Avenue NW and the existing office complex located to the south of the development. Buildings will comply with the current exterior material requirements outlined in the Zoning Ordinance.

3. **OPEN SPACE:** The development has been designed with several open landscaped features.

4. **PARKING:** The PUD acknowledges parking requirements for each use in the development will be met.

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

6. **SIGNAGE:** There are four joint identification signs located at the entry points along 36th Avenue NW. The locations of these signs are approved as part of the Site Development Plan. The allowed square footage for all four signs will be 1,250. The Sign Code allows a maximum of 1,040 but with approximately twenty acres in this development the applicant has requested the additional area to accommodate the multiple businesses. The site will have other wall signs permitted within the development but no other ground signs will be permitted.

OTHER AGENCY COMMENTS

- **PARKS BOARD** The Norman Board of Parks Commissioners recommended fee-in-lieu of land provided that no more than seventeen RM-6 units are developed. Any change from the seventeen units needs to come back to Park Board for review.

- **PUBLIC WORKS** Detention will be provided for storm water run-off on the site. The underground detention has been installed. The detention ponds northeast and southeast of the property have been installed but not completed. Water has been installed but not yet accepted. Interior water lines have been installed per City standards to serve the fire protection. Sanitary sewer is on the property and the interior sewer will be private. There will be a ten foot sidewalk installed along 36th Avenue NW.

- **TRAFFIC** There is a proposed traffic signal at Crail Drive and 36th Avenue NW. The proposed access points along 36th Avenue NW have been reviewed and approved by the Traffic Engineer.

STAFF RECOMMENDATION: This development was previously approved as a PUD and there are no significant changes that will additionally impact the adjacent properties.

Staff recommends approval of Ordinance No. O-1314-16.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

OCTOBER 10, 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 10th day of October 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.

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

* * *

Item No. 1, being:
ROLL CALL

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

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 David Riesland, Traffic Engineer Roné Tromble, Recording Secretary Kathryn Walker, Asst. City Attorney Rick Hoffstatter, GIS Analyst I Terry Floyd, Development Coordinator

* * *

Item No. 3, being:
36TH AVENUE N.W. AT CRAIL DRIVE

3A. O-1314-16 – 36TH NORTH BUSINESS PARK REQUESTS AMENDMENT OF THE PLANNED UNIT DEVELOPMENT CREATED BY ORDINANCE NO. O-0708-18 TO ALLOW AN EXPANSION OF THE COMMERCIAL COMPONENT TO THE ENTIRE DEVELOPMENT, FOR PROPERTY LOCATED ON THE EAST SIDE OF 36TH AVENUE N.W. AT CRAIL DRIVE.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. PUD Narrative
4. Preliminary Plat
5. Preliminary Site Plan
6. Landscape Site Plan

3B. PP-1314-6 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY 36TH NORTH BUSINESS PARK, A PUD, (SMC CONSULTING ENGINEERS, P.C.) FOR 36TH NORTH BUSINESS PARK, A PLANNED UNIT DEVELOPMENT, FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 36TH AVENUE N.W. APPROXIMATELY ONE-HALF MILE NORTH OF WEST ROCK CREEK ROAD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Preliminary Site Plan
6. Pre-Development Summary
7. Greenbelt Commission Comments

PRESENTATION BY STAFF:
1. Jane Hudson – The application before you is an amendment of a Planned Unit Development that was approved with Ordinance No. O-0708-18. This is the subject tract; it is already zoned as a Planned Unit Development. There is industrial around the north, east, and south sides. We have some RM-6 and R-1 to the west. The existing land use is the industrial, of course, around the north, east and south, with the residential on the west. The purpose for this is to change the previous Planned Unit Development. Under the previous PUD the commercial uses were permitted on the west 7 acres of the development only for the ground floors; with this revision they will allow commercial uses in all the buildings on the ground floors only. Staff does support the request for Ordinance No. O-1314-16. I'd be happy to answer any questions. The applicant's representative is here as well.

PRESENTATION BY THE APPLICANT:
1. Tom McCaleb, SMC Consulting Engineers, representing the applicant – As Jane said, you've seen this before, almost in the same form. The only difference is the west 6 acres previously had commercial as a use allowed on the bottom floor and the rest of it did not have commercial. This application is adding commercial as a possibility on the rest of it on the bottom floor only. The site plan has not changed. No buildings have been changed. No grading has been changed. This project was approved and we started work previously. We have put in some of the infrastructure already, like water, underground detention, and done some grading. This is essentially the same application with that change. I'd be glad to respond to any questions.

AUDIENCE PARTICIPATION:
None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Jim Gasaway moved to recommend adoption of Ordinance No. O-1314-16, and PP-1314-6, the Preliminary Plat for 36th NORTH BUSINESS PARK, A Planned Unit Development, to City Council. Dave Boeck seconded the motion.

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

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

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-1314-16, and Preliminary Plat No. PP-1314-6 to City Council, passed by a vote of 6-0.

* * *

City of Norman, OK

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

Master

File Number: O-1314-17

File ID:	O-1314-17	**Type:**	Zoning Ordinance	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 6	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	09/11/2013
File Name:	Zain Fuel Special Use			**Final Action:**	

Title: CONSIDERATION OF ORDINANCE NO. O-1314-17 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 REMOVE LOTS 5 AND 6, BLOCK 23, AMENDED PLAT OF BLOCKS 19 AND 23 OF CLASSEN-MILLER ADDITION FROM THE C-1, LOCAL COMMERCIAL DISTRICT, AND PLACE THE SAME IN THE C-2, GENERAL COMMERCIAL DISTRICT, AND TO GRANT SPECIAL USE FOR A MIXED BUILDING IN THE C-2, GENERAL COMMERCIAL DISTRICT, FOR LOTS 1, 2, 3, 4, 5 AND 6, BLOCK 23, AMENDED PLAT OF BLOCKS 19 AND 23 OF CLASSEN-MILLER ADDITION TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1226 CLASSEN BOULEVARD)

Notes: ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1314-17 upon First Reading by title.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 6

Attachments: Text File O-1314-17 first reading.pdf, O-1314-17, Site Plan Zain Fuel, Location Map, Staff Report, Zain Fuel Renderings.pdf, Predevelopment Zain Fuel, 10-10-13 PC Minutes

Project Manager: Janay Greenlee, Planner II

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	10/10/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	11/12/2013		Pass

Action Text: A motion was made by Commissioner Sherrer, seconded by Commissioner Gordon, that this Zoning Ordinance be Recommended for Adoption at a subsequent City Council Meeting to the City Council , due back on 11/12/2013. The motion carried by the following vote:

Text of Legislative File O-1314-17

Body

SYNOPSIS: The applicant is seeking to rezone the northwest corner of Classen Boulevard and Boyd Street, 1226 Classen Boulevard. Currently the site has two different zoning designations. The northern two lots, Lots 5 and 6 of Block 23, are currently designated C-1, Local Commercial District with Special Use for "Residential Use". The southern four lots, Lots 1 through 4 of Block 23, are currently designated C-2, General Commercial District with Special Use for a "Residential Use". With this application the applicant is requesting C-2, General Commercial District with Special Use for a Mixed Building for the entire site. The correct special use zoning designation for the site should be "Mixed Building" not "Residential Use". This request will allow the upper floor on each end of the building to be used for a residential use.

ANALYSIS: In March of 2010, the applicant requested the use of an apartment be permitted on the west end of the existing convenience store at this site. That rezoning request was approved with Ordinance No. O-0910-20. With that approval the west end of the convenience store was expanded for a second retail use and a second floor was added for the residential component. That Special Use was tied to the site plan which showed only one residential unit. The applicant now seeks to maximize use of the entire site. This application is for approval of a second expansion of the convenience store for retail use, this time on the east side, with a second residential unit on the upper floor. This proposal is to expand with the same use and architectural style as on the west portion of the site that was approved in March of 2010. The proposed addition will be approximately 800 square feet of retail space on the ground floor with a residential unit of the same size on the upper floor. The new retail space will be the site for the existing liquor store currently on the west end. The area where the liquor store is currently will become a storage area for the convenience store. The applicant received a variance from the Board of Adjustment to allow for a decrease in the required parking by one space; the parking will be expanded slightly and will be adequate for the allowed uses on site. Additionally, this site has access off both Classen Boulevard directionally heading north and south and off Boyd Street directionally heading east and west, which allows for adequate traffic circulation. Overall, this property is able to support the expansion of the building without creating adverse effects on surrounding property owners and will not negatively affect traffic in the immediate vicinity.

OTHER AGENCY COMMENTS:

□ **PARK BOARD** Park land dedication is not required for a commercial development.

□ **PUBLIC WORKS** This parcel is platted as part of the Amended Plat of Blocks 19 and 23 of Classen Miller Addition therefore no public improvements are required.

STAFF RECOMMENDATION: Staff recommends approval of Ordinance No. O-1314-17 for rezoning to C-2, General Commercial District and Special Use for a Mixed building on Lots 1 through 6, Block 23 of Amended Plat of Blocks 19 and 23 of Classen Miller Addition.

At their meeting of October 10, 2013, the Planning Commission recommended adoption of this ordinance by a vote of 6-0.

O-1314-17

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 REMOVE LOTS 5 AND 6, BLOCK 23, AMENDED PLAT OF BLOCKS 19 AND 23 OF CLASSEN-MILLER ADDITION FROM THE C-1, LOCAL COMMERCIAL DISTRICT, AND PLACE THE SAME IN THE C-2, GENERAL COMMERCIAL DISTRICT, AND TO GRANT SPECIAL USE FOR A MIXED BUILDING IN THE C-2, GENERAL COMMERCIAL DISTRICT, FOR LOTS 1, 2, 3, 4, 5, AND 6, BLOCK 23, AMENDED PLAT OF BLOCKS 19 AND 23 OF CLASSEN-MILLER ADDITION TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.
(1226 Classen Boulevard)

§ 1. WHEREAS, Zain Fuel, Inc., the owners of the hereinafter described property, have made application to have Lots 5 and 6, Block 23, AMENDED PLAT OF BLOCKS 19 AND 23 OF CLASSEN-MILLER ADDITION removed from the C-1, Local Commercial District, and placed in the C-2, General Commercial District; and has requested Special Use for a Mixed Building in the C-2, General Commercial District for Lots 1 through 6, Block 23, AMENDED PLAT OF BLOCKS 19 AND 23 OF CLASSEN-MILLER ADDITION; and

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

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

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

§ 4. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to remove the following described property from the C-1, Local Commercial District, and to place the same in the C-2, General Commercial District, to wit:

Lots 5 and 6, Block 23, AMENDED PLAT OF BLOCKS 19 AND 23 OF CLASSEN-MILLER ADDITION to Norman, Cleveland County, Oklahoma.

§ 5. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to grant Special Use for a Mixed Building in the C-2, General Commercial District, to wit:

Lots 1, 2, 3, 4, 5, and 6, Block 23, AMENDED PLAT OF BLOCKS 19 AND 23 OF CLASSEN MILLER ADDITION to Norman, Cleveland County, Oklahoma.

§ 6. Further, pursuant to the provisions of Section 22:434.1 of the Code of the City of Norman, as amended, the following conditions are hereby attached to the zoning of the tract:

a. The site shall be developed in accordance with the Site Plan (Exhibit A), and supporting documentation submitted by the applicant and approved by the Planning Commission on October 10, 2013.

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

ADOPTED this _____ day of

_____, 2013.

_____
(Mayor)

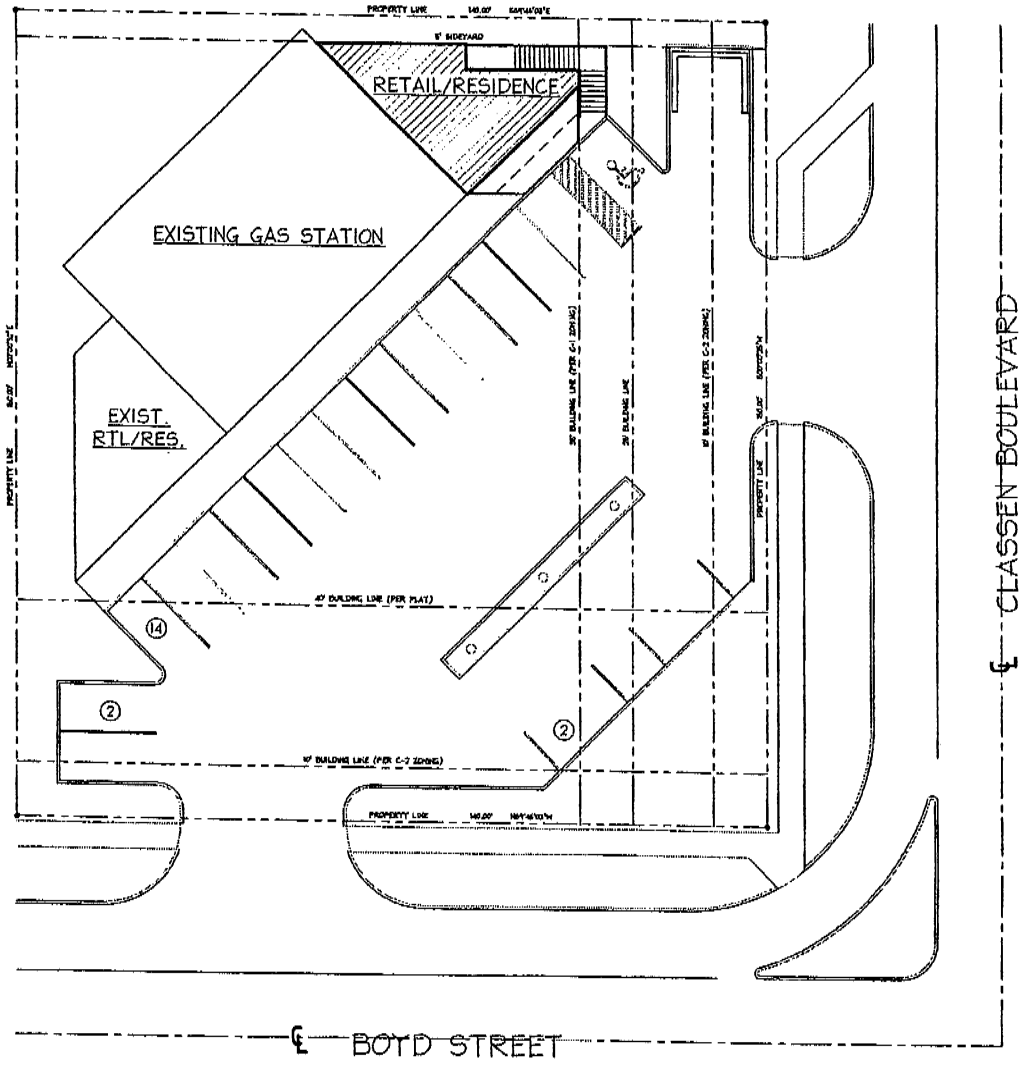
NOT ADOPTED this _____day of

_____, 2013.

_____
(Mayor)

ATTEST:

_____
(City Clerk)



1 SITE PLAN

KRITTENBRINK
Architecture LLC
ARCHITECTURE
PLANNING
INTERIORS

ZAIN FUEL
ADDITION

MARK	DATE	DESCRIPTION
REVISIONS		

PRIMARY ISSUE		
MARK	DATE	DESCRIPTION
0	05-06-09	PERMIT ISSUE
1	06-05-09	BID ISSUE
2	09-09-09	CONST. ISSUE

NOT FOR CONSTRUCTION

09.09.19

JOB NO.: K1513

DRAWN BY	CHECKED BY
BDL	MJK

SHEET TITLE
SITE PLAN

SHEET NO.
A101

Location Map

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

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September 10, 2013

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Subject Tract

Zoning

ORDINANCE NO. O-1314-17 ITEM NO. 4

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Zain Fuel, Inc.
REQUESTED ACTION	Rezoning lots 5 and 6 of Block 23 from C-1 to C-2 and a Special Use for a Mixed Building for lots 1-6, Block 23
EXISTING ZONING	C-1, Local Commercial and C-2, General Commercial with Special Use for a Mixed Building
SURROUNDING ZONING	North: R-3, Multi-Family East: R-3, Multi-Family South: C-1, Local Commercial West: PUD
LOCATION	1226 Classen Boulevard
SIZE	.5 acre
PURPOSE	Expanding the mixed building, for a total of two residential units above a retail establishment
EXISTING LAND USE	Mixed building with a residential unit above a retail establishment
SURROUNDING LAND USE	North: Medium Density Residential East: High Density Residential South: Commercial West: High Density Residential
LAND USE PLAN DESIGNATION	Commercial

SYNOPSIS: The applicant is seeking to rezone the northeast portion of the property, lots 5 and 6, from C-1 to C-2 with a Special Use for a mixed building to allow residential units above retail space. Currently this site has two zoning categories C-1 and C-2 with a Special Use; there is a convenience store in the center of the development with a mixed building attached to the southwest portion of the convenience store. The applicant seeks to maximize use of all the lots and requests the entire property possess the same zoning and special use for a mixed building which allows commercial on the first floor with residential above. Currently lots 1-4 are zoned C-2 with a special use for residential use; the applicant essentially is requesting that the entire property possess the same zoning, C-2 with a Special Use for a Mixed Building.

ANALYSIS: The applicant is requesting a rezoning from C-1 to C-2 with a Special Use for a Mixed Building; this will permit the entire property to possess the same zoning and special use to allow retail on the lower level and residential above on the northeast side of the convenience store. There will be retail space below and a residential unit above that will access through a staircase located outside the building on the northeast side. This proposal is to expand the mixed building with the same use and architectural style as the existing building on the southwest portion of the parcel that was approved in 2010. Currently existing there is approximately 715 sq. ft. of retail on the ground level and 715 sq. ft. of residential above with the convenience store in the center of the site. The proposed addition will be comprised of approximately 800 sq. ft. of retail space on the ground level with a residential component of the same size on the upper level. The additional retail space will be the new site for the liquor store and the existing liquor store will become a storage component for the mixed building. Thus, the entire property will consist of the same zoning and special use for a mixed building with residential above and retail below. The existing convenience store in the center of the development will remain as is. The applicant received a variance from the Board of Adjustment to allow a decrease in one parking space; the existing parking is adequate for the allowed uses and one less will not create an adverse impact on available parking access. Additionally, this entire site has egress/ingress off both Classen Boulevard directionally heading north and south and off Boyd St. directionally heading east and west which allows for good traffic circulation. Overall, this property is able to support the expansion of the mixed building without creating adverse effects on surrounding property owners and will not negatively affect traffic in the immediate vicinity.

OTHER AGENCY COMMENTS:

- **PARK BOARD** Park land dedication is not required for a commercial development.

- **PUBLIC WORKS** This parcel is platted as part of the Classen Miller subdivision therefore no public improvements are required.

STAFF RECOMMENDATION: Staff recommends approval of O-1314-17 for rezoning from C-1 to C-2 for lots 5 and 6 and a Special Use for a Mixed Building for lots 1-6.

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uel Addition/Renovation
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Applicant Zain Fuel, Inc.

Location 1226 Classen

Case Number PD 13-26

Time 7:00 PM

Attendee	Stakeholder	Address	email	phone
Shawn Lorg	Applicant's architect	Krittenbrink Architecture	shawn@krittenbrinkarchitecture.com	579-7883
Brett Bowers	Neighbor	520 E Boyd	Bsquared@cox.net	210-0206
Ken Danner	Public Works			366-5458
Leah Messner	City Attorney's office			217-7748
Susan Atkinson	City Facilitator			366-5392
Jane Hudson	Principal Planner			366-5344
Janay Greenlee	Planner II			366-5437
Terry Floyd	City Mgr's Office			366-5446

Application Summary. The applicants are seeking C-2 zoning with a Special Use Permit for a mixed use building. The parcel's current zoning is C-1/C-2. The current *Norman 2025 Land Use Plan* designation is Commercial.

Applicant's Opportunity. The applicant owns a convenience store at the northwest corner of Classen Blvd and Boyd Street. In 2010 he added a similar mixed-use component to the west corner of the building. He is seeking to add another mixed use component to the east side. The addition would be approximately 800 sf of retail space on the ground floor with comparably sized residential space above.

Neighbors' Questions/Comments. Neighboring property owner in attendance expressed concern about the quality of construction on the previous addition and hoped that the new addition would be higher quality construction. He stated that he had no objection to the proposal as presented.

Staff Comment. Staff commented that the previous addition had been inspected by City building inspectors and had received a Certificate of Occupancy as is required by City ordinance.

Applicant's architect's response. Applicant's architect stated that his firm was not the designer of the previous addition. He agreed that the previous addition's quality seemed poor. He stated that in addition to design services his architecture firm would provide contract administration during the addition's construction to ensure that the new construction would be built as designed and would meet all City codes.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

OCTOBER 10, 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 10th day of October 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.

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

* * *

Item No. 1, being:
ROLL CALL

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

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 David Riesland, Traffic Engineer Roné Tromble, Recording Secretary Kathryn Walker, Asst. City Attorney Rick Hoffstatter, GIS Analyst I Terry Floyd, Development Coordinator

* * *

Item No. 4, being:
O-1314-17 – ZAIN FUEL, INC. REQUESTS REZONING FROM C-1, LOCAL COMMERCIAL DISTRICT, TO C-2, GENERAL COMMERCIAL DISTRICT, FOR LOTS 5 AND 6, BLOCK 23, CLASSEN-MILLER ADDITION AND APPROVAL OF A SPECIAL USE FOR A MIXED BUILDING IN THE C-2, GENERAL COMMERCIAL DISTRICT, FOR LOTS 1-6, BLOCK 23, CLASSEN-MILLER ADDITION, FOR PROPERTY LOCATED AT 1226 CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Site Plan
4. Renderings
5. Pre-Development Summary

PRESENTATION BY STAFF:
1. Janay Greenlee – As you said, it's a request for rezoning C-1, Local Commercial, to C-2 with a Special Use for a Mixed Building. The existing zoning is C-2 on Lots 1 through 4, and Lots 5 and 6 are currently C-1. They're requesting to go to C-2, with a Special Use for Lots 1 through 6. The existing zoning in the vicinity is R-3 to the east and the north, C-1 to the south, and PUD just to the west. That's the existing land use. That is looking at the site to the west as it is now, the mixed building to the south. That is where the proposed new mixed use building would go to the northeast side of the existing convenience store; the dumpster will be relocated. There are apartments across the street to the east. They are seeking to extend the Special Use through the entire parcel. That is the site plan with the proposed residential/retail on that northeast portion with the retail below and one residence above. I'd be happy to answer any questions.

PRESENTATION BY THE APPLICANT:
1. Mark Krittenbrink, 428 W. Eufaula, representing the applicant – It's pretty straight-forward. I'd be happy to answer any questions anybody has.

2. Mr. Sherrer – In the Pre-Development meeting it was discussed about the quality of the previous construction and some of the things that this particular phase – I think it was listed as the applicant's architect – I don't know who that was exactly. Talk a little bit about that and what you perceive being different.

3. Mr. Krittenbrink – I think the owner feels that he was given some bad information and construction took a long time to complete for what was essentially a pretty simple addition to the end of the building. So what we've tried to do, it's a much more solid construction technique. You can also see that we're doing a facelift to the front of the existing convenience store and tying in that addition that they made at the south end about two or three years ago now. Just trying to tie it in and make it a more cohesive project. I think you can tell that there's an addition done to the south end. So our goal is to kind of unify it all and create a little bit more of an architectural interest.

AUDIENCE PARTICIPATION:
None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Andy Sherrer moved to recommend adoption of Ordinance No. O-1314-17 to City Council. Cindy Gordon seconded the motion.

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

YEAS	Jim Gasaway, Andy Sherrer, Cindy Gordon, Dave Boeck, Tom Knotts, Chris Lewis
NAYS	None

ABSENT Curtis McCarty, Roberta Pailes, Sandy Bahan

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-1314-17 to City Council, passed by a vote of 6-0.

* * *

City of Norman, OK

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

Master

File Number: O-1314-20

File ID:	O-1314-20	**Type:**	Zoning Ordinance	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 7	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	09/11/2013
File Name:	1418 George Rezone			**Final Action:**	

Title: CONSIDERATION OF ORDINANCE NO. O-1314-20 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 REMOVE LOTS 41 AND 42, BLOCK 5, HARDIE RUCKER ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, AND PLACE THE SAME IN THE R-2, TWO-FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1418 GEORGE AVENUE)

Notes: ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1314-20 upon First Reading by title.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 7

Attachments: Text File O-1314-20 first reading.pdf, O-1314-20, Location Map, Staff Report, 1418 George Site Plan, 10-10-13 PC Minutes

Project Manager: Janay Greenlee, Planner II

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	10/10/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	11/12/2013		Pass

Action Text: A motion was made by Commissioner Boeck, seconded by Commissioner Sherrer, that this Zoning Ordinance be Recommended for Adoption at a subsequent City Council Meeting to the City Council , due back on 11/12/2013. The motion carried by the following vote:

Text of Legislative File O-1314-20

Body

SYNOPSIS: The applicant is requesting a rezoning from R-1, Single Family Dwelling District, to R-2,

Two-Family Dwelling District. The proposal is to attach an additional unit on the west side of the existing single family dwelling unit, creating a duplex on the lot.

ANALYSIS: The current site has a single family dwelling unit; this site abuts the northwest corner lot at the corner of George Avenue and Stinson Street. The abutting lot to the south of this subject tract was recently rezoned from R-1, Single Family Dwelling District to R-2, Two-Family Dwelling District for a duplex. The proposal for this subject tract is to attach a single story unit on the west side of the existing structure to create a duplex. The site requires rezoning to allow a duplex as opposed to the single family dwelling unit. The applicant completed a Lot Line Adjustment to acquire some additional square footage from the lot to the south to meet the minimum requirement of 7,000 square feet for the R-2, Two-Family Dwelling District. The access for the new unit will be on the south side of the lot. Access for the existing structure will remain as is, on the north side of this lot. These two abutting properties will share a cross-access between the lots to protect the driveway access and curb cuts. This use is compatible with existing zoning to the east and south; there are duplexes to the immediate southeast and directly east is commercial and multi-family. The general infrastructure in the immediate area is adequate to support a duplex especially with the widening of Lindsey Street to the north, installation of the traffic signal at Lindsey Street and George Avenue, as well as the newly installed traffic signal at Stinson Street and Jenkins Avenue.

OTHER AGENCY COMMENTS:

□ **PARK BOARD** Park land dedication is not required for an existing platted lot.

□ **PUBLIC WORKS** This is an existing platted lot in the Hardie-Rucker Addition. There will be no additional public improvements required.

RECOMMENDATION: Staff recommends approval of Ordinance No. O-1314-20 based on new development, increased infrastructure and approximate location to multi-family dwelling units in the general vicinity.

At their meeting of October 10, 2013, the Planning Commission recommended approval of Ordinance No. O-1314-20 by a vote of 6-0.

O-1314-20

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 REMOVE LOTS 41 AND 42, BLOCK 5, HARDIE RUCKER ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, AND PLACE THE SAME IN THE R-2, TWO-FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1418 George Avenue)

§ 1. WHEREAS, Bill Woods has made application to have the subject property removed from the R-1, Single Family Dwelling District, and placed 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 remove the following described property from the R-1, Single Family Dwelling District, and to place the same in the R-2, Two-Family Dwelling District, to wit:

Lots 41 and 42, Block 5, HARDIE RUCKER ADDITION, Norman, Cleveland County, Oklahoma. Said tract contains 0.159 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)

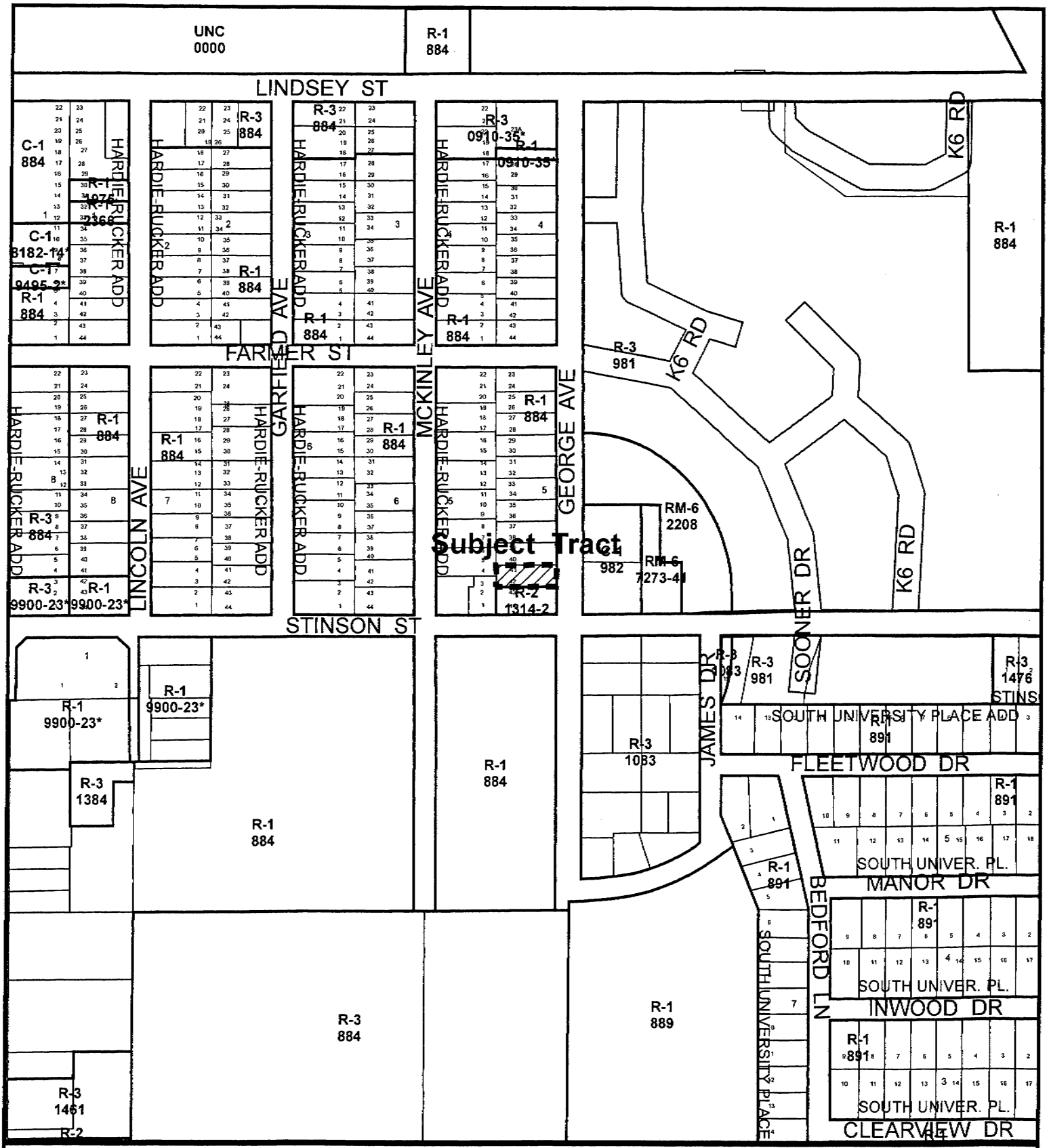
NOT ADOPTED this _____day of

_____, 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.

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September 10, 2013

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Subject Tract

Zoning

7-2

ORDINANCE NO. O-1314-20 ITEM NO. 6b

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Bill Woods
REQUESTED ACTION	Rezoning to R-2, Two-Family Dwelling District
EXISTING ZONING	R-1, Single Family Dwelling District
SURROUNDING ZONING	North: R-1, Single Family Dwelling East: C-1, Local Commercial South: R-2, Two-Family Dwelling West: R-1, Single Family Dwelling
LOCATION	1418 George Avenue
SIZE	0.159 acres, more or less
PURPOSE	Single Family Home with an addition to create a duplex
EXISTING LAND USE	Single Family Dwelling
SURROUNDING LAND USE	North: Low Density Residential East: Commercial and Medium Density Residential South: Medium Density Residential West: Low Density Residential
LAND USE PLAN DESIGNATION	Low Density Residential

SYNOPSIS:
The applicant is requesting rezoning from R-1, Single Family Dwelling District, to R-2, Two-Family Dwelling District, to develop a duplex. The proposal is to attach an additional unit on the west side of the existing single family dwelling unit. The new dwelling unit will be located on the west side of the existing structure. The driveway for the existing structure will remain to serve the existing residence. The additional unit will share driveway access through a cross-access agreement with the adjoining lot to the south.

ANALYSIS:
The current site is a single family residence that abuts the corner lot to the south which recently has been rezoned to R-2 and proposed for a duplex. The proposal for this site is to attach a single story unit on the west side of the existing structure to form a duplex. The new addition is proposed in the rear yard. The applicant requires rezoning to allow a two-family dwelling unit on the parcel. The applicant is in the process of obtaining a lot line adjustment to combine lots 41 and 42 of block 5 in the Hardie-Rucker Addition and moving the lot line two feet to the south to meet the 7,000 sq. ft. area regulation requirement in R-2 for a duplex. The egress/ingress for the new unit will be on the south side of the existing and proposed structure. The abutting properties will share a cross-access agreement to protect the driveway access. This use is compatible with existing zoning in the general vicinity; there are duplexes to the immediate southeast and directly east is commercial and multi-family. The general infrastructure in the immediate area is adequate to support a duplex especially with the widening of Lindsey Street to the north and the newly installed traffic control signal at Stinson and Jenkins.

RECOMMENDATION: Staff recommends approval of Ordinance No. O-1314-20 based on new development, increased infrastructure and approximate location to multi-family dwelling units in the general vicinity.

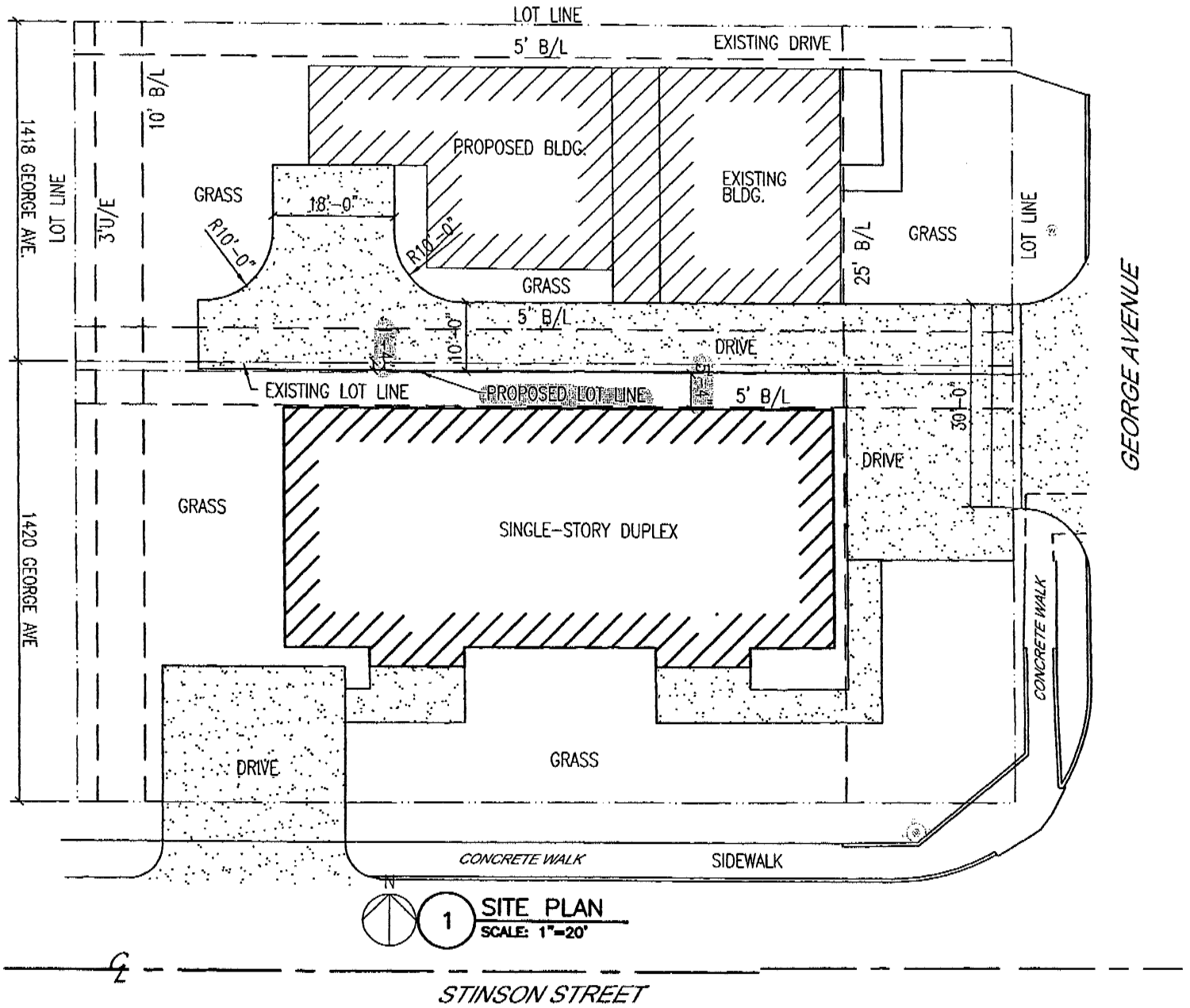
GENERAL NOTES:

EXISTING
1. ADDRESS: 1420 GEORGE AVE
2. LOT 43 AND 44, BLOCK 5, HARDIE RUCKER ADDITION
3. LOT SIZE: 8,997.94 SQ. FT.

4. ADDRESS: 1418 GEORGE AVE
5. LOT 41 AND 42, BLOCK 5, HARDIE RUCKER ADDITION
6. LOT SIZE: 6,937.50 SQ. FT.

PROPOSED
7. ADDRESS: 1420 GEORGE AVE
8. LEGAL: LOT
9. LOT SIZE: 8,812.94 SQ. FT.

10. ADDRESS: 1418 GEORGE AVE
11. LEGAL:
12. LOT SIZE: 7,122.50 SQ. FT.



NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

OCTOBER 10, 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 10th day of October 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.

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

* * *

Item No. 1, being:
ROLL CALL

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

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 David Riesland, Traffic Engineer Roné Tromble, Recording Secretary Kathryn Walker, Asst. City Attorney Rick Hoffstatter, GIS Analyst I Terry Floyd, Development Coordinator

* * *

Item No. 6, being:
1418 GEORGE AVENUE

6A. RESOLUTION NO. R-1314-45 – BILL WOODS REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM LOW DENSITY RESIDENTIAL DESIGNATION TO MEDIUM DENSITY RESIDENTIAL DESIGNATION FOR PROPERTY LOCATED AT 1418 GEORGE AVENUE.

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

6B. ORDINANCE NO. O-1314-20 – BILL WOODS REQUESTS REZONING FROM R-1, SINGLE FAMILY DWELLING DISTRICT, TO R-2, TWO-FAMILY DWELLING DISTRICT, FOR PROPERTY LOCATED AT 1418 GEORGE AVENUE.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Site Plan

PRESENTATION BY STAFF:
1. Janay Greenlee – Norman 2025 Land Use and Transportation Plan from Low Density Residential to Medium at 1418 George Avenue. This is the existing land use – we have commercial to the east, we have open space/parkland/soccer field to the south, also Madison School. We have low density residential to the north and to the west. That is the proposed site, going from low density to medium density residential. Also rezoning from R-1 to R-2, Two-Family Dwelling. This is the subject tract and existing zoning is R-1, with R-2 just recently had been rezoned to the south – the adjoining property to the south. The existing land use – low density residential and medium density residential to the east and open space to the south. This is the existing site; this is the single-family home at 1418 George Avenue. The existing driveway at this site will remain for the unit that will be in the front. The existing house will remain. To the east is the OU architectural model shop and also a convenience store with a gas station directly to the east. Again, to the south is Madison Elementary and the open space directly to the south. This is new site of the proposed which had just recently gone through and has a permit for a duplex at this site that will adjoin the proposed duplex that will be just to the north of it. This is the site plan. Single story duplex that is currently getting underway with construction, just recently approved. It will share a driveway with the new addition just to the north. I'd be happy to answer any questions. Staff does recommend approval of the land use change and the rezoning.

PRESENTATION BY THE APPLICANT:
1. Gene Lavastida, 1730 Oakwood Drive, representing the applicant, was available to answer questions.

AUDIENCE PARTICIPATION:
None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:
Dave Boeck moved to recommend adoption of Resolution No. R-1314-45 and Ordinance No. O-1314-20 to City Council. Andy Sherrer seconded the motion.

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

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

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1314-45 and Ordinance No. O-1314-20 to City Council, passed by a vote of 6-0.

* * *

City of Norman, OK

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

Master

File Number: AP-1314-11

File ID:	AP-1314-11	**Type:**	Appointment	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 8	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**		**File Created:**	10/18/2013
File Name:	Appointments			**Final Action:**	

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

NORMAN REGIONAL HOSPITAL AUTHORITY
TERM: 11-12-13 TO 10-31-16: DR. JERRY WEBER, #5 PEBBLECREEK ROAD
TERM: 11-12-13 TO 10-31-16: JOAN GREENLEAF, 2602 SOUTH PICKARD AVENUE
TERM: 10-31-13 TO 10-31-16: DON SHERMAN, 3128 ST. CLAIR COMMON

Notes: ACTION NEEDED: Motion to confirm or reject the appointments.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 8

Attachments: Text File Appointments.pdf

Project Manager: Brenda Hall, City Clerk

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File AP-1314-11

Body

INFORMATION: In accordance with the Mayor's request, the above-described item is submitted for City Council's consideration. Dr. Jerry Weber will replace Jeff Burcham; Joan Greenleaf will replace Ann Way; and Don Sherman is a reappointment.

City of Norman, OK

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

Master

File Number: RPT-1314-26

File ID:	RPT-1314-26	**Type:**	Communication or Report	**Status:**	Consent Item
Version:	2	**Reference:**	Item No. 9	**In Control:**	City Council
Department:	Finance Department	**Cost:**		**File Created:**	10/17/2013
File Name:	UNP TIF Oversight Committee Annual Report			**Final Action:**	

Title: SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE DEVELOPMENT OVERSIGHT COMMITTEE FOR TIF DISTRICT NO. 2 ANNUAL REPORT FOR THE PERIOD JULY 1, 2012, TO SEPTEMBER 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: 11/12/2013

Agenda Number: 9

Attachments: Text File TIF Oversight.pdf, UNP TIF Oversight Committee Annual Report Sept 2013

Project Manager: Clint Mercer, Chief Accountant

Entered by: clint.mercer@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-1314-26

Body

BACKGROUND: On April 10, 2007, the City Council approved Resolution No. R-0607-95 establishing a Development Oversight Committee for Tax Increment Finance (TIF) District Number Two. The purpose of this University North Park (UNP) TIF Oversight Committee is to "oversee the implementation of the Project Plan (Ordinance O-0506-66) on behalf of the City Council by making recommendations regarding (1) use of revenues and expenditures other than traffic, roadway and utility improvements; (2) material modifications of the Project Plan; and (3) material changes in the Design Guidelines". The Oversight Committee is also directed by the UNP TIF Master Operating and Development Agreement (Contract K-0607-44) "prior to any authorization for expenditures by the City for costs other than Initial Project Activity Costs....to evaluate whether the proposed expenditures are consistent with the Project Plan and shall report its determination to the City Council."

DISCUSSION: The UNP TIF Oversight Committee met periodically throughout the period July 1, 2012 to September 30, 2013 and reviewed the Council/NUA actions related to the expenditure of the authorized funds. An Annual Report for this period is presented for Council acceptance.

RECOMMENDATION: It is recommended that the Council/NUA accept the UNP TIF Oversight Committee's

Annual Report for the period July 1, 2012 to September 30, 2013.

THE CITY OF NORMAN
TIF #2 OVERSIGHT COMMITTEE
(UNIVERSITY NORTH PARK TIF)
ANNUAL REPORT
FOR THE PERIOD JULY 1, 2012-SEPTEMBER 30, 2013

The City of Norman Tax Increment Finance District (TIF) Number Two Oversight Committee (University North Park TIF) ("Oversight Committee") was established by the City Council on April 10, 2007 to "oversee the implementation of the Project Plan on behalf of the City Council...shall make recommendations on (1) the use of revenues and expenditures other than traffic, roadway, and utility improvements; (2) material modifications of the master plan; and (3) material changes in the design guidelines." There are nine committee members, with terms expiring as follows:

Hal Ezell, April 10, 2014
Fred Walden, April 10, 2014
Michael Givel, April 10, 2014
Clint Williams, April 10, 2015
Dr. Joe Siano, April 10, 2015
Janese Shepard, April 10, 2015
Ted Smith, April 10, 2016
Harold Haralson, April 10, 2016
Heath Hans, April 10, 2016

The Oversight Committee will continue in existence until the Project Plan has been determined to be completed.

The Project Plan (adopted May 23, 2006; Ordinance O-0506-66), as amended (August 26, 2008; Ordinance O-0809-8), establishes these project categories and estimated costs:

1. a. Traffic and Roadway Improvements	10,500,000
b. Legacy Park	7,500,000
c. Engineering, Legal & Other Professional Fees	1,750,000
d. Contingency	1,975,000
2. a. Conference Center & Cultural Facilities	7,500,000
b. Contingency	750,000
3. a. Rock Creek Overpass of I-35	7,500,000
b. Contingency	750,000
4. a. Lifestyle Center	7,500,000
b. Contingency	750,000
5. a. Economic Development	7,500,000
b. Contingency	750,000
Total Project Costs	**54,725,000**

The Oversight Committee has been reviewing documents and meeting since May 2007. Significant items discussed and reviewed over the reporting period include the following:

UNP Debt Refinancing

The Norman Tax Increment Finance Authority (NTIFA) approved a Resolution (R-1213-26) and related documents to refinance the outstanding indebtedness (2009 NTIFA Notes) placed with UNP Realty Investors, with a privately-placed Tax Apportionment Note purchased by Branch Banking and Trust Company (BB&T). The 2009 Notes and the 2013 Refunding Notes primarily pay for the costs of constructing the Rock Creek Overpass, I-35 Frontage Road extension, and Legacy Park. The TIF Oversight Committee was briefed throughout the NTIFA's consideration of the refunding proposal and recommended its approval. The 2013 NTIFA Notes, in the total amount of $14,215,000, have a fixed interest rate of 3.81% over a ten-year maximum maturity, with the flexibility to pre-pay the outstanding principal after five years. The refunding will also give the City Council and NTIFA Trustees the ability to use TIF revenues above the amount required to meet annual debt service payments for approved Project Plan purposes (the Lender on the 2009 Notes required the NTIFA/Council to gain Lender approval for the use of any TIF revenues).

UNP Building Construction and Business Openings

The UNP TIF Oversight Committee was briefed at several meetings on the progress of commercial developments that have occurred within University North Park during the reporting period. The pace of commercial development in the UNP District has accelerated as the national retail economy has improved over the last year. New businesses such as Home Goods, Designer Shoe Warehouse, Zoe's Café and Michael's (relocated from another location in Norman) have opened in recent months, and a new Holiday Inn Hotel, Crest Market and Ashley Furniture Outlet are expected to open in the near future. These businesses will contribute to the sales and property tax apportionment revenues available to pay for future Project Plan expenses, and/or to pay down the outstanding debt early.

Lifestyle/Village Center Design Update

The Committee was updated by the UNP developer on plans for the "Lifestyle Center" or "Village Center" area, to be constructed east of 24th Avenue on an extension of Legacy Park Drive. A presentation of the planned "iconic entry" and signage were well-received by the Committee.

Economic Development Project Updates

The committee was updated on plans for the University North Park Corporate Centre and University North Park Advanced Manufacturing Center by the developer, Norman Economic Development Coalition. The Committee remains ready to consider more developed plans in this area.

Legacy Park

Throughout the last year, the Committee has reviewed and endorsed plans for the development of Legacy Park. The Committee has encouraged the completion of Legacy Park, and the portions of Legacy Trail that traverse the University North Park area (Legacy Trail proceeds north on the east side of 24th Avenue NW from Robinson to Rock Creek Road, and crosses the Rock Creek Overpass westbound). Extensive Committee discussion was held of the construction plans, bids and ultimately of the potential add-alternative contract items. The Committee recommended that all of the alternative bid items to enhance the "main" park area be adopted by the Council. The Committee passed a statement recommending that the City Council add dressing room facilities closer to the Legacy Park Amphitheater Stage than the restroom facility to be constructed in the Park. The City Council discussed this recommendation, but did not act on it, due to cost, space and infrastructural limitations.

The Committee received data on the construction bids for Legacy Park and recommended that the low bid be awarded with several alternative bid items added. These recommendations were ultimately adopted by the City Council in the award of the construction bid.

At various points in time, the Committee held discussion of the detention pond facility immediately north of Legacy Park. One of the add-alternate items for the Legacy Park construction contract was to make landscaping improvements to this detention facility. The Committee agreed that such improvements should either be delayed or paid for by the UNP developer. Committee Members also raised questions about the impact of drainage from the detention facility on downstream water quality in the Little River watershed, but were informed that the detention facility (and UNP as a whole) would drain to the South Canadian River watershed.

The Committee also discussed the plantings to be installed in Legacy Park and their ability to survive in the Oklahoma environment. A presentation was made to the Committee by a botany professor from the University of Oklahoma on this topic. The Committee ultimately endorsed the landscaping designs previously approved for Legacy Park.

Committee Members are excited about the progress on construction of Legacy Park, called "the jewel of the Norman park system" by Committee members. The consistent concern stated by the UNP TIF Oversight Committee related to Legacy Park is that it should be an actively-used and well-maintained community asset, adding to the UNP development, rather than a passive space.

Memorial to O. Gail Poole

The Committee would like to note and memorialize the service of the late O. Gail Poole, a founding member of the UNP TIF Oversight Committee, who served faithfully as a

Committee Member until a few weeks before his untimely passing in 2013. Gail's influence on the UNP development will always be felt and his service will be missed by the TIF Oversight Committee and the community as a whole.

Financial Updates

During each meeting, the Oversight Committee received updates on TIF District activities as they developed during the past reporting period. Attached to this report is financial information comparing the original projections of the Developer to the actual revenues.

Summary

Summarized information on collections and expenditures from the UNP TIF are attached.

The Oversight Committee is excited to see Legacy Park becoming a reality and looks forward to its future use as an active, well-maintained, "jewel of the Norman park system". The continued commercial development of the University North Park area is also gratifying. The Committee will continue to look forward to working with the City Council and City staff on the implementation of the City of Norman TIF Number Two Project Plan.

UNIVERSITY NORTH PARK
TAX INCREMENT FINANCE DISTRICT
EXPENDITURE SUMMARY VS. PROJECT PLAN BUDGET
As Of September 30, 2013

Expenditure Category	BUDGET	FYE 2007	FYE 2008	FYE 2009	FYE 2010	FYE 2011	FYE 2012	FYE 2013	FYE 2014	TOTAL	BALANCE
Traffic/Road Improvements	$ 10,500,000	343,807	816,159	780,485	77,106	1,118,991	2,165,823	801,031	67,072	6,170,475	$ 4,329,525
Legacy Park	$ 7,500,000		24,250	189,117	50,771	-	-	918,045	526,140	1,708,323	$ 5,791,677
Engr/Legal/Prof	$ 1,750,000	144,266		566,683	112,487	153,061	217,493	10,516	18,054	1,222,560	$ 527,440
Contingency	$ 1,975,000							20,872	15,278	36,150	$ 1,938,850
Conference/Cultural Facilities	$ 7,500,000									-	$ 7,500,000
Contingency	$ 750,000									-	$ 750,000
Rock Creek Overpass	$ 7,500,000			4,282,377	1,361,241	12,417	4,800			5,660,835	$ 1,839,165
Contingency	$ 750,000									-	$ 750,000
Lifestyle Center Incentive	$ 7,500,000									-	$ 7,500,000
Contingency	$ 750,000									-	$ 750,000
Economic Development	$ 7,500,000					187,771	116,016			303,787	$ 7,196,213
Contingency	$ 750,000									-	$ 750,000
TOTAL	$ 54,725,000	$ 488,073	$ 840,409	$ 5,818,662	$ 1,601,605	$ 1,472,240	$ 2,504,132	$ 1,750,464	$ 626,544	$ 15,102,130	$ 39,622,870
Loan Principal Repayments		$ -	$ 1,024,400	$ -	$ -	$ -	$ 400,000	$ 1,020,948	$13,735,000	$ 16,180,348	

Norman TIF District No. 2
(University North Park Project)
Comparison of Projected with Actual Ad Valorem Tax Receipts

*Year construction was completed	Year payments were received	Ad valorem generated in the TIF			Ad valorem generated in the TIF going to Taxing jurisdictions			Ad Valorem Tax Increment Revenues to pay Project Costs		
		Projected in 2006	Actual	Variance	Projected in 2006	Actual	Variance	Projected in 2006	Actual	Variance
2006	2008	$288,842	$174,582	($114,260)	$144,421	$87,292	($57,129)	$144,421	$87,292	($57,129)
2007	2009	$818,899	$600,733	($218,166)	$409,450	$295,116	($114,333)	$409,450	$295,116	($114,333)
2008	2010	$843,466	$1,356,391	$512,925	$421,733	$678,196	$256,463	$421,733	$678,196	$256,463
2009	2011	$868,770	$1,568,597	$699,827	$434,385	$783,679	$349,294	$434,385	$783,679	$349,294
2010	2012	$1,621,408	$1,530,651	($90,757)	$810,704	$770,412	($40,292)	$810,704	$770,412	($40,292)
2011	2013	$1,670,050	$1,916,683	$246,633	$835,025	$955,214	$120,189	$835,025	$955,214	$120,189
Total thru 2011		**$6,111,435**	**$7,147,637**	**$1,036,202**	**$3,055,718**	**$3,569,909**	**$514,191**	**$3,055,718**	**$3,569,909**	**$514,191**
2012		$2,094,419			$1,047,210			$1,047,210		
2013		$2,951,200			$1,475,600			$1,475,600		
2014		$3,509,324			$1,754,662			$1,754,662		
2015		$3,614,604			$1,807,302			$1,807,302		
2016		$5,077,370			$2,538,685			$2,538,685		
2017		$5,308,944			$2,654,472			$2,654,472		
2018		$5,468,212			$2,734,106			$2,734,106		
2019		$5,632,259			$2,816,130			$2,816,130		
2020		$5,952,613			$2,976,307			$2,976,307		
2021		$6,131,191			$3,065,596			$3,065,596		
2022		$6,315,127			$3,157,564			$3,157,564		
2023		$6,670,005			$3,335,003			$3,335,003		
2024		$6,870,105			$3,435,053			$3,435,053		
2025		$7,176,603			$3,588,302			$3,588,302		
2026		$7,740,323			$3,870,162			$3,870,162		
2027		$7,972,532			$3,986,266			$3,986,266		
2028		$8,211,708			$4,105,854			$4,105,854		
2029		$8,458,059			$4,229,030			$4,229,030		
2030		$8,711,801			$4,355,901			$4,355,901		
Total of all years projected		**$121,647,884**			**$60,823,942**			**$60,823,942**		

*Taxes assessed the following year after completion (2006 in 2007) and received by City in subsequent year after assessment (2006 in 2008)

Norman TIF District No. 2
(University North Park Project)
Comparison of Projected with Actual Sales Tax Receipts

	Sales tax generated in the TIF			Sales tax generated in the TIF **going to Gen. Fund** (w/transf adj)			Sales Tax Increment Revenues **to pay Project Costs (TIF portion)**		
	Projected in 2006	Actual	Variance	Projected in 2006	Actual	Variance	Projected in 2006	Actual	Variance
2006	$830,207	$635,198	($195,009)	$531,332	$115,265	($416,067)	$298,875	$172,898	($125,977)
2007	$3,135,252	$2,163,673	($971,579)	$2,006,561	$521,848	($1,484,713)	$1,128,691	$782,771	($345,920)
2008	$3,229,310	$3,496,022	$266,712	$2,044,185	$1,029,817	($1,014,368)	$1,185,125	$1,544,725	$359,600
2009	$3,326,189	$4,509,771	$1,183,582	$2,199,088	$1,387,409	($811,679)	$1,127,101	$2,081,114	$954,013
2010	$5,917,544	$5,571,570	($345,974)	$3,787,228	$1,886,833	($1,900,395)	$2,130,316	$2,420,266	$289,950
2011	$6,095,070	$5,829,468	($265,602)	$3,858,238	$2,015,728	($1,842,510)	$2,236,832	$2,591,480	$354,648
2012	$6,277,923	$6,311,986	$34,063	$4,004,630	$2,125,034	($1,879,596)	$2,273,293	$3,082,185	$808,892
Total thru 2012	**$28,811,495**	**$28,517,688**	**($293,807)**	**$18,431,262**	**$9,081,935**	**($9,349,327)**	**$10,380,233**	**$12,675,438**	**$2,295,205**
2013	$9,188,865			$5,880,874			$3,307,991		
2014	$9,464,531			$5,991,140			$3,473,391		
2015	$9,748,467			$6,104,714			$3,643,753		
2016	$13,015,985			$8,330,230			$4,685,755		
2017	$13,406,465			$8,486,423			$4,920,042		
2018	$13,808,658			$8,647,299			$5,161,359		
2019	$14,222,918			$8,813,003			$5,409,915		
2020	$14,649,606			$8,983,679			$5,665,927		
2021	$15,089,094			$9,159,474			$5,929,620		
2022	$15,541,767			$9,340,543			$6,201,224		
2023	$16,008,020			$9,527,045			$6,480,975		
2024	$16,488,260			$9,719,140			$6,769,120		
2025	$16,982,908			$9,916,999			$7,065,909		
2026	$17,492,395			$10,120,794			$7,371,601		
2027	$18,017,167			$10,330,703			$7,686,464		
2028	$18,557,682			$10,546,909			$8,010,773		
2029	$19,114,413			$10,769,602			$8,344,811		
2030	$19,687,845			$10,998,974			$8,688,871		
Total of all years projected	**$299,296,541**			**$180,098,807**			**$119,197,734**		

City of Norman, OK

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

Master

File Number: RPT-1314-27

File ID:	RPT-1314-27	**Type:**	Communication or Report	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 10	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**		**File Created:**	10/28/2013
File Name:	Library Audit			**Final Action:**	

Title: SUBMISSION OF AND ACKNOWLEDGING RECEIPT OF A REPORT ENTITLED "PIONEER LIBRARY SYSTEM FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2013, TOGETHER WITH AUDITORS' REPORT" AS PREPARED BY GRAY, BLODGETT, AND COMPANY, P.L.L.C., CERTIFIED PUBLIC ACCOUNTANTS.

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

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 10

Attachments: Text File Library Audit.pdf, Pioneer Library Signed Audit Report 2012_13.pdf

Project Manager: Brenda Hall, City Clerk

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File RPT-1314-27

body

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

Financial Statements

For the Year Ended June 30, 2013

PIONEER LIBRARY SYSTEM

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June 30, 2013

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INDEPENDENT AUDITORS' REPORT

September 24, 2013

To the Board of Directors of
Pioneer Library System
Norman, Oklahoma

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the aggregate discretely presented component unit, each major fund and the fiduciary fund type of Pioneer Library System, as of and for the year ended June 30, 2013, and the related notes to the financial statements, which collectively comprise the Library's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. The financial statements of Pioneer Library System Foundation were not audited in accordance with Government Auditing Standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the aggregate discretely presented component unit, each major fund, as well as the fiduciary fund type of the Library, as of June 30, 2013, and the respective changes in financial position, for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information on pages 5–11 and 31–32 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated September 24, 2013, on our consideration of the Library's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering Pioneer Library System's internal control over financial reporting and compliance.

GRAY, BLODGETT & COMPANY, PLLC

Gray, Blodgett + Company, PLLC

Pioneer Library System
Management's Discussion and Analysis for the
Fiscal year Ended June 30, 2013

This discussion and analysis of the financial performance of Pioneer Library System provides an overall review of the System's financial condition and results of operations for the fiscal year ended June 30, 2013. Readers should read this information in conjunction with the System's financial statements.

Financial Highlights

For fiscal year 2012-2013, the Library's general fund reported an ending balance of $4,686,009 versus $5,447,930 for the fiscal year 2011-2012. Of the 2012-13 year end-total, $1,945,464 is reserved for outstanding encumbrances and $918,996 is designated for service upgrades and improvements of library services at current and future libraries within the system. Although the remaining balance of $1,821,549 is unrestricted, the Library administration, with the Board of Trustee's approval, will use some of these funds, if necessary, to complete the remodeling of the building that the Library purchased in December 2011. The remainder of the money in these funds will be prudently used or committed to alleviate summer/fall cash flow problems and other emergencies that might arise.

The Pioneer Library System's operating revenue increased by 2.4% this year. This increase, along with the use of fund balance reserve funds, allowed the library system to undertake the remodeling project of the new building. The Library System began the remodeling of the old Borders Book Store building in December. The Library System plans to use the building to house the administrative offices of the Library System and a new branch library leased by the City of Norman. The total cost associated with the remodeling of the building in 2012-2013 was $1,860,232. In addition, most of the furnishings and equipment costs for the new building and the library were paid out of the current year and totaled $215,607.

The Pioneer Library System Foundation completed its third year of operation as of June 30, 2013. The Foundation was organized for the purpose of supporting, promoting and improving the programs, collections, facilities and services of the Pioneer Library System. The Foundation provided financial support for many of the Library's programs including the 2013 Big Read and the Libraries System-Wide summer programming. The Foundation has been included as a component unit of the Library System and the Foundation has issued its own financial statements, available from the Library Foundation administrative office.

Grant highlight for FY13 included the following: The Oklahoma Department of Libraries awarded the Library a $90,642 grant to fund Pottawatomie County's TANF program.

The general fund balance decreased by $921,289 from fiscal year 2012 due to the remodeling, furniture, and equipment cost associated with the new building.

The governmental fund beginning balance from 2012 was increased by $282,022.26. This adjustment was made to record the value of the contributions made to the Communities Foundation of Oklahoma by the Pioneer Library System as of June 30, 2012 as assets on the Pioneer Library System's balance sheet.

Overview of the Financial Statement

The Pioneer Library System's basic financial statements consist of fund financial statements, notes to financial statements, and required supplementary information.

Government-Wide Financial Statements

The government-wide financial statements are designed to provide readers with a broad overview of the Library's finances, in a manner similar to a private-sector business.

The statement of net assets represents information on all of the Library's assets and liabilities, with the difference between assets and liabilities reported as net assets. Over time, increases or decreases in net assets may serve as a useful indicator of whether the financial position of the Library is improving or deteriorating.

The statement of activities presents information showing how the Library's net assets changed during the most recent fiscal year. All changes in net assets are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows.

Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future periods (e.g. uncollected taxes and earned but unused vacation leave).

The government-wide financial statements can be found on pages 12 and 13 of this report.

Fund Financial Statements

The Library System has two kinds of funds – Governmental Funds and Fiduciary Funds:

Governmental Funds encompass two types: General Fund and Other Governmental Funds:

General Fund represents unrestricted resources that are available for on-going general library operations. This is the Library System's primary operating fund.

Other Governmental Funds include Gift/Grant Funds.

Gifts/Grant Funds include funds provided by intergovernmental grants and other third parties' gifts and grants. All those funds are generally restricted as to use. Therefore, each fund accounts for its receipts and disbursements of the restricted functions.

Fiduciary Funds are reported in the fiduciary fund financial statements but are excluded from government-wide reporting. They include the Pioneer Library System Pension Plan. Fiduciary fund financial statements report resources that are not available to fund Library System general operations.

Notes to the Financial Statements

The accompanying notes to the financial statements provide information essential to a full understanding of the Library System's fund financial statements.

Supplemental Information

In addition to the basic financial statements and accompanying notes, this report also presents certain required supplementary information, including the comparative statement between budget and actual expenditures.

Financial Analysis of Library System's Funds

As financial information is accumulated on a continuous and consistent basis, financial statements and expenditure reports for governmental funds are presented to the Pioneer Library System Board of Trustees.

For fiscal year 2012-13 governmental fund balances changed as follows:

	General Fund	Other Governmental Funds	Total Governmental Funds
Revenues	$ 14,420,333	$ 239,557	$14,659,890
Expenditures	$ 15,341,622	$ 197,111	$15,538,733
Net Decrease	$ (921,289)	$ 42,446	$ (878,843)

For fiscal year 2011-12 governmental fund balances changed as follows:

	General Fund	Other Governmental Funds	Total Governmental Funds
Revenues	$ 14,088,150	$ 187,999	$14,276,149
Expenditures	$ 15,384,036	$ 255,292	$15,639,328
Net Decrease	$ (1,295,886)	$ (67,293)	$ (1,363,179)

General Fund:

The Library System is primarily (or 96%) funded by Ad Valorem (property) tax. For the 2012-13 financial year the tax rates were; a 6.06 mill Ad Valorem (property) tax in Pottawatomie County, a 6.11 mill Ad Valorem (property) tax in McClain County and a 6.11 mill Ad Valorem (property) tax in Cleveland County. For fiscal year 2012-13, the Counties' assessed property value had an increase of 2.6% versus 3.8% for 2011-12. Actual tax collections increased by 2.8% versus 3.3% for the prior year. Fine and other charges for services revenue for 2012-13 decreased by $41,030 from 2011-12. This decrease was due to a decrease in fine revenue, which was a direct result of the Library waiving fines in the aftermath of the May tornado, and an insurance reimbursement check was received in 2011-12 that wasn't received this year. State Aid increased by $743 over the prior year. This increase was caused by the state giving us more money. Interest income decreased by $8,349 over the prior year. This decrease is attributed to less funds being held in reserve because some reserve funds were spent on the building project.

The Expense category Personnel Services increased from 2012 to 2013 due to an increase in hospitalization expense, the 2.5% graduated COLA that was given to the staff, an increase in workers compensation insurance, an increase in disability insurance, an increase in unemployment, and an increase in retirement costs. The Expense category of Materials was decreased because some of the costs of the opening day collection for the Southwest Oklahoma City library were paid out of last year's budget and therefore weren't spent out of this year's budget. Some of the funds for this budget were budgeted to reserves for use in the future. The Technology and Automation category was lower in 2013 than 2012 due to the fact that the purchases of the equipment for the Southwest Oklahoma City library were made during 2012 and the fact that several items had been ordered but not received as of June 30 and therefore are encumbered out of this year's budget.

The System Services and General and Administrative expense categories were different in 2013 than in 2012 because of the following:

- The increase in attorney fees was due to the negotiation of several contracts including the remodeling of the new building, revisions in the retirement plans, and revisions in the personnel policy and purchase policy.

- The decrease in system signage was caused by the fact that phase two of an ongoing project to install new interior signage throughout the system was completed last year.
- The increase in equipment is due to the fact that equipment purchases for the new building were made this year.
- Outreach expense category decreased because a customer survey was conducted for Norman residents to determine the needs and wants of the library customers was done during the prior year and not this year.
- The Continuing Education expenses decreased because there was less new staff hired during the current year and less conferences were attended this year.
- Supplies decreased because additional supplies that were purchased last year due to the addition of the Southwest Oklahoma City Library weren't purchased this year.
- System facilities decreased because the purchase of a building was made out of this category last year
- A construction project account was added this year to reflect the construction and remodeling of the building that was purchased the previous year.
- Insurance increased because additional coverage was needed to insure the remodeling building and its equipment and furnishings. In addition, the rates were increased and the level of coverage was increased as it was determine that the libraries assets were under- insured.
- Postage costs decreased because board packets were sent electronically this year and more overdue materials notices were sent electronically. In addition, the overdue notices that are mailed are now being mailed as postcards and therefore are mailed at a lower rate.
- Vehicle costs decreased because the new vehicle that was ordered this year had not arrived by June 30 and therefore is encumbered and will be paid for next year.
- Revaluation costs increased because the cost of the service increased.
- Programming costs decreased because business service programming expenses were paid last year that weren't paid this year and some programs hadn't occurred as of June and therefore are encumbered.
- The decrease in development is due to the fact that some expenses were encumbered at year end and will be paid for next year.
- The decrease in contract services is because these expenses were paid out of other budget categories.

Other Governmental Funds:

Gifts/Grants Funds – In FY13, Pioneer Library System received $201,104 in gifts and grants.
Outright gifts to PLS totaled $90,490, over half of which was provided by Friends groups throughout the library system ($48,027). This past year, Pioneer Library System received $110,614 in grants. In addition to the grants mentioned in the financial highlights section there were several other grants received this year. With a combined gift of $17,345, the Oklahoma Department of Libraries continued to support adult literacy in all three counties. The Oklahoma Department of Libraries also provided continuing education grants to the library system for $1,624. The Mom's Club of Norman donated $3,981 from their Touch a Truck event for the Norman Public Library's Children's Department. The City of Purcell donated $11,000 to fund programs at the Purcell Library. Tinker Federal Credit Union donated $1,000 to the Moore Library to help fund the movie night in the park program. Hastings Entertainment donated $1,342 to help fund literacy programs within the Pioneer Library System. A Norman customer won an Oklahoma College Savings Plan Grant for $1,000 from the Oklahoma Department of Libraries which was awarded to the Norman Library. The Tecumseh Library received a $1,000 People and Stories Grant to fund a Story Talk Program. All of the grantors and donors have not only provided financial support but have also been active partners providing excellent library services to the community.

Fiduciary Funds:

The investments of the System Pension Plan increased due to the increase in the stock market. The Pioneer Library System Board of Trustees froze the defined benefit pension plan as of December 31, 2008 and instituted a defined contribution retirement plan.

The Library System as a Whole

	2012-13	2011-12
Assets		
Current and Other Assets	5,926,051	6,515,807
Capital Assets	9,504,024	8,038,345
Total Assets	15,430,075	14,272,130
Liabilities		
Accounts Payable and Accrued Expenses	318,980	55,357
Other Liabilities	329,105	303,641
Total Liabilities	648,085	358,998
Net Assets		
Invested in Capital Assets	9,504,024	8,038,345
Unreserved/Unrestricted Net Assets	4,686,009	5,607,298
Restricted Net Assets	591,957	549,511
Total Net Assets	14,781,990	14,195,154
Change in Net Assets:		
Beginning Net Assets	14,195,154	13,588,759
Revenues		
Property Taxes	13,883,622	13,418,882
Charges for Services	368,407	410,276
Operating Grants	201,104	183,590
Capital Grants	1,410	11,520
State Aid	155,128	154,385
Investment Earnings	51,629	25,934
Loss on Disposal	(8,512)	(6,631)
Total Revenues	14,652,788	14,197,956
Expenses		
Public Library Services	9,736,292	9,924,894
Administrative Services	2,232,920	2,198,142
Depreciation – unallocated	2,096,740	2,168,525
Total Expenses	14,065,952	13,591,561
Increase in Net Assets	586,836	606,395
Ending Net Assets	14,781,990	14,195,154

General Fund Budgetary Highlights

The General Fund budget for fiscal year 2012-13 was $17,698,191. This was a 11.84% increase over the previous year. The highlights of the budget include:

- A 2.5% cost of living increase averaged over the pay grades was awarded to all staff.
- The Materials budget shows a decrease because purchases of the Southwest Oklahoma City Library opening day collections were purchased during the prior year. In addition, $200,000 was budgeted to reserve funds out of the current year budget. There was also a line item created for the Norman Westside Library for $175,000.
- Health insurance cost increased 13% over last year.
- The Continuing Education budget was decreased by $9,300.
- Workers compensation was increased by $5,200 to reflect actual costs.
- Equipment was increased by $282,226 to cover the costs of equipment and furnishings for the new building.

- Contract Labor was decreased by $33,000. There were several projects that were completed last year.
- Vehicles was increased by $30,000 to cover the purchase of an additional box delivery vehicle.
- Revaluation was increased by $8,000 to reflect actual and estimated costs.
- Insurance was increased $23,500 to cover the new insurance policy on our security officers and to cover the increased costs associated with the purchase of the Pioneer building.
- The Technology budget was increased to cover the costs of items that were encumbered last year but not received and paid for until this year. In addition, a new line item was added to the budget reflecting the expected purchases for the Pioneer building.
- Virtual Library was decreased by $10,000.
- Construction Project Norman Center Court was a new line item to reflect the costs associated with the remodeling of the Pioneer building.
- Development was decreased by $5,000.
- Public Information was decreased by $5,000.
- System Facilities was decreased due to the fact that last year's budget contained the cost of the building purchase.
- Fund Balance Designated Current Year is a new line time that reflects the amount of the current year income that is being budgeted to fund reserves for the materials budget. $200,000 was budgeted for this year.
- The Designated Fund Balance reflects several items: Cleveland County, $495,000; McClain County, $173,996; and Pottawatomie County, $50,000.
- Undesignated Fund Balance decrease because these funds were moved to the operating budget to offset the expenses for the remodeling project of the Pioneer building.

Capital Asset and Long-Term Debt

The Library System's investment in capital assets, net of accumulated depreciation, as of June 30, 2013 was $9,504,024 and on June 30, 2012 was $8,038,345. Of the total depreciable capital assets, net of accumulated depreciation, on June 30, 2013, 12% are furniture, equipment and vehicles; 37% are building and property; and the remaining 51% are books and materials. Of the total depreciable capital assets, net of accumulated depreciation, on June 30, 2012 13% are furniture, equipment, and vehicles; 21 % are building and property; and the remaining 66% are books and materials.

The Library System has no long-term liabilities. The Board limits borrowing to short-term, usually in the fall in anticipation of ad valorem receipts beginning in December. The note is usually paid off in mid-January. This year the library system didn't need to borrow any money.

Economic Environment and Next Year's Budget

The Library System's primary revenue is Ad Valorem (property) tax. The annual growth in the Cleveland, McClain and Pottawatomie County's property value is the most important factor for the Library System's revenue outlook. For the most recent fiscal year the System collected 6.11, 6.11 and 6.06 mills of the assessed property value from the respective counties. The voters in all three counties approved a two mill increase in May of 2008. The millage increase was much needed, especially since there had been no increase in millage since the voters approved the 4 mill increase in 1990 for Cleveland County and in 1992 for the other two counties. The fractional part of the millage is due to the abolishment of the personal property tax in two of the counties. The system is now at the millage cap allowed by state law.

The presence of interstate traffic in all three counties has accounted for some of the continued growth as well as being in the middle of the State and near the State Capitol. The dramatic growth in facilities and related commercial services emanating from the University of Oklahoma has made a favorable climate around the Norman area. Moore has grown dramatically as more shopping centers along I-35 have been and continue to be developed. This growth continues in Norman as well with the implementation of a TIF district along I-35.The growth did continue this past year but at a slower rate than previous years due to the effects of the May tornados and the legislative changes that were passed in November.

In general, the Library System still expects a continued growth in the tax revenue for the next year. The Cleveland County Assessor has certified a 2.3% growth in property value for 2013; the Pottawatomie County Assessor has certified a 3.34% growth and the McClain County Assessor has certified a 1.72% growth.

For fiscal year 2013-14, the Library Board approved a general fund budget of $16,404,894 versus $17,698,191 for 2012-13.

- A 2% salary adjustment for staff who received a successful or outstanding rating on their annual performance evaluation and aren't in their training period.
- Health insurance was increased $37,057 to cover anticipated increases in the renewal rates which take effect on May 1, 2014.
- Contract labor was decreased $66,800 because a new expense account was added that covers most of these costs.
- Unemployment was increased by $5,200 to reflect actual costs.
- Retirement was increased $9,400 to reflect actual costs.
- Disability insurance was increased $5,900 to reflect the new rates.
- The Materials budget was increased by $11,219 to reflect year end encumbrances for items ordered last year but not yet received as of June 30.
- Materials Westside Norman was increased to cover the cost of the opening day collection.
- Professional Services is a new line item containing expenses that used to be in contract labor.
- Attorney Fees was increased $5,000 to reflect actual expenses.
- Equipment was increased by $71,802 to account for the equipment for the Pioneer building project..
- Insurance was increased $29,500 to cover the increased costs associated with the new Pioneer building and its contents. In addition, the Library increased its level of coverage on its furniture, materials, and equipment.
- Revaluation was increased by $16,000 to reflect actual and estimated costs.
- Postage was decreased $15,000 because board packets and most overdue item notices are now sent electronically.
- Data processing was increased $15,000 to account for expenses that were previously paid from another category.
- Interest expense was increased because we will have to borrow money this year due to the timing of building project completion.
- The Technology budget was increased $18,511 which reflects the movement of some expenses from another budget line item and the addition of items that were encumbered out of last year's budget.
- Technology Westside Norman was increased $110,000 to cover the cost of the technology for the new building.
- Virtual Library was increased to cover items that were encumbered out of last year's budget.
- Construction Project Norman Center Court was decreased because a majority of the cost of the remodeling project was paid out of last year's budget.
- Development was increased $7,680 to cover items that were encumbered out of last year's budget.
- System Facilities was decreased to reflect the fact that the Library will not be leasing the property on McGee Street or paying the utilities of the facility for the entire year.
- Contractual services have been reallocated to other line items.
- Fund Balance Designated Current Year is zero as no funds from the current year operating budget are being budgeted to fund balance.
- Reserved for encumbrances is zero because these funds are now being added to the expense line item in the budget.
- Designated Fund Balance reflects several items: Cleveland County, $645,000; McClain County, $198,996; and Pottawatomie County, $75,000.

Contacting the Library System's Financial Management

This financial report is designed to provide a general overview of the Pioneer Library System, comply with finance-related laws and regulations, and demonstrate the Library System's commitment to public accountability. If you have any questions about this report or would like to request additional information, contact the Library System's Business Office at 225 North Webster, Norman, OK 73069.

PIONEER LIBRARY SYSTEM
Statement of Net Position
June 30, 2013

	Primary Government	Component Unit
	Governmental Activities	Library Foundation
Assets		
Cash and Cash Equivalents	$ 4,998,917	$ 110,229
Investments	311,097	
Ad Valorem Tax Receivable, net of Allowance for Uncollectible Taxes	127,080	-
Accrued Interest Receivable	898	22
Other Current Assets	390,849	6,100
Note Receivable	97,210	-
Depreciable Capital Assets, Net	9,504,024	-
Total Assets	$ 15,430,075	$ 116,351
Liabilities		
Accounts Payable and Accrued Expenses	$ 289,462	$ -
Deferred Revenue	29,518	-
Compensated Absences Payable	329,105	-
Total Liabilities	$ 648,085	$ -
Net Position		
Net Investment in Capital Assets	$ 9,504,024	$ -
Restricted Net Assets	591,957	38,335
Unrestricted Net Assets	4,686,009	78,016
Total Net Position	$ 14,781,990	$ 116,351

See Accompanying Notes to Financial Statements

PIONEER LIBRARY SYSTEM
Statement of Activities
For the Year Ended June 30, 2013

Functions/Programs	Expenses	Program Revenues: Charges for Services	Program Revenues: Operating Grants and Contributions	Program Revenues: Capital Grants and Contributions	Net (Expense) Revenue and Changes in Net Assets: Primary Government Governmental Activities	(Expense) Revenue and Changes in Net Assets: Component Unit Library Foundation
Governmental Activities:						
Public Library Services	$ 9,736,292	$ 368,407	$ 201,104	$ 1,410	$ (9,165,371)	
Administrative Services	2,232,920	-	-	-	(2,232,920)	
Depreciation - unallocated	2,096,740	-	-	-	(2,096,740)	
Total Primary Government	$ 14,065,952	$ 368,407	$ 201,104	$ 1,410	$ (13,495,031)	
Component Unit						
Library Foundation	$ 137,174	$ -	$ 171,829	-		$ 34,655
General Revenues:						
Property taxes, levied for general purposes					$ 13,883,622	$ -
State Aid					155,128	-
Book Sales					-	618
Investment earnings					51,629	250
Loss on Disposals					(8,512)	-
Total General Revenues					$ 14,081,867	$ 868
Change in net assets					$ 586,836	$ 35,523
Net position - beginning					14,195,154	80,828
Net position - ending					$ 14,781,990	$ 116,351

See Accompanying Notes to Financial Statements

PIONEER LIBRARY SYSTEM
Balance Sheet
Governmental Funds
June 30, 2013

ASSETS	General Fund	Gifts and Grants Fund	Total Governmental Funds
Cash	$ 4,892,669	$ 106,248	$ 4,998,917
Investments	-	301,897	301,897
Receivable from General Fund	-	69,434	69,434
Ad Valorem Tax Receivable	127,080	-	127,080
Accrued Interest Receivable	898	-	898
Grants Receivable	-	15,277	15,277
Note Receivable	-	97,210	97,210
Foundation Receivable	-	2,686	2,686
Deposit	9,200	-	9,200
Other Receivable	-	-	-
Prepaid Expenses	372,885	-	372,885
Total Assets	$ 5,402,732	$ 592,752	$ 5,995,484
LIABILITIES AND FUND BALANCES			
Liabilities			
Accounts Payable	$ 234,395	$ 795	$ 235,190
Accrued Salaries and Employee Benefits	54,271	-	54,271
Compensated Absences Payable	329,105	-	329,105
Payable to Special Revenue	69,434	-	69,434
Deferred Revenue	29,518	-	29,518
Total Liabilities	$ 716,723	$ 795	$ 717,518
Fund Balances			
Assigned	$ 918,996	$ 568,544	$ 1,487,540
Committed	1,945,464	23,413	1,968,877
Unassigned	1,821,549	-	1,821,549
Fund Balances, End of Year	$ 4,686,009	$ 591,957	$ 5,277,966
Total Liabilities and Fund Balances	$ 5,402,732	$ 592,752	
Amounts reported for governmental activities in the statement of net assets are different because:			
Capital assets used in governmental activities are not financial resources and therefore are not reported as assets in governmental funds. The cost of the assets is $20,335,765 and the accumulated depreciation is $10,831,741.			9,504,024
Total Net Assets - Governmental Activities			$ 14,781,990

See Accompanying Notes to Financial Statements

PIONEER LIBRARY SYSTEM
Statement of Revenues, Expenditures, and Changes in Fund Balances -
Governmental Funds
For the Year Ended June 30, 2013

	General Fund	Gifts and Grants Fund	Total Governmental Funds
Revenues:			
Property Taxes	$ 13,883,622	$ -	$ 13,883,622
Collections on Book Fines and Copy Services	341,010	-	341,010
Gifts and Grants	-	201,104	201,104
State Revenue	155,128	-	155,128
Other Contracts	27,397	-	27,397
Interest	13,176	38,453	51,629
Total Revenues	$ 14,420,333	$ 239,557	$ 14,659,890
Expenditures			
Personal Services	$ 9,122,652	$ -	$ 9,122,652
Materials	1,994,866	197,111	2,191,977
General and Administrative	1,100,869	-	1,100,869
Technology and Automation	1,073,100	-	1,073,100
System Services	2,050,135	-	2,050,135
Total Expenditures	$ 15,341,622	$ 197,111	$ 15,538,733
Net Change in Fund Balance	$ (921,289)	$ 42,446	$ (878,843)
Beginning Fund Balance	5,607,298	267,489	5,874,787
Restatement	-	282,022	282,022
Beginning Fund Balances, as restated	$ 5,607,298	$ 549,511	$ 6,156,809
Ending Fund Balances	$ 4,686,009	$ 591,957	$ 5,277,966
Total net changes in fund balances - governmental funds			$ (878,843)
The change in nets assets reported in the statement of activities is different because:			
Capital outlays to purchase or build capital assets are reported in governmental funds as expenditures. However, for governmental activities those costs are shown in the statement allocated over their estimated useful lives as annual depreciation expenses in the statement of activities. This is the amount by which capital outlays exceeds depreciation during the period.	Depreciation Expense	$ (2,096,740)	
	Capital Outlay	3,570,931	1,474,191
Disposals of capital assets are not considered to be expenditures in the governmental funds. They are however, recorded as a loss in the statement of activities.			(8,512)
Change in net assets of governmental activities			$ 586,836

See Accompanying Notes to Financial Statements

PIONEER LIBRARY SYSTEM
Statement of Fiduciary Net Assets
Fiduciary Fund

	Pension Fund
ASSETS	
Current Assets	
Cash	$ 87,383
Receivables	1,944
Investments	3,250,024
Total Assets	$ 3,339,351
NET ASSETS	
Net Assets	
Held in Trust for Pension	
Benefits and Other Purposes	$ 3,339,351

See Accompanying Notes to Financial Statements

PIONEER LIBRARY SYSTEM
Statement of Changes in Fiduciary Net Assets
Fiduciary Fund
For the Year Ended June 30, 2013

	Pension Fund
Additions	
Contributions	
Employer	$ 208,000
Interest and Dividend Income	83,457
Net Increase in the Fair Value of Investments	31,009
Realized Gain	201,396
Total Additions	$ 523,862
Deductions	
Benefits Paid	$ 230,822
Trustee and Management Fees	16,746
Total Deductions	$ 247,568
Net Increase	$ 276,294
Net Assets, Beginning of Year	3,063,057
Net Assets, End of Year	$ 3,339,351

See Accompanying Notes to Financial Statements

Note 1 – Summary of Significant Accounting Policies

The Reporting Entity – Pioneer Library System (The Library) is a corporate body for public purposes created under Title 65 of the Oklahoma Statutes and accordingly is a separate entity for operating and financial reporting purposes.

The Library is governed by trustees composed of 16 voting members. The Library operations are conducted by a librarian appointed by the trustees. Trustees include voting members who are appointees of the various cities in which the Library has locations.

The Library's financial statements are prepared in accordance with generally accepted accounting principles in the United States of America (U.S. GAAP). The Library's reporting entity applies all relevant Governmental Accounting Standards Board (GASB) pronouncements and applicable Financial Accounting Standards Board (FASB) pronouncements and Accounting Principles Board (APB) opinions issued on or before November 30, 1989, unless they conflict with GASB pronouncements. The Library's reporting entity does not apply FASB pronouncements or APB opinions issued after November 30, 1989.

Financial Statement Presentation –

In evaluating how to define the Library, for financial reporting purposes, management has considered all potential component units. The decision to include a potential component unit in the reporting entity was made by applying the criteria established by the Governmental Accounting Standards Board (GASB). The basic - but not the only - criterion for including a potential component unit within the reporting entity is the governing body's ability to exercise oversight responsibility. The most significant manifestation of this ability is financial interdependency. Other manifestations of the ability to exercise responsibility include, but are not limited to, the selection of governing authority, the designation of management, the ability to significantly influence operations, and accountability for fiscal matters. A second criterion used in evaluating potential component units is the scope of public service. Application of this criterion involves considering whether the activity benefits the Library and/or its citizens, or whether the activity is conducted within the geographic boundaries of the Library and is generally available to its patrons. A third criterion used to evaluate potential component units for inclusion or exclusion from the reporting entity is the existence of special financing relationships, regardless of whether the Library is able to exercise oversight responsibilities. Based upon the application of these criteria, the Pioneer Library System Foundation meets the criteria which require a component unit to be presented discretely and including in the Library System's reporting entity.

Complete financial statements for the Foundation are available from the Foundation administrative office.

Basic Financial Statements – Government-Wide Statements

The Library's basic financial statements include both government-wide (reporting the Library as a whole) and fund financial statements (reporting the Library's major funds). Both the government-wide and fund financial statements categorize primary activities as either governmental or business type. The Library

Note 1 – Summary of Significant Accounting Policies (continued)

does not have any activities classified as business-type activities. Internal service fund activity is eliminated to avoid "doubling up" revenues and expenses. Fiduciary funds are excluded.

In the government-wide Statement of Net Assets, the Library's governmental activities are reported using the accrual basis of accounting. The Library's net assets are reported in three parts – invested in capital assets, net of related debt; restricted net assets; and unrestricted net assets. Revenues are recognized when earned and expenses are recognized when incurred.

The government-wide Statement of Activities reports both the gross and net cost of each of the Library's programs and functions. The functions are also supported by general government revenues. The Statement of Activities reduces gross expenses (including depreciation) by related program revenues, operating and capital grants. Program revenues must be directly associated with the function. Operating grants include operating-specific and discretionary (either operating or capital) grants while the capital grants column reflects capital-specific grants.

The pension trust fund recognizes employer and participant contributions in the period in which contributions are due and the Library has made a formal commitment to provide the contributions. Retirement benefits and refunds are recognized when due and payable in accordance with the terms of the Plan. See Note 10.

The net costs are normally covered by general revenue (property taxes, State aid, other taxes etc.).

The government-wide focus is more on the sustainability of the Library as an entity and the change in the Library's net assets resulting from the current year's activities.

Basic Financial Statements – Fund Financial Statements

Fund financial statements report detailed information about the Library. The focus of governmental fund financial statements is on major funds rather than reporting funds by type. Nonmajor funds are aggregated and presented in a single column.

All governmental funds are accounted for using the current financial resources measurement focus and the modified accrual basis of accounting. Under this basis revenues are recorded when susceptible to accrual; i.e. both measurable and available. "Available" means collectible within the current period or within 60 days after year end. Expenditures are generally recognized under the modified accrual basis of accounting when the related liability is incurred. The exception to this general rule is that principal and interest on general obligation long-term debt, if any, is recognized when due.

The Library reports the following major governmental funds:

General Fund is the primary operating fund of the Library. It is used to account for all financial resources except those required to be accounted for in another fund.

Gifts and Grants Fund is used to account for all gifts and grants made to the Library, which are to be used for specific purposes.

Note 1 – Summary of Significant Accounting Policies (continued)

The Library reports the following fiduciary funds:

Pension Trust Funds – The Pension Trust Funds are used to account for the receipt, investment and distribution of retirement contributions to the Pioneer Library System Pension Plan and Trust (the Plan). See also Note 10.

Fund Balance

Fund Balance – In the government-wide financial statements, equity is classified as net assets and displayed in three components:

1. Invested in capital assets – Consists of capital assets, net of accumulated depreciation.

2. Restricted net assets – Consists of net assets with constraints placed on the use either by external groups, such as grantors or laws and regulations of other governments, or law through constitutional provisions or enabling legislation.

3. Unrestricted net assets – All other assets that do not meet the definition of "restricted" or "invested in capital assets, net of related debt."

When both restricted and unrestricted net assets are available for use, generally it is the Library's policy to use restricted resources first.

Governmental fund equity is classified as fund balance. Fund balance is further classified as follows:

a) Non-spendable – Includes fund balance amounts that cannot be spent either because it is not in spendable form or because of legal or contractual requirements.

b) Restricted – Includes fund balance amounts that are constrained for specific purposes which are externally imposed by contributors, grantors, or amounts constrained due to constitutional provisions or enabling legislation.

c) Committed – Includes fund balance amounts that are constrained for specific purposes that are internally imposed by the Library through formal action of the highest level of decision making authority. The Board of Directors is the highest level of decision making authority that can commit fund balance. Once committed, the limitation imposed remains in place until a similar action is taken to remove or revise the limitation.

d) Assigned – Includes fund balance amounts that are constrained by the Library's intent to be used for specific purposes, but are neither restricted nor committed. Intent can be stipulated by the Board of Directors. With the exception of the General Fund, this is the residual fund balance of the classification for all governmental funds with positive balances.

e) Unassigned – Includes the residual balance of the General Fund that has not been assigned to other funds and that has not be restricted, committed, or assigned to specific purposes with the General Fund.

Note 1 – Summary of Significant Accounting Policies (continued)

Basis of Accounting - Basis of accounting refers to when revenues and expenditures are recognized in the accounts and reported in the financial statements. It relates to the timing of the measurements made regardless of the measurement focus applied.

Capital Assets: Capital assets purchased or acquired with an original cost of $1,000 or more are reported at historical cost or estimated historical cost. Additions, improvements and other capital outlays that significantly extend the useful life of an asset are capitalized. Other costs incurred for repairs and maintenance are expensed as incurred. Depreciation on all assets is provided on the straight-line basis over the following estimated useful lives:

Furniture and Fixtures	7 years
Computer Equipment	4 years
Vehicles	5 years
Books and Materials	5 years

Compensated Absences - The Library accrues accumulated unpaid annual leave when earned by the employee. Generally, annual leave must be taken during the calendar year earned. Eligible employees who end their employment with the Library are reimbursed for each day of accumulated annual leave.

Budgets and Budgetary Accounting - The Library is required by state law to prepare an annual budget. The various County Excise Boards formally approve an annual budget for the general fund.

Budgets generally assume the expenditure of all available resources. Therefore, when the legal budget is prepared, it is assumed these funds will not have a carryover balance to a subsequent year. Program revenue received but not spent is restricted and deferred to the subsequent fiscal year. Amounts reported as program revenue includes (1) charges to customers, (2) operating grants and contributions, and (3) capital grants and contributions.

Cash and Cash Equivalents - The Library considers all cash on hand, demand deposits, money market checking and certificates of deposit with an initial maturity of three months or less, held at an individual bank which are subject to early withdrawal penalties no matter what the maturity period, to be cash. All short-term cash surpluses are maintained in a cash pool, the earnings from which are allocated to each fund based on month-end deposit balances.

Receivables – All taxes receivable are expected to be collected in one year.

Property Tax Revenues - Property taxes attach an enforceable lien on property as of January 1. Taxes are levied annually on November 1 and are due one-half by December 31 and one-half by March 31. The County Assessor's office bills and collects property taxes and remits to the Library its portion. Property taxes not paid prior to April and considered delinquent. Such delinquent tax payments have not historically been material. Delinquent tax payments are received throughout the year and are recognized as revenue in the year received, except for those received within 60 days of year end, which are recognized as revenues as of June 30, 2013 in both government-wide and fund financial statements.

State Revenues - The Library receives revenue from the state to administer certain categorical library programs. The board of trustees has designated these funds to be used in technology.

Note 1 – Summary of Significant Accounting Policies (continued)

Interfund Balances - During the course of normal operations, the Library has transactions between funds including expenditures and transfers of resources to provide services, purchase assets and service debt. Transactions that are normal and recurring between funds are recorded as operating transfers.

Contributed Facilities and Services - The Library operates several branches located in government-owned buildings and receives certain services without charge. The estimated fair rental value of the premises and service is not reported in the accompanying statement of revenues, expenditures, and changes in fund balance.

Grants - The Library records income from grants in the period received or to the extent of expenses paid prior to reimbursement by a grant.

Income Taxes - The Library was established under the provisions of the Oklahoma Constitution and as such is exempt from income taxes under the Internal Revenue Code as a unit of government. The Library is exempt from income taxes under Section 501(c)(3) of the Internal Revenue Code. The Library has also been classified as an entity that is not a private foundation within the meaning of Section 509(a) and qualifies for deductible contributions. No provision for federal or state income taxes has been recorded. There was no interest or penalties to the Internal Revenue Service included in these financial statements. Tax years before 2009 are no longer subject to examination by the Internal Revenue Service and the State of Oklahoma.

Prepaid Expenses - The Library records prepaid insurance, subscriptions and maintenance agreements for that portion of payments which have not been used at year-end for government-wide financial statement purposes. Prepaid expense is included in other current assets in the statement of net assets.

Restricted Resources - The Library records gifts and grants as restricted when the donor specifies a restriction on the timing or use of the gift or grant. Expenses are allocated first to the restricted resource.

If additional expense is incurred, the expense is allocated to unrestricted funds when the restriction has been depleted.

Use of Estimates - The preparation of financial statements requires management to make estimates and assumptions that affect the reported amount of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Note 2 – Cash and Investments

The Library's investment policies are governed by state statute. Permissible investments include direct obligations of the United States Government and Agencies; certificates of deposit of savings and loan associations and bank and trust companies; and savings accounts or savings certificates of savings and loan associations and trust companies. A certificate of deposit in the amount of $9,200 is pledged on a letter of credit for a security deposit.

Custodial Credit Risk - Deposits – Custodial credit risk is the risk that in the event of a bank failure, the Library's deposits may not be returned to it. At June 30, 2013, none of the Library's bank balance of $6,040,047 was exposed to custodial credit risk because it was all insured and collateralized. The balance is collateralized with securities held by First Fidelity Bank in the Library's name. The market value of these securities as of June 30, 2013 was $8,891,463.

Beneficial interest in assets held by others – In previous years the Library transferred funds to the Communities Foundation of Oklahoma (CFO) and the Norman Communities Foundation (managed by the Communities Foundation of Oklahoma) for investment. The recorded portion of these funds consists of transfers to CFO from the Library and the earnings thereon.

Grant awards shall be available for distribution on a yearly basis, subject to final approval by the Board of Directors of CFO, and based on a specified percentage of the fair market value of assets on a rolling average of the previous eight quarters. The Community Foundation maintains variance power over these assets. Variance power assures donors that if the charitable purpose of their contribution becomes impractical or impossible, the distributions will be directed to similar purposes in the community. The Library's board may, by an affirmative vote of two third of the board, for an unusual circumstance, recommend and request distribution of all or part of the assets held by CFO. However, the CFO has the ultimate authority over and control of all property held by CFO. Distributions in the amount of $13,950 for the year ended June 31, 2013, was received by the Library from these combined funds.

The Community Foundation maintains legal ownership of the funds. However, accounting principles generally accepted in the United States of America require the Organization to reflect its beneficial interest in these assets in its financial statements. At June 30, 2013, assets transferred to the Community Foundation by the Organization had a fair value of $301,897 based on the approximate present value of future cash flows from CFO.

Direct donations to the Community Foundation from individuals are restricted for endowment purposes and are not recorded as assets of the Library. Only the earnings on these funds can be distributed to the Library. Distributions in the amount of $873 for the year ended June 31, 2013, were received by the Library. The fair value of the funds originally donated by third parties at June 30, 2013 was $18,819. The Organization has no remainder interest in the corpus of these funds.

Investment Interest Rate Risk - The investments of the Pension Plan (see also Note 10) are invested in various mutual funds with the Bank of Oklahoma, and may be used only for the payment of benefits to the members of the Plan. The composition of the pension trust fund at fair value is shown in the following table.

	Market Value	Credit Exposure as a Percentage of Total Investments
Pension Fund		
Pooled Equity Funds	$ 1,758,820	54.10%
Pooled Fixed Income Funds	1,292,067	39.80%
Alternative Investments	199,137	6.10%
Total Pension Fund Investments	$ 3,250,024	100.00%

The following investments represent 5% or more of the net assets of the Plan at June 30, 2013:

	2013
DFA US Large Cap Value I	$304,143
Fidelity Contrafund	189,230
T Rowe Price Growth Stock I	184,267
Vanguard Institutional Index I	264,712
PIMCO Total Return Institutional	410,694
Templeton Global Bond Advantage	261,389
Vanguard Short-term Bond Index Signal	205,268

Pension Fund Policy

The Pioneer Library System Pension Plan and Trust provides for investment managers who have full discretion of assets allocated to them subject to the overall investment guidelines set out in the policy. Manager performance is reviewed by a consultant who provides reports to the retirement plans investment and administrative committee and to the board. Any changes in the investment management firm must be reported as they occur. Overall investment guidelines provide for diversification and allow investment in domestic and international common stocks, fixed income securities, cash equivalents, index funds, collective trust funds and mutual funds. The Plan addresses custodial credit risk with a policy providing for the engagement of a custodian who accepts possession of securities for safekeeping; collects and disburses income; collects principal of sold, matured, or called items; and provides periodic accounting to the board. The pension trust fund holds $3,250,024 in investments. This amount is held by the investment counterparty, not in the name of the pension fund or the Library.

Pension Trust investing is restricted by Oklahoma Statutes to the Prudent Investor Rule.

Note 3 – Note Receivable

The Library received a note receivable included in the settlement of an estate during the year ended June 30, 2005. The original note is $100,000 at zero interest, and is due in 2014. The note has been discounted to $97,210 to report it at its fair market value at June 30, 2013.

Note 4 – Collections

The Library has not capitalized existing inexhaustible collections, including research books, because the values are not readily determinable.

Note 5 – Short-Term Borrowing

On an annual basis, the Library utilizes short-term unsecured promissory notes in anticipation of the collection of ad valorem taxes. In accordance with Title 65 Section 4-105 of the Oklahoma Statutes, the term of the loan may not exceed one year. As of June 30, 2013, no balance was owed. No interest expense was paid or incurred during the year ended June 30, 2013.

Note 6 – Compensated Absences

The compensated absences balance and activity for the year were as follows:

	Beginning Balance	Additions	Reductions	Ending Balance	Amounts Due Within One Year
Compensated Absences	$ 303,641	442,830	417,366	$329,105	$ 329,105

The general fund will be used to settle the compensated absences liability.

Note 7 – Commitments

Lease Commitments – The Library leases a building for the service center, a building for the development office, telephone equipment, a postage machine and copiers for its branch facilities and for administration under operating leases. The copier leases expired in March 2013. The other leases are renewed on an annual basis. Lease expense under these leases for 2013 was $158,576.

Encumbrances – As discussed in Note 1 above, budgetary information, and budgetary basis of accounting, encumbrance accounting is utilized to the extent necessary to assure effective budgetary control and accountability and to facilitate effective cash planning and control. At June 30, 2013 the amount of encumbrances expected to be honored upon performance by the vendor in the next year were:

General Fund	$ 1,945,464
Gifts and Grants Fund	23,413
Total	$ 1,968,877

Other Commitments – In the year ended June 30, 2005, the Library received a distribution from an estate that was to be used for the Noble Public Library. Construction commenced on an addition to the Noble library building in 2006. During 2007 construction was completed. Costs incurred during the year ended June 30, 2007 were approximately $639,000, for a total of $1,096,000. These costs have been expensed since the building will be owned by the City of Noble. As of June 30, 2013, the City of Noble has not signed the Inter-local agreement taking ownership of the building.

Note 8 – Capital Assets

Capital assets of the Library at June 30, 2013 are as follows:

	Beginning Balances	Increases	Decreases	Ending Balances
Non-depreciable Capital Assets:				
Construction in process	$ 1,683,714	$ 1,860,232	$ -	$ 3,543,946
Depreciable Capital Assets:				
Library Books	12,592,049	1,500,902	923,798	13,169,153
Building	-	-	-	-
Furniture and Fixtures	1,036,105	9,108	1,770	1,043,443
Computer Equipment	2,390,153	200,689	175,045	2,415,797
Vehicles	163,426	-	-	163,426
Total Capital Assets	17,865,447	3,570,931	1,100,613	20,335,765
Less Accumulated Depreciation for:				
Library Books	7,300,727	1,955,416	923,798	8,332,345
Furniture and Fixtures	691,410	89,095	1,769	778,736
Computer Equipment	1,746,257	29,359	166,534	1,609,082
Vehicles	88,708	22,870	-	111,578
Total Accumulated Depreciation	9,827,102	2,096,740	1,092,101	10,831,741
Total Depreciable Capital Assets, Net	$ 8,038,345	$ 1,474,191	$ 8,512	$ 9,504,024

Note 9 – Fund Balance

Effective July 1, 2012, the Library implemented GASB Statement No. 54, "Fund Balance Reporting and Governmental Fund Type Definitions." The following table shows the fund balance classifications as shown on the governmental funds balance sheet in accordance with GASB No. 54 as of June 30, 2013:

Fund Balance	General Fund	Gifts and Grants Fund	Total Governmental Funds
Assigned:			
Cleveland County Libraries	$ 695,000	$ -	$ 695,000
McClain County Libraries	173,996	-	173,996
Pottawatomie County Libraries	50,000	-	50,000
Special Revenue Funds	-	568,544	568,544
Committed:			
Reserved for Encumbrances	1,945,464	23,413	1,968,877
Unassigned:	1,821,549	-	1,821,549
Total Fund Balance	$ 4,686,009	$ 591,957	$ 5,277,966

Note 10 – Defined Benefit Retirement Plan

Plan Description - The Pioneer Library System Pension Plan and Trust (The Plan) is a single-employer public employees retirement system (PERS) plan that covers all full-time employees of the Library. This plan was frozen as of December 31, 2008. Retirement benefits are based on length of service and salary. Normal retirement for the new plan is 65 years of age. Death and deferred vested benefits are also available under the plan. All benefits vest after 10 years of credited service. Pioneer employees who retire after age sixty-five with more than four years of credited service are entitled to an annual retirement benefit, payable monthly, in an amount equal to one percent of their averages salary based on their highest five consecutive years within 10 years of retirement. If an employee has less than 10 years of vesting service, the amount of the benefit is reduced by $1/10^{th}$ for each vesting year of service fewer than ten. Actuarial valuations are performed annually on January 1.

Funding Policy - Employees of the library are not required to contribute to the plan. The library is required to make annual contributions based on an actuarially computed percentage of covered wages in amounts sufficient to cover normal cost of benefits and amortize the prior service liabilities. The Pioneer Library System Board of Trustees has the authority to establish and or amend the funding policy of the plan. Contributions for the year ending June 30, 2013 to the defined benefit plan were $208,000.

Net Pension Obligation and Annual Pension Cost – The required contribution was determined as part of the January 1, 2013 actuarial valuation using the aggregate salary method, which does not identify and separately amortize unfunded actuarial liabilities. The amortization method used was the level percent of compensation method. The most recent actuarial valuation was for the calendar year 2013 and the period is closed. The actuarial assumptions included

(a) 5.5% investment rate of return,
(b) projected salary increases of 5% and
(c) post-retirement increases of 4.5%.

Note 11 – Retirement Plan

The annual net pension obligation and annual pension cost for the current year were as follows:

Net Pension Obligation, Beginning of Year	$	1,509,029
Earning from Investments		83,457
Unrealized Appreciation		201,396
Contribution		208,000
Distributions		(230,822)
Fees and Commissions		(16,746)
Change in Valuation		(227,872)
Net Pension Obligation, End of Year	$	1,526,442

Present Value of Future Benefits	$	4,865,793
Valuation of Assets		3,339,351
Net Pension Obligation	$	1,526,442

Components of Annual Pension Cost:		
Normal Cost	$	167,750
Interest at 5.5%		9,226
Annual Contribution Necessary to Avoid a Funding Deficiency	$	176,976

Three year trend information is as follows:

Three-Year Trend Information

Fiscal Year Ending	Annual Pension Cost (APC)	Percentage of APC Contributed	Net Pension Obligation	Actual Contrib
6/30/2011	$ 150,252	103.7%	$1,221,993	$155,750
6/30/2012	$ 197,670	81.7%	$1,509,029	$161,500
6/30/2013	$ 176,976	117.5%	$1,526,442	$208,000

Note 11 – Retirement Plan (continued)

Multi-year trend information for the plan is as follows:

Schedule of Funding Progress for Pioneer Library System Pension Plan and Trust

Actuarial Valuation Date	Actuarial Value of Assets (a)	Actuarial Accrued Liability (AAL) Entry Age (b)	Unfunded AAL (UAAL) (b-a)	Funded Ratio (a/b)	Covered Payroll (c)	UAAL as a Percentage of Coveered Payroll [(b-a)/c]
6/30/2011	$3,066,463	$4,348,456	$1,281,993	70.5%	$ -	N/A
6/30/2012	$3,063,057	$4,572,086	$1,509,029	67.0%	$ -	N/A
6/30/2013	$3,339,351	$4,865,793	$1,526,442	68.6%	$ -	N/A

The Plan's annual financial report is available from the Business Office of the Pioneer Library System, 225 North Webster, Norman, Oklahoma 73069.

Note 12 – Defined Contribution Retirement Plan

Plan Description - On January 1, 2009 the library implemented this plan. Normal retirement age for this plan is 65 years of age. Death and deferred vested benefits are also available under this plan. All benefits vest after 5 years of credited service. Employees who retire after age sixty-five will receive their vested benefits in one of the following manners out of the amount accumulated in their accounts: (i) by lump sum payments, or (ii) in equal monthly, quarterly, semi-annual or annual installment payments; provided an installment election must be for a period less than their life expectancy or the life expectancy of their beneficiaries.

Funding Policy - Employees of the library are not required to contribute to the plan. The library makes an annual contribution based on a percentage of an employee's salary. The Pioneer Library System Board of Trustees has the authority to establish and or amend the funding policy of the plan. Benefits paid for 2013 to the plan were $367,821.

Note 13 – Risk Management

The Library is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; errors and omissions and natural disasters for which the Library carries commercial insurance. There have been no significant reductions in coverage from the prior year and settlements have not exceeded coverage in the past three years.

Note 14 – Prior Period Adjustment

In previous years the Library has transferred funds to the Communities Foundation of Oklahoma (CFO) and the Norman Communities Foundation transferring variance power to the Communities foundations. These investment funds were removed from the Library's net assets as of June 30, 2010. At that time interpretations of professional standards indicated that if variance power is transferred, the funds are not assets of the Library. However, it has been determined that the funds transferred by the Organization to the Community Foundation are subject to FASB ASC 958-605, Transfers of Assets to a Not-for-Profit Organization or Charitable Trust that Raises or Holds Contributions for Others. Accordingly the Organization has restated its net assets as of the beginning of the year in order to comply with professional standards. The effect of this correction was to decrease the net assets at the beginning of the fiscal year as follows:

	Invested in Capital Assets	Unrestricted	Restricted	Total
June 30, 2012 Net assets, prior to correction	$8,038,345	$5,607,298	$ 267,489	$13,913,132
Correction to net asset classification	-	-	282,022	282,022
Net assets at the beginning of the year as corrected	$8,038,345	$5,607,298	$ 549,511	$14,195,154
Beneficial interest in assets held by others at the beginning of the year as corrected				$ 282,022

PIONEER LIBRARY SYSTEM
Budgetary Comparison Schedule – General Fund (Unaudited)
For the Year Ended June 30, 2013

	Budgeted Amounts Original	Budgeted Amounts Final	Actual Amounts GAAP Basis	Budget to GAAP Differences Over(Under)	Actual Amounts Budgetary Basis	Variance with Final Budget Positive (Negative)
Resources (inflows)						
Property Taxes	$ 13,217,349	$ 13,555,668	$ 13,683,622	$ (125,668)	$ 14,009,290	$ 453,622
State Revenue	149,662	149,662	155,128	-	155,128	5,466
Interest	-	-	13,176	(793)	13,969	13,969
Other	399,616	382,297	368,407	(146)	368,553	(13,744)
Release of Fund Balance	-	141,532	-	-	141,532	-
Use of Designated Fund Balance	1,856,638	3,669,032	-	-	664,638	(3,004,394)
Amounts Available for Appropriation	15,623,265	17,898,191	14,420,333	(126,607)	15,353,110	(2,545,081)
Charges to Appropriations (outflows)						
Personnel Services	9,290,135	9,403,689	9,122,652	(30,407)	9,092,245	311,444
Personnel Services SOKC	-	-	-	-	-	-
Materials	2,180,000	1,980,843	1,985,102	(21,214)	1,963,888	16,955
Materials-West Side Norman	-	175,000	9,764	(9,621)	143	174,857
General and Administrative	938,575	1,187,512	1,100,869	(203,654)	897,215	290,297
Technology	825,000	879,495	760,128	39,807	799,935	79,560
Technology-West Side Norman		241,500	150,547	-	150,547	90,953
Virtual Library	200,000	190,000	162,425	(67,529)	94,896	95,104
Construction Project		3,185,282	1,812,784	-	1,812,784	1,372,498
System Services	2,189,555	454,870	237,351	104,106	341,457	113,413
Total Charges to Appropriations	15,623,265	17,698,191	15,341,622	(188,512)	15,153,110	2,545,081
Change in Net Assets	-	200,000	(921,289)	61,905	200,000	-
Beginning Fund Balance	5,133,260	1,637,366	5,607,298	3,969,932	1,637,366	-
Ending Fund Balance	$ 5,133,260	$ 1,837,366	$ 4,686,009	$ 4,031,837	$ 1,837,366	$ -

Budget to Actual Reconciliation:

Revenues on a budgetary basis are based on cash received rather than the modified accrual basis used for financial reporting	$ (126,607)
Encumbrances for supplies and equipment ordered but not received are reported in the year the order is placed for budgetary purposes but in the year the supplies are received for financial reporting	188,512
The amount reported as "fund balance" on the budgetary basis of accounting derives from the basis of accounting used in preparing the District's budget. This amount differs from the fund balance reported in the statement of revenues, expenditures and changes in fund balances because of the cumulative effect of transactions such as those described above.	3,969,932
	$ 4,031,837

PIONEER LIBRARY SYSTEM
Budgetary Comparison Schedule – General Fund (Unaudited)
For the Year Ended June 30, 2013

Notes to required Supplementary Information

Note Budgeting and Budgetary Control

Oklahoma Statue requires the Library to prepare an annual budget. The various excise County Excise Boards formally approve the annual budget for the general fund. The Library adopts its budget at the fund level.

Budgetary Basis of Accounting

Under the budgetary basis of accounting revenues are recognized when they are received rather than earned. Purchases of materials, outside services and capital outlay are recognized as expenditures when the commitment to purchase is made (encumbered).

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INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

September 24, 2013

To the Board of Directors of
Pioneer Library System
Norman, Oklahoma

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the aggregate discretely presented component unit, each major fund and the fiduciary fund type of Pioneer Library System (Library), as of and for the year ended June 30, 2013, and the related notes to the financial statements, which collectively comprise the Library's basic financial statements, and have issued our report thereon dated September 24, 2013.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Library's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Library's internal control. Accordingly, we do not express an opinion on the effectiveness of the Library's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Library's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

GRAY, BLODGETT & COMPANY, PLLC

Gray, Blodgett & Company, PLLC

City of Norman, OK

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

Master

File Number: K-1314-50

File ID:	K-1314-50	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 11	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**	$505,216.83	**File Created:**	11/05/2013
File Name:	Municipal Building AV Replacement Project			**Final Action:**	

Title: CONSIDERATION OF ACCEPTANCE OF BID NO. 1314-23; APPROVAL OF CONTRACT NO. K-1314-50 WITH CORY'S AUDIO VISUAL SERVICES, L.L.C., IN THE AMOUNT OF $505,216.83; AND ADOPTION OF PROJECT AGENT RESOLUTION NO. R-1314-31 FOR THE MUNICIPAL BUILDING AUDIO/VIDEO SYSTEM REPLACEMENT PROJECT.

Notes: ACTION NEEDED: Motion to accept or reject all bids meeting specifications; and, if accepted, award the bid to Cory's Audio Visual Services, Inc., as the lowest and best bidder meeting specifications; approve Contract No. K-1314-50 in the amount of $505,216.83; authorize execution of the contract and the Mayor to sign Performance Bond No. B-1314-31, Statutory Bond No. B-1314-32, and Maintenance Bond No. MB-1314-29 contingent upon the City Attorney's approval; and adopt Resolution No. R-1314-31.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 11

Attachments: Bid tab AV Project, Text File K-1314-50.pdf, Contract - K-1314-50, Project Agent - AV Project, Purchase Req - Cory's

Project Manager: Brenda Hall, City Clerk

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-1314-50

Body

BACKGROUND: The Capital Budget includes funding in the amount of $725,000 for the replacement of the audio/video system in the Council Chambers, conference room, and lobby of the Municipal Building and the addition a separate audio/video system in the Multi-Purpose Room. City Council, in its meeting of March 12, 2013, approved Contract No. K-1213-175 with Wrightson, Johnson, Haddon & Williams, Inc., (WJHW) in the amount of $44,800 to provide design services, preparation of bid specifications, and construction oversight for the project.

DISCUSSION: The project includes replacement of the entire audio, video, and recording equipment currently servicing the Council Chambers, conference room, and lobby area of the Municipal Building as well as the

installation of a standalone audio, video, and recording system for the Multi-Purpose Room. The project will also split the system to allow meetings to go on simultaneously in both rooms without bleed through of audio from the adjacent room. The project will also address the poor video and audio quality citizens currently experience when watching City Council and Planning Commission meetings on Channel 20. The current equipment was included in the original installation when the building was constructed in 1998 and has exceeded its useful life. Parts are no longer available for many of the components in the system; therefore, there are portions of the system that are no longer working as well as other ongoing problems with the audio and video feed during broadcast that can no longer be repaired.

Plans and specifications for the project were prepared by WJHW and advertised in the Norman Transcript on September 5 and 12, 2013. A mandatory pre-bid conference was held on September 16, 2013, and questions resulting from the pre-bid conference or bid documents were received through September 19, 2013. Interpretations, clarifications, and/or changes were responded to in the form of an addendum on September 23, 2013. A request was made by a potential bidder to allow for the substitution of Crestron equipment in place of the AMX equipment included in the project specifications. To allow for flexibility relative to experience and/or expertise of the potential vendor, an allowance was given in the addendum to substitute the equipment, stipulating substitutions would be considered as alternates and alternates must include the amount to be added or deducted from the base proposal.

Bids were opened on September 26, 2013, and bids were received from Broadcast Works, Tyler, TX; Fowler, Inc., Norman, OK; Ford-Audio Video, Oklahoma City, OK; Cory's Audio Visual Services, L.L.C., Oklahoma City, OK; and AVL Systems Design, Edmond, OK. Two bids received did not meet specifications. Broadcast Works' bid did not include a full project bid as three line items related to the electrical work and sound baffles needed in the Council Chambers were bid on a per square foot or lineal foot basis; therefore, a total bid can not be determined. AVL Systems Design submitted their bid for the alternate Crestron equipment but did not include a bid for the AMX equipment included in the original bid specifications.

Bids were reviewed by WJHW, the City's design consultant for the project, who evaluated the proposals based on cost; experience; expertise; and certifications. WJHW recommended the contract be awarded to Cory's Audio Visual Services, L.L.C., (Cory's) utilizing the alternate bid for Crestron equipment. The base bid submitted by Cory's was $545,151.36. Awarding the alternate bid for the Crestron equipment reduces the base bid by $39,934.53 for a total contract amount of $505,216.83. This equipment is part of the control/automation and video systems. AMX and Crestron are comparable systems and using the Crestron equipment will not change the overall quality of the system. Vendors are certified in many product lines, but they may have more experience with one product over another. Cory's has indicated they use Crestron as their preferred control system in many of their projects. Utilizing a product they have more experience with is to the City's advantage for ongoing care and maintenance needs.

The project is expected to be completed in late March 2014, early April 2014. Much of the work with the equipment will be completed off site with on-site installation expected in late January or early February 2014.

Funding for the project is budgeted in the Capital Budget, Council Chambers Audio/Video Upgrade, Construction (050-9365-419.61-01) in the amount of $700,000.

STAFF RECOMMENDATION: Staff recommends bids submitted under Bid 1314-23 meeting specifications be accepted, the bid be awarded to Cory's Audio Visual Services, L.L.C., as the lowest and best bidder meeting specifications. Staff further recommends Contract No. K-1314-50 with Cory's in the amount of $505,216.83 be approved, the Mayor be authorized to execute the performance, statutory, and maintenance bonds contingent upon the City Attorney's approval, and Project Agent Resolution No. R-1314-31 granting tax-exempt status to Cory's be adopted.

Bid No. 1314-23
Municipal Building Audio Video System Replacement Project
September 26, 2013

The following is a tabulation of bids received by the City of Norman for the Municipal Building Audio Video System Replacement Project.

BIDDER	BASE BID	ALTERNATE BID
Broadcast Works * Tyler, Texas	$446,730.00	$434,040.00
Fowler, Inc. Norman, OK	$568,247.43	
Ford Audio-Video Oklahoma City, OK	$568,976.00	
Cory's Audio Visual Services, Inc. Oklahoma City, Oklahoma	$545,151.36	**$505,216.83**
AVL System Design ** Edmond, OK		$430,585.00

* Did not bid meet specifications - did not include a full project bid - three line items were bid on a per square foot or lineal foot basis – total bid could not be determined.

** Did not bid meet specifications – bid was for alternate only – base bid was not received.

RECOMMENDATION: Staff recommends Cory's Audio Visual Services, Inc., be awarded the bid utilizing the alternate bid. Funds are available in Project No. BG0027, Council Chambers Audio/Video Upgrade, Construction (050-9365-419.61-01) in the amount of $700,000.

CONTRACT

THIS CONTRACT made and entered into this_____ day of _____, 20___, by and between Cory's Audio Visual Services, LLC, as Party of the First Part, hereinafter designated as the CONTRACTOR, and the City of Norman, a municipal corporation, hereinafter designated as the CITY, Party of the Second Part.

WITNESSETH

WHEREAS, the CITY has caused to be prepared in accordance with law, specifications, and other bidding documents for the work hereinafter described and has approved and adopted all of said bidding documents, and has caused Notice to Bidders to be given and advertised as required by law, and has received sealed proposals for the furnishing of all labor and materials for the following project:

CITY OF NORMAN MUNICIPAL BUILDING
AUDIO/VIDEO SYSTEM REPLACEMENT PROJECT

as outlined and set our in the bidding documents and in accordance with the terms and provisions of said CONTRACT; and,

WHEREAS, the CONTRACTOR in response to said Notice to Bidders, has submitted to the CITY on the manner and at the time specified, a sealed proposal in accordance with the terms of this Contract; and,

WHEREAS, the CITY, in the manner provided by law, has publicly opened, examined, and canvassed the proposals submitted and has determined and declared the above-named CONTRACTOR to be the lowest and best Bidder on the above-prepared project, and has duly awarded this CONTRACT to said CONTRACTOR, for the sum named in the proposal, to wit: Five Hundred Five Thousand Two Hundred Sixteen Dollars and Eighty-Three Cents ($ 505,216.83)

NOW, THEREFORE, for and in consideration of the mutual agreements, and covenants herein contained, the parties to this CONTRACT have agreed, and hereby agree, as follows:

1) The CONTRACTOR shall, in a good and first-class, workman-like manner at his own cost and expense, furnish all labor, materials, tools, and equipment required to perform and complete said work in strict accordance with this CONTRACT and the following CONTRACT Documents: The Bid Notice published in the Norman Transcript, the Notice to Bidders, Instruction to Bidders, the Contractor's Bid or Proposal, the Construction Drawings, Specifications, Provisions, and Bonds thereto, all of which documents are on file in the Office of the Purchasing Agent of the City of Norman, and are made a part of this CONTRACT as fully as if the same were set out at length.

2) The CITY shall make payments minus a retainage of 5% to the CONTRACTOR in the following manner: On or about the first day of each month, the project engineer, or other appropriate person, will make accurate estimates of the value, based on CONTRACT prices, or work done, and materials incorporated in the work and of materials suitably stored at the site thereof during the preceding calendar month. The CONTRACTOR shall furnish to the project engineer, or other appropriate person, such detailed information as he may request to aid him as a guide in the preparation of the monthly estimates.

Each monthly estimate for payment must contain or have attached an affidavit in accordance with the Constitution of the State of Oklahoma, Title 74, Section 3109-3110, and Title 62, Section 310.09.

On completion of the work, but prior to the acceptance thereof by the CITY, it shall be the duty of the project engineer, or other appropriate person, to determine that said work has been completely and fully performed in accordance with said CONTRACT Documents; and upon making such determinations said official shall make his final certificate to the CITY.

The CONTRACTOR shall furnish proof that all claims and obligations incurred by him in connection with the performance of said work have been fully paid and settled; said information shall be in the form of an affidavit, which shall bear the approval of the surety on the CONTRACT Bonds for payment of the final estimate to the CONTRACTOR; thereupon, the final estimate (including retainage) will be approved and paid.

3) It is further agreed that the CONTRACTOR will commence said work within 10 days following receipt of a NOTICE-TO-PROCEED, and prosecute the same vigorously and continuously, and complete the same 140 calendar days following receipt of said NOTICE-TO-PROCEED.

a. The Contractor agrees that, in the event the contract is breached through failure of the Contractor to complete the project within time listed on bid form, liquidated damages shall be assessed in the amount of $250 per day. Liquidated damages shall continue until the project is accepted by the project manager as complete.

4) That the CITY shall pay the CONTRACTOR for the work performed as follows:

b. Payment for unit price items shall be at the unit price bid for actual construction quantities.

c. Construction items specified but not included as bid items shall be considered incidental and shall not be paid for directly, but shall be included in the bid price for any or all of the pay quantities.

Should any defective work or materials be discovered or should a reasonable doubt arise at to the quality of any work completed, there will be deducted from the next estimate an amount equal to the value of the defective or questionable work and shall not be paid until the defects are remedied.

And that the CONTRACTOR'S bid is hereby made a part of this Agreement.

5) That the CITY reserves the right to add to or subtract from the estimated quantities or amount of work to be performed up to a maximum of 15% of the total bid price. The work to be performed or deducted shall be at the unit price bid.

6) That the CONTRACTOR will not undertake to furnish any materials or to perform any work not specifically authorized under the terms of this Agreement unless additional materials or work are authorized by written Change Order, executed by the CITY; and that in the event any additional work are provided by the CONTRACTOR without such authorization, the CONTRACTOR shall not be entitled to any compensation therefore whatsoever.

7) That if any additional work is performed or additional materials provided by the CONTRACTOR upon authorization by the CITY, the CONTRACTOR shall be compensated therefor at the unit price and as agreed to by both parties in the execution of the Change Order.

8) That the CONTRACTOR shall perform the work and provide the materials strictly in accordance with the specifications as to quality and kind and all work and materials shall be subject to rejection by the CITY through its authorized representatives for failure to meet such requirements, and in the event of such rejection, the CONTRACTOR shall replace the work and materials without compensation therefor by the CITY.

9) The CONTRACTOR shall complete the work in accordance with the terms of this Agreement. The CONTRACTOR further agrees to pay as liquidated damages as stipulated in the contract document General Conditions for each calendar day thereafter.

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

11) IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed, in three (3) duplicate originals, the day and year first above written.

To that end, no provision of this CONTRACT or of any such aforementioned document shall be interpreted or given legal effect to create an obligation on the part of the CITY to third persons, including, by way of illustration but not exclusion, sureties upon performance bonds, payment bonds or other bonds, assignees of the CONTRACTOR, subcontractors, and persons performing labor, furnishing material or in any other way contributing to or assisting in the performance of the obligations of the CONTRACTOR; nor shall any such provisions be interpreted or given legal effect to afford a defense against any obligation owed or assumed by such third person to the CITY or in any way to restrict the freedom of the CITY to exercise full discretion in its dealing with the Contractor.

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

STATE OF Oklahoma)
COUNTY OF Oklahoma)

John R Cory, of lawful age, being first duly sworn, on oath says that (s)he is the agent authorized by CONTRACTOR to submit the above CONTRACT to the CITY. Affiant further states that CONTRACTOR has not paid, given or donated or agreed to pay, give, or donate to any officer or employee of the CITY any money or other thing of value, either directly or indirectly, in the procuring of the CONTRACT.

Submitted and sworn to before me this 6 day of November, 2013.

Notary Public

My Commission Expires:

10-15-2014
02016288

IN WITNESS WHEREOF, the said parties of the First and Second Part have hereunto set their hands and seals respectively the 6th day of November, 2013, and the ____ day of _____, 20___.

(Corporate Seal) (where applicable)

_____

ATTEST:

_____

_____
Corporate Secretary (where applicable)

CORY'S AUDIO VISUAL SERVICES, LLC

Principal

Signed: _____

Authorized Representative

Chief Operating Officer
Title

Address: 2014 S. Nicklas Avenue

Oklahoma City, OK 73128

Telephone: (405) 682-8800

CITY OF NORMAN

Approved as to form and legality this_____ day of_____, 20___.

_____
City Attorney

Approved by the City of Norman this_____ day of _____, 20__.

ATTEST:

_____
City Clerk

_____
Mayor

Resolution

R-1314-31

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING AND APPOINTING CORY'S AUDIO VISUAL SERVICES, L.L.C., AS PROJECT AGENT FOR THE MUNICIPAL BUILDING AUDIO VIDEO SYSTEM REPLACEMENT PROJECT.

§ 1. WHEREAS, the City of Norman, Oklahoma, does hereby acknowledge that the tax-exempt status of this political subdivision is a significant factor in determining the agreed contract price bid by Cory's Audio Visual Services, L.L.C., for the Municipal Building Audio Video System Replacement Project; and

§ 2. WHEREAS, the City of Norman, Oklahoma, in compliance with State law, desires to confer on Cory's Audio Visual Services, L.L.C., its special State and Federal sales tax exemptions and in order to achieve such end, finds it necessary to appoint as its direct purchasing agent, Cory's Audio Visual Services, Inc., to purchase materials which are in fact used for the Municipal Building Audio Video System Replacement Project; and

§ 3. WHEREAS, this limited agent status is conferred with the express understanding that Cory's Audio Visual Services, L.L.C., shall appoint employees and subcontractors as subagents who shall be authorized to make purchases on their behalf.

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

§ 4. That the City of Norman, Oklahoma, on the 12th day of November, 2013, did appoint Cory's Audio Visual Services, L.L.C., who is involved with the Municipal Building Audio Video System Replacement Project, an agent of the City of Norman, Oklahoma, solely for the purpose of purchasing, on a tax-exempt basis, materials and tangible personal property to be used exclusively for the Municipal Building Audio Video System Replacement Project.

PASSED AND ADOPTED THIS 12th day of November, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

PURCHASE REQUISITION NBR: 0000225895

STATUS: DIVISION APPROVAL

REQUISITION BY: SRUNYON
REASON: CONTRACT NO. K-1314-23 W/ CORY'S AUDIO VISUAL
DATE: 11/06/13

SHIP TO LOCATION: CITY CLERK OFFICE
SUGGESTED VENDOR: 5813 CORY'S AUDIO-VISUAL SERVICES
DELIVER BY DATE: 11/12/13

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	CONTRACT NO. K-1314-23 WITH CORY'S AUDIO VISUAL SERVICES, INC. FOR THE MUNICIPAL BUILDING AUDIO/VIDEO SYSTEM REPLACEMENT PROJECT CONTINGENT UPON COUNCIL APPROVAL ON 11/12/13 COMMODITY: COMMUNICATIONS AND MEDIA SUBCOMMOD: AUDIO/VIDEO PRODUCTION SE	1.00	EA	505216.8300	505216.83	

REQUISITION TOTAL: 505216.83

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	05093654196101	Capital Projects Construction	BG0027 Council Audio/Visual Upgd	100.00	505216.83
					505216.83

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-1314-48

File ID:	K-1314-48	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 12	**In Control:**	City Council
Department:	Public Works Department	**Cost:**	$150,030.00	**File Created:**	10/27/2013
File Name:	Robinson UP Landscape Contract			**Final Action:**	

Title: CONSIDERATION OF BID NO. 1314-19; CONTRACT NO. K-1314-48 WITH MARCUM'S NURSERY IN THE AMOUNT OF $153,030; PERFORMANCE BOND NO B-1314-29; STATUTORY BOND NO. B-1314-30; AND MAINTENANCE BOND NO. MB-1314-26 FOR THE ROBINSON STREET UNDERPASS LANDSCAPE AND IRRIGATION PROJECT AND PROJECT AGENT RESOLUTION NO. R-1314-30.

Notes: ACTION NEEDED: Motion to accept or reject the bid as meeting specifications; and, if accepted, award the bid to Marcum's Nursery in the amount of $150,030 as the lowest and best bidder meeting specifications; approve Contract No. K-1314-29 and the performance, statutory, and maintenance bonds; authorize execution of the contract and bonds; direct the filing of the bonds, and adopt Resolution No. R-1314-30.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 12

Attachments: Text File Landscaping Robinson.pdf, Bid Tab.pdf, Project Map.pdf, K1314-148.pdf, R-1314-30.pdf, PR Marcums.pdf

Project Manager: Josh Malwick, Capital Projects 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-1314-48

body

BACKGROUND: The Robinson Street Underpass Project is a General Obligation Bond Project that was approved by the voters in March, 2005. The project boundaries are approximately 500 feet west of Flood Avenue to 500 feet east of Stubbeman Avenue. The City secured federal funding for the project from four sources: (1) the Transportation and Community and System Preservation (TCSP) Program, (2) two line items in the SAFETEA-LU legislation, which was signed into law by the President of the United States in 2005, (3) Association of Central Oklahoma Governments (ACOG) and (4) Stimulus Funding.

On October 25, 2005, City Council approved Contract No. K-0506-82, a project agreement with the Oklahoma

Department of Transportation (ODOT) in order to secure federal funds for the Robinson Street Underpass Project. This project removed the at grade railroad crossing on Robinson Street by rebuilding Robinson Street underneath a new railroad bridge. This project also provided additional turn lanes at the intersections of Flood Avenue/Robinson Street and Stubbeman Avenue/Robinson Street. On December 22, 2009, Council approved Amendment No. 1 to Contract No. K-0506-82, a Project Agreement with ODOT for the construction of the Robinson Street Grade Separation Project.

The total budget for the Robinson Street Underpass Project included funding the Landscaping Project. However, past projects managed by ODOT that included landscape and irrigation pay items, typically had higher unit prices. Landscape and irrigation projects bid and managed by the City tend to bring lower contract prices and a better finished product. The prime contractor on the Robinson Street Underpass Project was substantially completed in December 2012. The final construction cost appears to be $17,359,147, however contract negotiations continue between ODOT, the City and the contractor.

DISCUSSION: Landscape architects from the City's project design firm, HNTB of Kansas City, prepared the plans, specifications, and bid documents for this landscaping and irrigation project. The City's Parks and Recreation Department worked closely with the project designers, to ensure that the final landscaping is appropriate and maintainable. The project includes an irrigation system along with several different types of shade and ornamental trees, shrubs and ground cover that are to be planted in the median, along both sides of the road, and around the retaining walls. All plantings on this project are drought-resistant.

Bid documents and specifications for installation of landscaping and irrigation were advertised according to State Law. One (1) potential bidder purchased plans and specifications and one (1) bid was received on October 3, 2013.

The only bidder was Marcum's Nursery of Goldsby, Oklahoma, in the amount of $153,030. The bid is approximately $70,000, or 31%, less than the Engineer's Estimate of $222,459. Marcum's Nursery has successfully completed other landscape projects in Norman such as Campus Corner Revitalization, Griffin Park tree plantings, Rotary Park tree plantings and the Main Street medians. All work was completed on or ahead of schedule. The completed work met or exceeded the contract document requirements.

The landscaping portion of the Robinson Street Underpass Project was originally intended to be installed with the opening of the project in June 2012. However, the drought and the associated City Water Conservation Program prevented the City from initiating any new landscaping projects at that time. If approved by City Council, construction of the irrigation system will begin in November 2013. All of the tree plantings will be installed by December 15, weather permitting, and the low shrubs and final landscaping features will be completed by Spring 2014. Currently there are funds available in the project construction account (050-9065-431.61-01) Project No. BP0203.

RECOMMENDATION NO. 1: Staff has reviewed the bid and recommends that Bid No. 1314-19 for the Robinson Street Underpass Landscape and Irrigation Project be awarded to Marcum's Nursery of Goldsby, Oklahoma, for $153,030.

RECOMMENDATION NO. 2: Staff further recommends that, upon approval of Bid No. 1314-19, the following contract and bonds be approved:

Contract No. K-1314-48
Performance Bond No. B-1314-29
Statutory Bond No. B-1314-30
Maintenance Bond No. MB-1314-26

RECOMMENDATION NO. 3: Staff further recommends that, upon approval of Bid No. 1314-19, Marcum's Nursery, be authorized and appointed as project agent via Resolution No. R-1314-30.

Robinson Street Underpass Landscape and Irrigation Project
Bid No. 1314-19

Contractor	Location	Bid Total
Engineer's Estimate		$ 222,459.50
Marcum's Nursery	Goldsby, Oklahoma	$ 153,060.40

CONTRACT

THIS CONTRACT made and entered into this 1 day of NOVEMBER, 2013, by and between MARCUM NURSERY as Party of the First Part, hereinafter designated as the CONTRACTOR, and the City of Norman, a municipal corporation, hereinafter designated as the CITY, Party of the Second Part.

WITNESSETH

WHEREAS, the CITY has caused to be prepared in accordance with law, specifications, and other bidding documents for the work hereinafter described and has approved and adopted all of said bidding documents, and has caused Notice to Bidders to be given and advertised as required by law, and has received sealed proposals for the furnishing of all labor and materials for the following project:

ROBINSON STREET UNDERPASS LANDSCAPE AND IRRIGATION PROECT

as outlined and set out in the bidding documents and in accordance with the terms and provisions of said CONTRACT; and,

WHEREAS, the CONTRACTOR in response to said Notice to Bidders, has submitted to the CITY on the manner and at the time specified, a sealed proposal in accordance with the terms of this Contract; and,

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

One Hundred Fifty Three Thousand 30 and 40/100 Dollars
($ 153,030.40);

NOW, THEREFORE, for and in consideration of the mutual agreements and covenants herein contained, the parties to this CONTRACT have agreed, and hereby agree, as follows:

l) The CONTRACTOR shall, in a good and first-class, workman-like manner at his own cost and expense, furnish all labor, materials, tools, and equipment required to perform and complete said work in strict accordance with this CONTRACT and the following CONTRACT Documents: The Bid Notice published in the Norman Transcript, the Notice to Bidders, Instructions to Bidders, the Contractor's Bid or Proposal, the Construction Drawings, Specifications, Provisions, and Bonds thereto, all of which documents are on file in the Office of the Purchasing Agent of the City of Norman, and are made a part of this CONTRACT as fully as if the same were set out at length.

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

Each monthly estimate for payment must contain or have attached an affidavit in accordance with the Constitution of the State of Oklahoma, Title 74, Section 3109-3110, and Tile 62, Section 310.9.

On completion of the work, but prior to the acceptance thereof by the CITY, it shall be the duty of the project engineer, or other appropriate person, to determine that said work has been completely and fully performed in accordance with said CONTRACT Documents; and upon making such determinations said official shall make his final certificate to the CITY.

The CONTRACTOR shall furnish proof that all claims and obligations incurred by him in connection with the performance of said work have been fully paid and settled; said information shall be in the form of an affidavit, which shall bear the approval of the surety on the CONTRACT Bonds for payment of the final estimate to the CONTRACTOR; thereupon, the final estimate (including retainages) will be approved and paid.

3) It is further agreed that the CONTRACTOR will commence said work within 7 days following receipt of a NOTICE-TO-PROCEED, and prosecute the same vigorously and continuously, and complete the same 60 calendar days following receipt of said NOTICE-TO-PROCEED.

4) That the CITY shall pay the CONTRACTOR for the work performed as follows:

a. Payment for unit price items shall be at the unit price bid for actual construction quantities.

b. Construction items specified but not included as bid items shall be considered incidental and shall not be paid for directly, but shall be included in the bid price for any or all of the pay quantities.

Should any defective work or materials be discovered or should a reasonable doubt arise as to the quality of any work completed, there will be deducted from the next estimate an amount equal to the value of the defective or questionable work and shall not be paid until the defects are remedied.

And that the CONTRACTOR'S bid is hereby made a part of this Agreement.

5) That the CITY reserves the right to add to or subtract from the estimated quantities or amount of work to be performed up to a maximum of 15% of the total bid price. The work to be performed or deducted shall be at the unit price bid.

6) That the CONTRACTOR will not undertake to furnish any materials or to perform any work not specifically authorized under the terms of this Agreement unless additional materials or work are authorized by written Change Order, executed by the CITY; and that in the event any additional are provided by the CONTRACTOR without such authorization, the CONTRACTOR shall not be entitled to any compensation therefore whatsoever.

7) That if any additional work is performed or additional materials provided by the CONTRACTOR upon authorization by the CITY, the CONTRACTOR shall be compensated therefor at the unit price and as agreed to by both parties in the execution of the Change Order.

8) That the CONTRACTOR shall perform the work and provide the materials strictly in accordance with the specifications as to quality and kind and all work and materials shall be subject to rejection by the CITY through its authorized representatives for failure to meet such requirements, and in the event of such rejection, the CONTRACTOR shall replace the work and materials without compensation therefor by the CITY.

9) The CONTRACTOR shall complete the work in accordance with the terms of this Agreement within a period of time not to exceed Sixty (60) calendar days following issuance by the CITY of a Work Order authorizing the CONTRACTOR to commence work on the project. The CONTRACTOR further agrees to pay as liquidated damages as stipulated in the contract document General Conditions for each calendar day thereafter.

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

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

To that end, no provision of this CONTRACT or of any such aforementioned document shall be interpreted or given legal effect to create an obligation on the part of the CITY to third persons, including, by way of illustration but not exclusion, sureties upon performance bonds, payment bonds or other bonds, assignees of the CONTRACTOR, subcontractors, and persons performing labor, furnishing material or in any other way contributing to or assisting in the performance of the

obligations of the CONTRACTOR; nor shall any such provisions be interpreted or given legal effect to afford a defense against any obligation owed or assumed by such third person to the CITY or in any way to restrict the freedom of the CITY to exercise full discretion in its dealing with the Contractor.

12) The attached sworn, notarized contract affidavit must be signed and notarized before this Contract will become effective.

IN WITNESS WHEREOF, the said parties of the First and Second Part have hereunto set their hands and seals respectively the 1 day of NOVEMBER, 2013,
and the 1 day of NOVEMBER, 2013.

(Corporate Seal) (where applicable)

MONTY MARCUM
Principal

ATTEST:

Signed: Monty C Marcum
Authorized Representative

Monty C Marcum
Corporate Secretary (where applicable)

Title MONTY C MARCUM, VICE PRESIDENT
Address 169 N MAIN AVE.
GOLDSBY, OK 73093
Telephone: 405. 288.2368

CITY OF NORMAN:

Approved as to form and legality this 6 day of November, 2013.

City Attorney

Approved by the Council of the City of Norman, this _____ day of _____, 2013.

ATTEST:

City Clerk

Mayor

Bond No: GR25738

PERFORMANCE BOND

Know all men by these presents, that Marcum's Nursery, Inc. a PRINCIPAL, and Granite Re, Inc. a corporation organized under the laws of the State of Oklahoma, and authorized to transact business in the State of Oklahoma, as SURETY, are held and firmly bound unto THE CITY OF NORMAN, a Municipal Corporation of the State of Oklahoma, herein called CITY, in the sum of One Hundred Fifty Three Thousand Thirty & 40/100--- DOLLARS. ($ 153,030.40). for the payment of which sum PRINCIPAL and SURETY bind themselves, their heirs, executors. administrators, successors and assigns jointly and severally.

WHEREAS, the conditions of this obligation are such that the PRINCIPAL, being the lowest and best Bidder on the following PROJECT:

ROBINSON STREET UNDERPASS LANDSCAPE AND IRRIGATION PROJECT

has entered into a written CONTRACT (K-1314-48) with THE CITY OF NORMAN, dated NOVEMBER 1, 2013, for the erection and construction of this PROJECT, that CONTRACT being incorporated herein by reference as if fully set forth.

NOW, THEREFORE, if PRINCIPAL shall, in all particulars, well and truly perform and abide by said CONTRACT and all specifications and covenants thereto; and if the PRINCIPAL shall promptly pay or cause to be paid all indebtedness incurred for labor and materials and repairs to and parts for equipment furnished in the making of this PROJECT, whether incurred by the PRINCIPAL or subcontractors; and if the PRINCIPAL shall protect and hold harmless the CITY from all loss, damage, and expense to life or property suffered or sustained by any person, firm, or corporation caused by PRINCIPAL or his or its agents, servants, or employees in the construction of the PROJECT, or by or in consequence of any negligence, carelessness or misconduct in guarding and protecting the same, or from any act or omission of PRINCIPAL of his or its agents, servants, or employees; and if the PRINCIPAL shall protect and save the CITY harmless from all suits and claims of infringement or alleged infringement or patent rights or processes, then this obligation shall be null and void. Otherwise this obligation shall remain in full force and effect.

It is further expressly agreed and understood by the parties hereto that no changes or alterations in the CONTRACT and no deviations from the plan or mode of procedure herein fixed shall have the effect of releasing the sureties, or any of them, from the obligations of this Bond.

It is further expressly agreed that the PRINCIPAL's obligations under this Bond include payment of not less than the prevailing hourly rate of wages as established by the Commissioner of Labor of the State of Oklahoma and by the Secretary of the U.S. Department of Labor or as determined by a court on appeal.

IN WITNESS WHEREOF, the PRINCIPAL has caused these presents to be executed in its name and its corporate seal (where applicable) to be hereunto affixed by its duly authorized representative(s), and the 1 day of NOVEMBER ,2013, and the SURETY has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its authorized representative(s) on the 1 day of NOVEMBER , 2013.

(Corporate Seal) (where applicable)

ATTEST:

Corporate Secretary (where applicable)

Principal
Marcum's Nursery, Inc.
Signed:
Authorized Representative

Title VICE-PRESIDENT
Address: 169 N MAIN AVE.
GOLDSBY, OK 73093
Telephone: 405.288.2368

Corporate Seal (where applicable)

ATTEST:

Corporate Secretary (where applicable)

Surety
Granite Re, Inc.
Signed:
Authorized Representative

Title Travis E. Brown, Attorney-in-Fact
Address: 1608 NW Expressway, Suite 100
Oklahoma City, OK 73118
Telephone: 405.418.8600

CORPORATE ACKNOWLEDGEMENT

STATE OF OKLAHOMA)
)SS
COUNTY OF McCLAIN)

The foregoing instrument was acknowledged before me this 1 day of NOVEMBER, 2013,

by MONTY C. MARCUM VICE PRESIDENT Name

and Title of MARCUM NURSERY, a OKLAHOMA corporation, on behalf of the corporation.

WITNESS my hand and seal this 1 day of NOVEMBER, 2013.

Amy L Carrel
Notary Public

My Commission Expires:

Oct. 29, 2017

NOTARY PUBLIC OKLAHOMA
OFFICIAL SEAL
AMY L. CARREL
Commission # 13009682
Expires October 29, 2017

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF OKLAHOMA)
)SS
COUNTY OF)

The foregoing instrument was acknowledged before me this day of , 2013,

by

Name and Title of , a

WITNESS my hand and seal this day of , 2013.

Notary Public
My Commission Expires:

.

PARTNERSHIP ACKNOWLEDGEMENT

STATE OF OKLAHOMA)
)SS
COUNTY OF_____)

The foregoing instrument was acknowledged before me this_____day of_____, 2013,

by_____Name

and Title partner (agent) on behalf of _____a partnership.

WITNESS my hand and seal this_____day of_____, 2013.

Notary Public

_____

My Commission Expires:

_____.

CITY OF NORMAN

Approved as to form and legality this 6 day of November 2013.

_____
City Attorney

Approved by the Council of the City of Norman this____day of_____2013.

ATTEST:

_____
City Clerk

_____
Mayor

Bond No: GR25738

STATUTORY BOND

Know all men by these presents that Marcum's Nursery, Inc., as PRINCIPAL, and Granite Re, Inc., a corporation organized under the laws of the State of Oklahoma, and authorized to transact business in the State of Oklahoma, as Surety, are held and firmly bound unto the City of Norman in the sum of One Hundred Fifty Three Thousand Thirty and 40/100----DOLLARS ($153,030.40), for the payment of which sum PRINCIPAL and SURETY bind themselves, their heirs executors, administrators, successors and assigns jointly and severally.

WHEREAS, the conditions of this obligation are such, that the PRINCIPAL, being the lowest and best Bidder on the following PROJECT:

ROBINSON STREET UNDERPASS LANDSCAPE AND IRRIGATION PROJECT

has entered into a written CONTRACT (K-1314-48) with THE CITY OF NORMAN, dated November 1, 2013, for the erection and construction of this PROJECT, that CONTRACT being incorporated herein by reference as if fully set forth.

NOW, THEREFORE, if the PRINCIPAL, shall properly and promptly complete the work on this PROJECT in accordance with the CONTRACT, and shall well and truly pay all indebtedness incurred for labor and materials and repairs to and parts for equipment furnished in the making of the PROJECT, whether incurred by the PRINCIPAL, his subcontractors, or any material men, then this obligation shall be void. Otherwise this obligation shall remain in full force and effect. If debts are not paid within thirty (30) days after the same becomes due and payable, the person, firm, or corporation entitled thereto may sue and recover on this Bond, subject to the provisions of 61 O.S. 1981 S2, for the amount so due and unpaid.

It is further expressly agreed and understood by the parties hereto that no changes or alterations in said CONTRACT and no deviations from the plan or mode of procedure herein fixed shall have the effect of releasing the SURETIES, or any of them, from the obligation of this Bond.

It is further expressly agreed that the PRINCIPAL's obligations under this Bond include payment of not less than the prevailing hourly rate of wages as established by the Commissioner of Labor of the State of Oklahoma and by the Secretary of the U.S. Department of Labor or as determined by a court on appeal.

IN WITNESS WHEREOF, the PRINCIPAL has caused these presents to be executed in its name and its corporate seal (where applicable) to be hereunto affixed by its duly authorized representative(s). on the 1 day of NOVEMBER, 2013, and the SURETY has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its authorized representative on the 1 day of NOVEMBER, 2013.

(Corporate Seal) (where applicable)

ATTEST:

Corporate Secretary (where applicable)

Principal
Marcum's Nursery, Inc.
Signed:
Authorized Representative

Title VICE-PRESIDENT
Address: 164 N. MAIN AVE.
GOLDSBY, OK 73093
Telephone: 405-288-2368

Corporate Seal (where applicable)

ATTEST:

Corporate Secretary (where applicable)

Surety
Granite Re, Inc.
Signed:
Authorized Representative

Title Travis E. Brown, Attorney-in-Fact
Address: 1608 NW Expressway, Suite 100
Oklahoma City, OK 73118
Telephone: 405.418.8600

CORPORATE ACKNOWLEDGEMENT

STATE OF OKLAHOMA)
)SS
COUNTY OF McCLAIN)
The foregoing instrument was acknowledged before me this 1 day of NOVEMBER, 2013,

by MONTY C MARCUM Name

and Title of MARCUM NURSERY, a OKLAHOMA corporation, on behalf of the corporation.

WITNESS my hand and seal this 1 day of NOVEMBER, 2013.

Notary Public

Amy L Carrel

My Commission Expires:

October 29, 2017

NOTARY PUBLIC STATE OF OKLAHOMA
OFFICIAL SEAL
AMY L. CARREL
Commission # 13009882
Expires October 29, 2017

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF OKLAHOMA)
)SS
COUNTY OF)

The foregoing instrument was acknowledged before me this ____ day of _____, 2013,

by _____ Name and

Title of _____, a

WITNESS my hand and seal this ____ day of _____, 2013.

Notary Public

_____

My Commission Expires:

_____.

PARTNERSHIP ACKNOWLEDGEMENT

STATE OF OKLAHOMA)
)SS
COUNTY OF_____)

The foregoing instrument was acknowledged before me this____day of _____, 2013,

by_____Name

and Title partner (agent) on behalf of _____partnership.

WITNESS my hand and seal this_____day of_____, 2013.

Notary Public

_____

My Commission Expires:

_____.

CITY OF NORMAN
Approved as to form and legality this 6 day of November, 2013.

City Attorney

_____

Approved by the Council of the City of Norman this_____day of_____, 2013.

ATTEST:

_____

City Clerk

_____

Mayor

_____

Bond No: GR25738

CITY OF NORMAN
MAINTENANCE BOND

Know all men by these presents that Marcum's Nursery, Inc., as Principal, and Granite Re, Inc., a corporation organized under the laws of the State of Oklahoma, and authorized to transact business in the State of Oklahoma, as SURETY, are held and firmly bound unto THE CITY OF NORMAN, a Municipal Corporation of the State of Oklahoma, herein called CITY, in the sum of DOLLARS ($22,954.56), such sum being equal to the contract price and being in force for a period of one year from the date of the acceptance of the below described improvements by the City Council, and thereafter for the sum of Twenty Two Thousand Nine Hundred Fifty Four and 56/100--- DOLLARS($22,954.56), such sum being not less than fifteen percent (15%) of the total contract price of said improvements for a period of 1 year(s) thereafter, for the payment of which sum PRINCIPAL and SURETY bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally.

WHEREAS, the conditions of this obligation are such that the PRINCIPAL, being the lowest and best bidder on the following project:

ROBINSON STREET UNDERPASS LANDSCAPE AND IRRIGATION PROJECT

as entered into a written CONTRACT (K-1314-48) with the CITY OF NORMAN, dated Nov 1, 2013, for the erection and construction of this PROJECT, that CONTRACT being incorporated herein by references as if fully set forth; and,

WHEREAS, under the ordinances of the CITY the PRINCIPAL is required to furnish to the CITY a maintenance bond covering said construction of this project, the bond to include the terms and provisions hereinafter set forth, as a condition precedent to final acceptance of the PROJECT.

NOW, THEREFORE, if the PRINCIPAL shall keep and maintain, subject to normal wear and tear, the construction, except for defects not occasioned by improper workmanship, materials, or failure to protect new work until it is accepted, and if the PRINCIPAL shall promptly repair, without notice from the CITY or expense to the CITY any and all defects arising from improper workmanship, materials, or failure to protect new work until it is accepted; all for a period of Two (2) years from the date of the written final acceptance by the CITY, or date of final payment, which ever is first, then this obligation shall be null and void. Otherwise, this obligation shall remain in full force and effect at all times.

Provided further, however, that upon neglect, failure or refusal of the PRINCIPAL to maintain or make any needed repairs upon the construction on the PROJECT, as set out in the preceding paragraph, within ten (10) days after the mailing of notice to the PRINCIPAL by letter deposited in the United States Post Office at Norman, Oklahoma, addressed to the PRINCIPAL at the address set forth below, then the PRINCIPAL and SURETY shall jointly and severally be liable to the CITY for the cost and expense for making such repair, or otherwise maintaining the said construction.

the United States Post Office at Norman, Oklahoma, addressed to the PRINCIPAL at the address set forth below, then the PRINCIPAL and SURETY shall jointly and severally be liable to the CITY for the cost and expense for making such repair, or otherwise maintaining the said construction.

It is further expressly agreed and understood by the parties hereto that no changes or alterations in said CONTRACT and no deviations from the plan or mode of procedure herein fixed shall have the effect of releasing the sureties, or any of them, from the obligations of this Bond.

IN WITNESS WHEREOF, the said PRINCIPAL has caused these presents to be executed in its name and its corporate seal (where applicable) to be hereunto affixed by its duly authorized representative(s), on the 1 day NOVEMBER, 2013, and the SURETY has caused these presents to be executed in its name its corporate seal to be hereunto affixed by its authorized representative(s) on the 1 day of NOVEMBER, 2013.

(Corporate Seal) (where applicable)

Principal
Marcum's Nursery, Inc.
Signed:

ATTEST:

Authorized Representative

Corporate Secretary (where applicable)

Title VICE PRESIDENT
Address: 169 N. MAIN AVE.
GOLDSBY, OK 73093
Telephone: 405. 288. 2368

Corporate Seal (where applicable)

Surety
Granite Re, Inc.
Signed:

ATTEST:

Authorized Representative

Corporate Secretary (where applicable)

Title Travis E. Brown, Attorney-in-Fact
Address: 1608 NW Expressway, Suite 100
Oklahoma City, OK 73118
Telephone: 405.418.8600

CORPORATE ACKNOWLEDGEMENT

STATE OF OKLAHOMA)
)SS
COUNTY OF McCLAIN)

The foregoing instrument was acknowledged before me this 1 day of NOVEMBER, 2013,

by MONTY C MARCUM VICE PRESIDENT Name

and Title of MARCUM NURSERY, an OKLAHOMA corporation, on behalf of the corporation.
WITNESS my hand and seal this 1 day of NOVEMBER ,2013

Notary Public

Amy L Carrel

My Commission Expires:

October 29, 2017

NOTARY PUBLIC STATE OF OKLAHOMA OFFICIAL SEAL AMY L. CARREL Commission # 13009882 Expires October 29, 2017

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF OKLAHOMA)
)SS
COUNTY OF_____)

The foregoing instrument was acknowledged before me this_____day of _____, 2013,

by_____Name

and Title of_____, a

WITNESS my hand and seal this_____day of_____,2013

Notary Public

_____

My Commission Expires:

_____.

PARTNERSHIP ACKNOWLEDGEMENT

STATE OF OKLAHOMA)
)SS
COUNTY OF_____)

The foregoing instrument was acknowledged before me this_____day of _____, 2013,

by_____Name and Title

partner (agent) on behalf of _____a partnership.

WITNESS my hand and seal this_____day of _____,2013

Notary Public
My Commission Expires:
_____

CITY OF NORMAN

Approved as to form and legality this 6 day of November 2013.

City Attorney

Approved by the Council of the City of Norman this_____day of_____2013.

ATTEST:

_____ _____
City Clerk Mayor

Maintenance Bond No. MB-1314-26
Page 4 of 4

Resolution

R-1314-30

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING AND APPOINTING MARCUM'S NURSERY AS PROJECT AGENT FOR THE ROBINSON STREET UNDERPASS LANDSCAPE AND IRRIGATION PROJECT.

§ 1. WHEREAS, the City of Norman, Oklahoma, does hereby acknowledge that the tax-exempt status of this political subdivision is a significant factor in determining the agreed contract price bid by Marcum's Nursery for the Robinson Street Underpass Landscape and Irrigation Project; and

§ 2. WHEREAS, the City of Norman, Oklahoma, in compliance with State law, desires to confer on Marcum's Nursery its special State and Federal sales tax exemptions and in order to achieve such end, finds it necessary to appoint as its direct purchasing agent, Marcum's Nursery, to purchase materials which are in fact used for the Robinson Street Underpass Landscape and Irrigation Project; and

§ 3. WHEREAS, this limited agent status is conferred with the express understanding that Marcum's Nursery shall appoint employees and subcontractors as subagents who shall be authorized to make purchases on their behalf.

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

§ 4. That the City of Norman, Oklahoma, on the 12th day of November, 2013, did appoint Marcum's Nursery who is involved with the Robinson Street Underpass Landscape and Irrigation Project, an agent of the City of Norman, Oklahoma, solely for the purpose of purchasing, on a tax-exempt basis, materials and tangible personal property to be used exclusively for the Robinson Street Underpass Landscape and Irrigation Project.

PASSED AND ADOPTED THIS 12th day of November, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

PURCHASE REQUISITION NBR: 0000226006

REQUISITION BY: PJONES

STATUS: DIVISION APPROVAL
REASON: LANDSCAPE PROJECT-ROBINSON UNDERPASS

DATE: 11/07/13

SHIP TO LOCATION: PUB WKS- ENGINEERING

SUGGESTED VENDOR: 1190 MARCUM'S NURSERY

DELIVER BY DATE: 11/15/13

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	LANDSCAPE SERVICES FOR ROBINSON UP PROJECT CONTINGENT UPON COUNCIL APPROVAL ON NOVEMBER 12, 2013. COMMODITY: ROADSIDE, GROUNDS, RECREA SUBCOMMOD: LANDSCAPING (INCLUDING DE	153030.00	EA	1.0000	153030.00	

REQUISITION TOTAL: 153030.00

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	05090654316101	Capital Projects Construction	BP0203 Robinson RR Grade Separtn	100.00	153030.00
					153030.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

City of Norman, OK

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

Master

File Number: FP-1213-19

File ID:	FP-1213-19	**Type:**	Final Plat	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 13	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	10/10/2012
File Name:	Highland Village 7 Final Plat			**Final Action:**	

Title: CONSIDERATION OF A FINAL PLAT FOR HIGHLAND VILLAGE ADDITION, SECTION 7, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (LOCATED ON THE NORTH SIDE OF HIGHLAND VILLAGE DRIVE WEST OF PORTER AVENUE).

Notes: ACTION NEEDED: Motion to approve or reject the final plat for Highland Village Addition, Section 7; 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 improvements and direct the filing of the final plat.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 13

Attachments: Text File Final Plat.pdf, Highland Village 7 Location Map, Highland Village 7 Staff Report, Final Plat Highland Village Addition, Section 7, Revised Prelim Highland Village, 11-8-12 PC Minutes - Highland Village 7

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	11/08/2012					

Text of Legislative File FP-1213-19

body

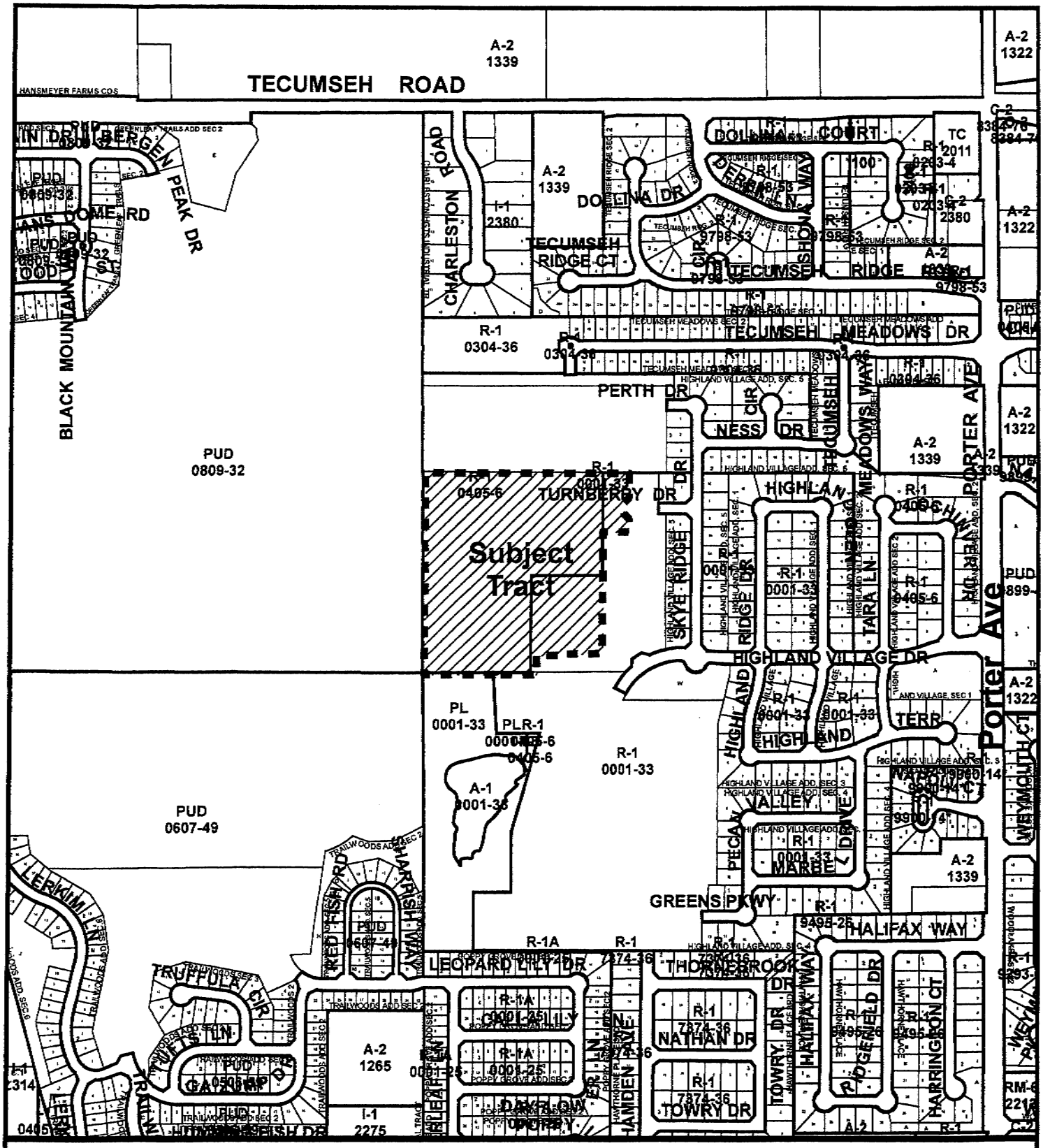
BACKGROUND: This item is a final plat for Highland Village Addition, Section 7, and is generally located on the north side of Highland Village Drive approximately 1,600 feet west of North Porter Avenue. This property consists of 17.9 acres and forty (40) single-family residential lots. A common open space lot containing a storm water detention facility consists of 4.21 acres. There are ninety (90) single-family lots remaining undeveloped within the preliminary plat for Highland Village Addition.

City Council, at its meeting of March 13, 2001, adopted Ordinance No. O-0001-33 placing a portion of this property in R-1, Single Family Dwelling District, and removing it from A-2, Rural Agriculture District. City

Council, at its meeting of September 28, 2004 adopted Ordinance No. O-0405-6 placing the remainder of this property in R-1, Single Family Dwelling District, and removing it from PUD, Planned Unit Development. City Council approved a revised preliminary plat at its meeting of February 23, 2010. Planning Commission, on November 8, 2012, approved the final plat for Highland Village Addition, Section 7.

DISCUSSION: Public improvements consist of water mains with fire hydrants, sanitary sewer, drainage, street and sidewalk improvements. Public improvements are near completion. Park land dedication requirements have been fulfilled.

STAFF RECOMMENDATION: The final plat is consistent with the preliminary plat. Based upon the above information, Staff recommends that City Council approve the final plat, accept the public dedications contained therein and authorize the Mayor to sign the final plat and required bonds for Highland Village Addition, Section 7, subject to completion and the City Development Committee's acceptance of the public improvements 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

October 31, 2012

0 300 600 Ft.

Subject Tract

Zoning

FINAL PLAT
FP-1213-19

ITEM NO. 9

STAFF REPORT

ITEM: Consideration of a Final Plat for HIGHLAND VILLAGE ADDITION, SECTION 7.

LOCATION: Generally located on the north side of Highland Village Drive approximately 1,600 feet west of Porter Avenue.

INFORMATION:

1. Owners. Highland Hills, LLC.

2. Developer. Highland Hills, LLC.

3. Engineer. SMC Consulting Engineers, P.C.

HISTORY:

1. October 18, 1961. City Council adopted Ordinance No. 1312 annexing and placing this property in A-2 zoning classification.

2. February 1, 2001. The Norman Board of Parks Commissioners, on a vote of 8-0, recommended park land dedication for Highland Village Addition.

3. February 8, 2001. Planning Commission, on a vote of 8-0, recommended to City Council that this property be placed in R-1 and removed from A-2 zoning classification.

4. February 8, 2001. Planning Commission, on a vote of 8-0, recommended to City Council that the preliminary plat for Highland Village Addition be approved.

5. March 13, 2001. City Council adopted Ordinance No. O-0001-33 placing this property in a PUD, Planned Unit Development and removing it from A-2 zoning classification.

6. March 13, 2001. City Council approved the preliminary plat for Highland Village Addition.

HISTORY, (con't):

7. August 12, 2004. Planning Commission, on a vote of 8-0, recommended to City Council that this property be placed in the R-1 and removed from the PUD, Planned Unit Development, zoning classification.

8. August 12, 2004. Planning Commission, on a vote of 8-0, recommended that the revised preliminary plat for Highland Village Addition be approved.

9. September 28, 2004. City Council adopted Ordinance No. O-0405-6 placing this property in R-1 and removing it from PUD zoning classification.

10. September 28, 2004. City Council approved the revised preliminary plat for Highland Village Addition.

11. September 28, 2009. The approval of the revised preliminary plat for Highland Village Addition became null and void.

12. November 12, 2009. Planning Commission, on a vote of 9-0, approved the revised preliminary plat for Highland Village Addition.

13. February 23, 2010. City Council approved the revised preliminary plat for Highland Village Addition.

IMPROVEMENT PROGRAM:

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

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 water runoff from this addition will be conveyed to a privately-maintained detention facility located west of the property.

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 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, revised preliminary plat and final plat are included in the Agenda Book.

STAFF COMMENTS AND RECOMMENDATION: The owner proposes to construct approximately 40 single family residential lots. A Property Owner's Association will be formed in order to maintain open spaces and the proposed privately-maintained detention facilities. Staff recommends approval of the final plat for Highland Village Addition, Section 7.

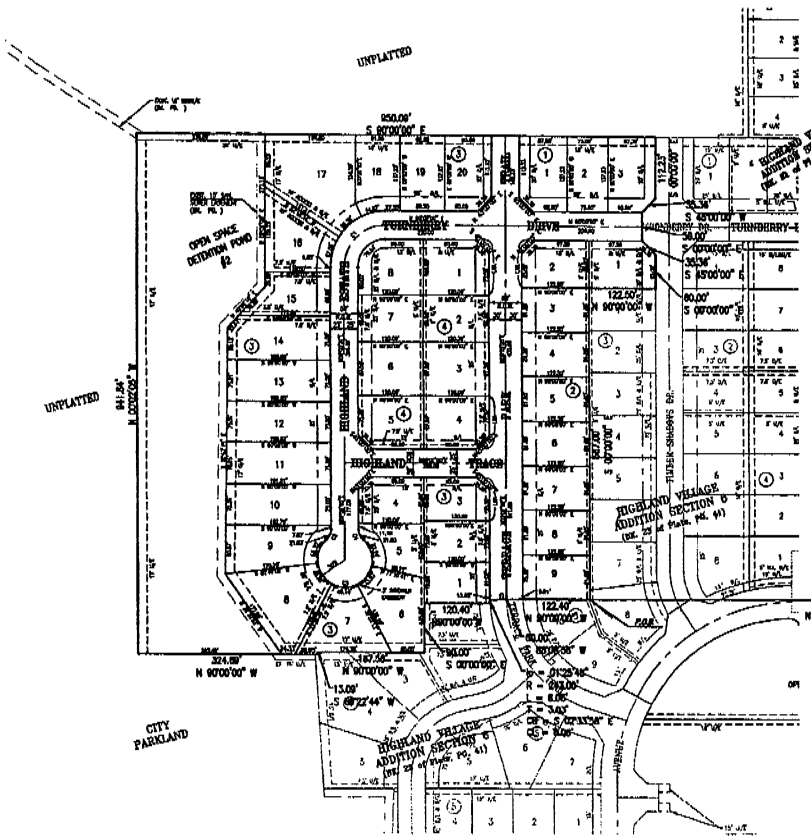
ACTION NEEDED: Approve or disapprove the Final Plat for Highland Village Addition, Section 7.

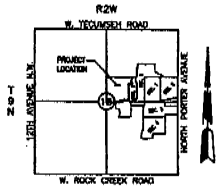
ACTION TAKEN:_____

FINAL PLAT

HIGHLAND VILLAGE ADDITION SECTION 7

A PART OF THE E. 1/2, SECTION 18, T9N, R2W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA



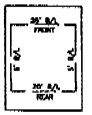


VICINITY MAP
SCALE: 1" = 2000'

SCALE: 1" = 100'

BASIS OF BEARING FOR THIS FINAL PLAT IS N 00°00'00" E AS SHOWN ON THE EAST LINE OF SEC. 18

TYPICAL BUILDING SETBACKS



CURVE TABLE

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD BEARING	CHORD LENGTH
C1	90°00'00"	15.00'	23.56'	15.00'	S 45°00'00" W	21.21'
C2	90°00'00"	15.00'	23.56'	15.00'	S 45°00'00" E	21.21'
C3	14°03'39"	60.00'	14.73'	7.40'	N 83°58'51" E	14.69'
C4	75°56'21"	60.00'	79.51'	46.79'	N 52°58'51" E	73.85'
C5	14°03'39"	60.00'	14.73'	7.40'	S 83°58'51" E	14.69'
C6	90°00'00"	15.00'	23.56'	15.00'	S 45°00'00" E	21.21'

LOT COUNT

RESIDENTIAL LOTS = 40

PERMANENT BENCHMARK:
BRASS CAP AT INTERSECTION OF TURNBERRY CR. TORRANCE PARK TRAIL
ELEV. =

ALL COMMON AREAS, OPEN SPACES, ETC. WILL BE MAINTAINED BY A MANDATORY PROPERTY OWNERS ASSOCIATION.

* UNLESS OTHERWISE NOTED, LP's W/ C.A. 890 CAPS WERE SET AT ALL PROPERTY CORNERS.

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 HIGHLAND VILLAGE ADDITION SECTION 7. HOWEVER, IF MAINTENANCE IS NEGLECTED OR SUBJECT TO OTHER UNUSUAL CIRCUMSTANCES AND IS DETERMINED TO BE A HAZARD OR THREAT TO PUBLIC SAFETY BY THE CITY ENGINEER, CORRECTIVE MAINTENANCE MAY BE PERFORMED BY THE GOVERNING JURISDICTION WITH COSTS ASSESSED TO AND BORN UPON SAID PROPERTY OWNER(S). OFFICIALS REPRESENTING THE ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT, SHALL HAVE THE RIGHT TO ENTER UPON THE EASEMENT FOR PURPOSES OF PERIODIC INSPECTION AND/OR CORRECTIVE MAINTENANCE OF THE FACILITY. UPON RECEIVING WRITTEN APPROVAL FROM THE ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT, PROPERTY OWNER(S) MAY CONSTRUCT IMPROVEMENTS WITHIN THE EASEMENT, PROVIDED THE IMPROVEMENT DOES NOT INTERFERE WITH THE FUNCTION OF THE DETENTION FACILITY.

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

D/E = DRAINAGE EASEMENT
LNA = LIMITS OF NO ACCESS
U/E = UTILITY EASEMENT
B/L = BUILDING LINE
-1600- = ADDRESS

Date: October 23, 2012

SMC Consulting Engineers
215 E. Main Street
Oklahoma City, OK 73104
PH:(405)232-7715
Oklahoma CA 5444 Exp:6-30-2013

HIGHLAND VILLAGE ADDITION SECTION 7
SHEET 2 OF 2

REVISED
PRELIMINARY PLAT
HIGHLAND VILLAGE ADDN.
N. PORTER AVENUE
W. ROCK CREEK ROAD
UNPLATTED

5-2

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

NOVEMBER 8, 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 8th day of November 2012. Notice and agenda of the meeting were posted at the Norman Municipal Building and online at http://www.normanok.gov/content/boards-commissions at least twenty-four hours prior to the beginning of the meeting.

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

* * *

Item No. 1, being:
ROLL CALL

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

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

* * *

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 OCTOBER 11, 2012 REGULAR SESSION MINUTES

Item No. 4, being:
COS-1213-3 – CONSIDERATION OF A NORMAN RURAL CERTIFICATE OF SURVEY SUBMITTED BY JEFFREY CARLSON (CORNERSTONE REGIONAL SURVEYING, L.L.C.) FOR ROCKIN' ROSE FARM, GENERALLY LOCATED ON THE NORTH SIDE OF ALAMEDA DRIVE APPROXIMATELY ¼ MILE EAST OF 72ND AVENUE N.E.

Item No. 5, being:
FP-1213-15 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY NORMAN DOP VII, L.L.C. (CORNERSTONE REGIONAL SURVEYING, L.L.C.) FOR DOLLAR GENERAL ALAMEDA ADDITION, FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF ALAMEDA DRIVE APPROXIMATELY ¼ MILE EAST OF 72ND AVENUE N.E.

Item No. 6, being:
FP-1213-16 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY ABSENTEE SHAWNEE TRIBE OF OKLAHOMA HEALTH CENTER (CARDINAL ENGINEERING) FOR ABSENTEE SHAWNEE HEALTH CARE ADDITION, SECTION 2, FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF LITTLE AXE DRIVE AND APPROXIMATELY 775' EAST OF 156TH AVENUE N.E.

Item No. 7, being:
FP-1213-17 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY HALLBROOKE DEVELOPMENT GROUP, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR COMMERCE PARKWAY ADDITION, SECTION 3, A PLANNED UNIT DEVELOPMENT, A REPLAT OF PART OF COMMON AREA A, DETENTION POND & ACCESS EASEMENT OF COMMERCE PARKWAY ADDITION SECTION 2, FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 36TH AVENUE N.W. APPROXIMATELY 1,551' NORTH OF INDIAN HILLS ROAD.

Item No. 8, being:
FP-1213-18 – CONSIDERATION OF A FINAL SITE DEVELOPMENT PLAN AND FINAL PLAT SUBMITTED BY HEARTLAND CHURCH, INC. (SMC CONSULTING ENGINEERS, P.C.) FOR HEARTLAND CHURCH ADDITION, A PLANNED UNIT DEVELOPMENT, FOR PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF TECUMSEH ROAD APPROXIMATELY ½ MILE WEST OF PORTER AVENUE.

Item No. 9, being:
FP-1213-19 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY HIGHLAND HILLS, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR HIGHLAND VILLAGE ADDITION SECTION 7, FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF HIGHLAND VILLAGE DRIVE APPROXIMATELY 1,600' WEST OF PORTER AVENUE.

Item No. 10, being:
FP-1213-20 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY UNIVERSITY TOWNE CENTER, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR UNIVERSITY NORTH PARK SECTION X, A PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED ON THE NORTH SIDE OF CONFERENCE DRIVE AND WEST OF 24TH AVENUE N.W.

Item No. 11, being:
PP-1213-7 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY TERRA VERDE DEVELOPMENT, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR TRAILWOODS ADDITION, A PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED NORTH OF ROCK CREEK ROAD APPROXIMATELY ¼ MILE EAST OF 12TH AVENUE N.W.

Item No. 12, being:
PP-1213-9 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY SASSAN MOGHADAM (SMC CONSULTING ENGINEERS, P.C.) FOR P.B. ADDITION GENERALLY LOCATED ON THE WEST SIDE OF FLOOD AVENUE APPROXIMATELY 160' NORTH OF HIGHLAND PARKWAY.

*

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

Ms. Tromble announced that the motion, to place approval of Item Nos. 3 through 12 on the Consent Docket and approve by one unanimous vote, passed by a vote of 8-0.

* * *

Item No. 9, being:
FP-1213-19 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY HIGHLAND HILLS, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR HIGHLAND VILLAGE ADDITION SECTION 7, FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF HIGHLAND VILLAGE DRIVE APPROXIMATELY 1,600' WEST OF PORTER AVENUE.

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

The Final Plat for HIGHLAND VILLAGE ADDITION, SECTION 7 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-1314-44

File ID:	GID-1314-44	**Type:**	Acceptance of Funds	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 14	**In Control:**	City Council
Department:	Fire Department	**Cost:**		**File Created:**	10/31/2013
File Name:	FEMA Reimbursement - Tornado May 2013			**Final Action:**	

Title: CONSIDERATION OF ACCEPTANCE OF REIMBURSEMENT OF FUNDS IN THE AMOUNT OF $332,976.54 FROM FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND $48,351.56 FROM THE STATE OF OKLAHOMA FOR TORNADO RELATED EXPENSES DURING MAY 2013.

Notes: ACTION NEEDED: Motion to accept or reject reimbursement of funds in the amount of $332,976.54 from FEMA and $48,351.56 from the State of Oklahoma for tornado-related expenses during May 2013; and, if accepted, increase FEMA Reimbursements (010-0000-44.13-28) by $332,976.54 and Other Agency Reimbursements (010-0000-366.12-39) by $48,351.56.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 14

Attachments: Text File FEMA Reimb 1.pdf, FEMA OK-DR-4117 Debris I.pdf, FEMA OK-DR-4117-Debris II.pdf, OK-DR 4117 - Debris I & II.pdf

Project Manager: James Fullingim, Fire Chief

Entered by: devra.smith@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-1314-44

body

BACKGROUND: During the severe weather outbreak event May 18 - June 2, 2013, Norman experienced severe storms, flooding and tornadoes that caused widespread damage throughout the City of Norman. During this time, there was an immediate threat to lives, property and public health and safety and FEMA Declaration OK-DR-4117 was approved.

DISCUSSION: Due to severe storms, tornadoes, and straight-line winds during the period of May 18 - June 2, 2013, vegetative and construction/demolition debris was deposited upon public properties and rights-of-way. It was determined that this debris posed a significant threat to citizens' lives, and public health and safety which necessitated debris removal. Under FEMA Declaration OK-DR-4117, the City of Norman was determined to be an eligible applicant for reimbursement under Category A, Debris Removal. The City of Norman is a participant in the Accelerated Debris Removal Program of the Public Assistance Alternative Procedures, whereby the City

will receive reimbursement for the first 30 days of debris removal at 85%; for days 31-90 at 80%; and for days 91-180 at 75%. The City of Norman requested to use the Debris Management Plan Procedure and will receive a one-time Federal Cost Share increase of two (2) percent for the first 90 days after the start of the incident period for its debris removal operations.

Project Worksheet #00008 covered the first 30 days for the Public Works Department and determination was made that $315,804.46 was the amount eligible for the reimbursement application. FEMA processed the application based on a cost share basis of 87 percent. The 87% reimbursable amount was $274,749.88. This reimbursement was received by the City in August of 2013.

Project Worksheet #00139 covered days 31-90 for the Public Works Department and $71,008.12 was determined to be the amount eligible for the reimbursement application. FEMA processed the application based on a cost share basis of 82 percent. The 82% reimbursable amount was $58,226.66. This reimbursement was received by the City in October of 2013.

The State of Oklahoma operates a Public Assistance program that provides for 50 percent of the remaining cost share not covered by FEMA (12.5% of the total eligible reimbursable amount). The amount of the 12.5% provided by the State of Oklahoma for the first 30 days of debris removal is $39,475.56. The amount of the 12.5% for days 31-90 is $8,876. These funds in the total amount of $48,351.56 were received in October 2013.

RECOMMENDATION: It is recommended that City Council approve reimbursement from FEMA in the amount of $332,976.54 and from the State of Oklahoma in the amount of $48,351.56 and receipt $332,976.54 into FEMA Reimbursements (010-0000-334.13-28) and $48,351.56 into Other Agency Reimbursements (010-0000-366.12-39).

(Rev. 1/2012)

OKLAHOMA DEPARTMENT OF EMERGENCY MANAGEMENT (OEM)

PUBLIC ASSISTANCE

REQUEST FOR ADVANCE OR REIMBURSMENT PAYMENT

NORMAN, CITY OF				DR Type
DEPARTMENT	OBJECT ACCOUNT	CFDA#	Batch #	SEVERE STORMS, TORNADOES, FLOODING MAY 2013
95- 4117 -3	554120	97.036	4117-3A	

VENDOR ID	LOCATION	Voucher #	DUNS NUMBER
76924	#7		832238146
Tax ID/EIN	FIPS CODE	Bundle#:	Prepared by
	027-52500-00	0004(3)	

APPLICANT
NORMAN, CITY OF
201 W GRAY ST
NORMAN OK 73069-

PAYMENT OF FEDERAL FUNDS FOR FEMA GRANT PROJECTS INDICATED IN THE BOX BELOW.

COMPUTATION OF AMOUNT OF REIMBURSEMENT/ADVANCES REQUESTED — 15 Alpha Large 720 Fund

REMARKS

PA:FEMA DR 4117 PW 8; CITY OF NORMAN;ADVANCE OF FUNDS PER A. ASHWOOD

Cat	PW+Vsn	Fed 720 Fund
A	4117-00008(0)	$274,749.88
	Total	**$274,749.88**

I certify that to the best of my knowledge and belief the data above are correct and that all outlays were made in accordance with the grant conditions or other agreement and that payment is due and has not been previously requested.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL — DATE REQUEST SUBMITTED

8/6/2013

Michelann Ooten
Deputy Director
Telephone (405)521-2481

Date

I certify that the amount claimed on this voucher is correct and just and that payment has not been received.

8/6/2013

Governor's Authorized Representative — Date

Supporting documentation is on file at the Oklahoma Emergency Management office and at the local payee.

PA-06-OK-4117-PW-00008(0) P	
Applicant Name:	Application Title:
NORMAN	NOR1A87 - Debris Removal
Period of Performance Start:	Period of Performance End:
05-20-2013	11-20-2013

Bundle Reference # (Amendment #)	Date Awarded
PA-06-OK-4117-State-0004(3)	08-05-2013

Subgrant Application - FEMA Form 90-91

Note: The Effective Cost Share for this application is 87%

FEDERAL EMERGENCY MANAGEMENT AGENCY

PROJECT WORKSHEET

DISASTER	PROJECT NO.	PA ID NO.	DATE	CATEGORY
FEMA 4117 - DR -OK	NOR1A87	027-52500-00	06-25-2013	A

APPLICANT: NORMAN	WORK COMPLETE AS OF: 06-17-2013 : 85 %

Site 1 of 1

DAMAGED FACILITY: Debris Removal	COUNTY: Cleveland

LOCATION: PA-06-OK-4117-PW-00008(0): City Wide	LATITUDE: 35.25866	LONGITUDE: -97.28286

DAMAGE DESCRIPTION AND DIMENSIONS:

PA-06-OK-4117-PW-00008(0):

Incident period, May 18, 2013 through June 2, 2013. As a direct result of severe storms, flooding and tornadoes occurring during the incident period, the City of Norman sustained damages throughout the city creating construction and demolition (C&D) debris, downed trees, hazardous hanging limbs, hazardous trees on public property, and right-of-ways within the City of Norman, which constituted a threat to public health and safety and inhibited emergency vehicles from responding to the emergency. Estimates compiled by the USACE indicate approximately 40,000 CY of debris throughout the area. The applicant has utilized contract labor to removed 33,498.86 CYs of vegetative debris, 23 hazard trees and 309 hangers. All vegetative debris was removed to the DEQ approved Emergency Disposal Site (forms attached) located at (35.258664,-97.282863), 3276 108th Ave NE., Norman, OK 73071, and 2,446.7 CYs of C & D debris; C & D was taken to a permanent landfill located at (35.396713 -97.646635), Southeast Landfill, 7001 S Bryant Avenue, Oklahoma City, OK 73149 (MSW# 3555028). Sub-grantee utilized Force Account labor and equipment for debris monitoring. Total debris removed is 35,945.56 CYs; GPS coordinates were taken at the TDSRS noted above.

SCOPE OF WORK:

PA-06-OK-4117-PW-00008(0):

Fund at 87% Work Complete (First 30 Days of Operation) **********Wind Damage********** The sub-grantee chooses to participate in the Alternative Procedures Pilot Program. We reviewed the Alternative Procedures Pilot Program Debris Removal Acknowledgement and the Sub-grantee Agent signed the acknowledgement. The sub-grantee wants to participate in the Accelerated Debris Removal, and Force Account Labor - Straight Time portions of the program. The sub-grantee did have a signed, executed Debris Management Plan (DMP) and a pre-positioned contractor prior to the event therefore; the sub-grantee does qualify for the one time two percent additional cost share for the first 90 days for this event. There were 13 contractors who responded to the bid announcement. Being the lowest bidder T.F.R. Enterprises was awarded the contract. This contract was reviewed and approved by the City of Norman and accepted on May 24, 2013. T.F.R Enterprise collected and hauled ROW debris from the impacted areas of the City in the amount of 33,498.86 CYs of vegetative debris, 23 hazard trees and 309 hangers. This debris was hauled to the City's emergency disposal site (forms attached), (35.258664,-97.282863), 3276 108th Ave NE., Norman, OK 73071 for chipping and grinding. Additionally, 2,446.7 CYs of C & D debris was hauled directly to Southeast Landfill, 7001 S Bryant Avenue, Oklahoma City, OK 73149 (MSW# 3555028). This scope of work covers only the first 30 days of operations from the incident period date of May 18, 2013. Additional amendments or PW's will capture work completed from day 31 through day 90, and day 91 through completion. $207,628.17 - Contract Debris Removal Cost 35,945.56 - Total CYs Removed $5.78 - Average Per CY (Less grinding & Haulout) Assumptions for average cost calculation (Will be addressed in second PW) $39,540.12 - $1.10 - Debris Management Fee (Per CY) $30,148.97 - $.90 - Reduction by Grinding (Per CY) 33,498.86 CYs (C&D not included) $50,918.25 - $3.80 - Haulout charge (Per CY) 13,399.54 CYs (grinding will reduce debris by 60%) $120,607.34 - Total Approximate Future Cost $207,628.17 - Contract cost work complete $120,607.34 - Anticipated Future Cost $328,235.51 - Anticipated Total Cost for Contract Removal $9.13 - Average Per CY Price, this cost is considered reasonable. Monitoring The Sub-grantee utilized (23 employees) 825.50 FA Reg labor hours , 774.75 OT hours and 51 Exempt hours(not eligible) additionally the applicant utilized 1,322.25 equipment hours(rollers, loader, graders, pick up, dump and flatbed trucks) and materials 225 TBSC tons, 315 tons 3" surge , 495.57 tons 3" rock, and 23.59 tons of gravel, and 1) 42" Arch pipe to prep emergency disposal site, 5 cameras, 4 memory cards and 2 gps to aid employees with debris removal and monitoring. Note: sub-grantee is utilizing their Project # SR0008 for disaster related work hours on daily work logs; the following are the listed pay codes: (1) regular hours, (8) overtime, (21) comp time were utilized for debris monitoring and equipment hours. $78,949.22 - Monitoring Cost $328,235.51 - Anticipated Cost of Contract Removal Monitoring as a percentage of removal = 24% All documentation was reviewed, validated and found reasonable by FEMA Project Specialist assigned (S. Foster/PS.) Direct Administrative Cost The sub grantee is requesting direct administrative costs that are directly chargeable to this specific project. Associated eligible work is related to administration of this PA project only and in accordance with 44 CFR §13.22. These costs are treated consistently and uniformly as direct costs in all Federal awards and other sub grantee activities and are not included in any approved indirect cost rates. State As described in 44 CFR 13.42 (2) (b), 3(c), sub grantee must maintain all work-related records for a period of three (3) years from sub grantee closure (final payment), all records relative this project worksheet are subject to examination and audit by the State, FEMA and the Comptroller General of the United States and must reflect work related to disaster specific costs (M.Dunn/IBD). Accelerated Debris Removal: The sub-grantee has chosen to participate in the Accelerated Debris Removal program of the Public Assistance Alternative Procedures. The sub-grantee will receive an adjusted Federal Share on debris removal activity from day 0-30, and be reimbursed at an 85% Federal Share. Amendment 1 will cover debris removal activities from day 31-90, and be reimbursed at 80% Federal Share. Amendment 2 will cover debris removal activities from day 91-180, and be reimbursed at 75% Federal Share. Extensions for any debris removal activities past 180 days must be approved by FEMA. Force Account Labor (Straight-Time) The sub-grantee has chosen to participate in the Debris Removal Straight-Time Force Account Labor Procedures of the Public Assistance Alternative Procedures for Debris Removal. As a result, straight-time force account labor, including benefits, will be reimbursed on the PW. One Time Incentive For Debris Management Plan The Subgrantee has a FEMA reviewed Debris Management Plan, which is attached to the Subgrantee's CMF. For this event, the Subgrantee has requested to use the Debris Management Plan Procedure, and the Subgrantee will receive a one-time Federal cost share increase of two (2) percent for the first 90 days after the start of the incident period for its debris removal operations.

Does the Scope of Work change the pre-disaster conditions at the site? ( ) Yes ( ) No	Special Considerations Included? ( ) Yes ( ) No
Hazard Mitigation proposal included? ( ) Yes ( ) No	Is there insurance coverage on this facility? ( ) Yes ( ) No

PROJECT COST

ITEM	CODE	NARRATIVE	QUANTITY/UNIT	UNIT PRICE	COST
1	9999	Version 0 (First 30 Days of Operation)	1/LS	$ 0.00	$ 0.00
2	9221	PAAP Accelerated Debris Removal 0-30 days – 85% Federal Share	1/LS	$ 207,628.17	$ 207,628.17

3	9226	PAAP Force Account Labor (Straight Time)	1/LS	$ 24,810.15	$ 24,810.15
4	9227	PAAP Force Account Labor (Over Time)	1/LS	$ 23,822.07	$ 23,822.07
5	9008	Equipment	1/LS	$ 30,317.00	$ 30,317.00
6	9009	Material	1/LS	$ 25,497.27	$ 25,497.27
7	9901	Direct Administrative Costs (Subgrantee)	1/LS	$ 3,729.80	$ 3,729.80
8	9228	PAAP One-Time 2% Incentive for Debris Management Plan	1/LS	$ 0.00	$ 0.00
				TOTAL COST	$ 315,804.46

PREPARED BY Shondalon Foster	TITLE Project Specialist	SIGNATURE
APPLICANT REP. David Grizzle	TITLE Emergency Management Coordinator	SIGNATURE

(Rev. 1/2012)

OKLAHOMA DEPARTMENT OF EMERGENCY MANAGEMENT (OEM)

PUBLIC ASSISTANCE

REQUEST FOR ADVANCE OR REIMBURSMENT PAYMENT

NORMAN, CITY OF — **DR Type**

DEPARTMENT	OBJECT ACCOUNT	CFDA#	Batch #
95- 4117 -3	**554120**	**97.036**	**4117-8**

VENDOR ID	LOCATION	Voucher #	DUNS NUMBER
76924	**#7**		**832238146**
Tax ID/EIN	FIPS CODE	Bundle#:	Prepared by
	027-52500-00	**0009(8)**	

APPLICANT
NORMAN, CITY OF
201 W GRAY ST
NORMAN OK 73069-

PAYMENT OF FEDERAL FUNDS FOR FEMA GRANT PROJECTS INDICATED IN THE BOX BELOW.

COMPUTATION OF AMOUNT OF REIMBURSEMENT/ADVANCES REQUESTED — 15 Alpha Large 720 Fund

REMARKS

PA:FEMA DR 4117 PW 139 CITY OF NORMAN:ADVANCE OF FUNDS

Cat	PW+Vsn	Fed 720 Fund
A	4117-00139(0)	$58,226.66
	Total	**$58,226.66**

I certify that to the best of my knowledge and belief the data above are correct and that all outlays were made in accordance with the grant conditions or other agreement and that payment is due and has not been previously requested.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

Michelann Ooten — Date
Deputy Director
Telephone (405)521-2481

I certify that the amount claimed on this voucher is correct and just and that payment has not been received.

Governor's Authorized Representative — Date

Supporting documentation is on file at the Oklahoma Emergency Management office and at the local payee.

PA-06-OK-4117-PW-00139(0) P	
Applicant Name:	Application Title:
NORMAN	NOR2A82 Debris Removal
Period of Performance Start:	Period of Performance End:
05-20-2013	11-20-2013

Bundle Reference # (Amendment #)	Date Awarded
PA-06-OK-4117-State-0009(8)	09-16-2013

Subgrant Application - FEMA Form 90-91

Note: The Effective Cost Share for this application is 82%

FEDERAL EMERGENCY MANAGEMENT AGENCY
PROJECT WORKSHEET

DISASTER	PROJECT NO.	PA ID NO.	DATE	CATEGORY
FEMA 4117 - DR -OK	NOR2A82	027-52500-00	08-22-2013	A

APPLICANT: NORMAN	WORK COMPLETE AS OF: 08-16-2013 : 95 %
Site 1 of 1	
DAMAGED FACILITY: Debris Removal	COUNTY: Cleveland

LOCATION:	LATITUDE:	LONGITUDE:
PA-06-OK-4117-PW-00139(0): City Wide	35.25866	-97.28286

DAMAGE DESCRIPTION AND DIMENSIONS:

PA-06-OK-4117-PW-00139(0):

Incident period, May 18, 2013 through June 2, 2013: As a direct result of severe storms, flooding and tornadoes during the incident period, the City of Norman sustained damages creating downed trees, hazardous hanging limbs, and hazardous trees on public property and right-of-ways within the City of Norman. This debris constituted a threat to public health and safety and inhibited emergency vehicles from responding to the emergency. The applicant utilized force account labor and equipment to collect vegetative debris and monitor contract debris removal by TRF Enterprises Inc. The contractor provided labor and equipment to collect and haul approximately 2,521CY of vegetative debris from throughout the City of Norman. The contractor also conducted reduction operations (Grinding) of approximately 36020CY of vegetative debris that had been collected during the first 30days of operations. All debris was taken to an ODEQ approved TDSRS located at (35.258664,-97.282863), 3276 108th Ave NE, Norman, OK 73071.

GPS coordinates were taken at the TDSRS noted above.

SCOPE OF WORK:

PA-06-OK-4117-PW-00139(0):

Fund at 82%

Work Complete (31-90 Days of Operations)
Previous costs incurred by this applicant have been captured in PW NOR2A87.

The City of Norman has elected to participate in the Public Assistance Alternative Procedures Pilot Program for debris removal. The applicant has reviewed the Alternate Procedures Pilot Program with FEMA and the Debris Removal Acknowledgement was signed by a Subgrantee representative. The Subgrantee will utilize the accelerated debris removal-increased federal cost share (sliding scale), and straight time force account labor portions of the pilot program. The Subgrantee did have a qualified DMP and at least one prepositioned contractor in place prior to the event.

The applicant does qualify for the additional, one time Federal cost share increase of 2 % for debris removal completed by August 16, 2013, the first 90 days from the incident period of May 18, 2013.

This project worksheet includes 4 reductions for costs that were applied to project worksheet NOR1A87 (First 30 days of debris removal.) These costs were duplicated on a category C project. The materials reduction also includes the purchase of a camera that was duplicated on NOR1A87. The reductions are calculated as follows:

Materials: 42" pipe $3,330.00, TBSC aggregate $1,998.00, Camera $1,645.00 = $6,973.00
Labor: 28.5 hours, at various employee rates of pay = $989.52
Total: $7,962.52

Force Account

The City of Norman utilized 45.5 hours of force account labor and 29.5 hours of equipment to collect and haul vegetative debris and manage debris piles at the applicants TDSRS at (35.258664,-97.282863), 3276 108th Ave NE., Norman, OK 73071. Quantity collected was relatively minor to the applicant's debris operation because the bulk of debris was collected by contract labor. The applicant used trucks and loaders.

Contract Debris Removal

The City of Norman contracted with TFR Enterprises Inc. to cut, collect, and haul 2,521CY of vegetative debris from public property and rights-of-way. The contractor also, provided 48 hours of labor for chain sawing of vegetative debris prior to collection. All vegetative debris was taken to the applicant's TDSRS listed above.

Upon completion of hauling, the contractor conducted reduction operations of 36,020 CY by grinding. This quantity includes vegetative debris that had been collected during the first 30 days of operations. Grinding of vegetative debris reduced volume by approximately 75%, leaving approximately 9,005CY of wood chips at the TDSRS. Final disposal of wood chips will be captured in a third, final, project worksheet for the period of 90-180 days of operation. Chips are currently at the TDSRS.

Contractor costs per CY for hauling: $12,867.70 / 2,521CY = $5.10 per CY.
Contractor costs per CY for site management and grinding: $60,153.16 / 32,418 = $1.85 per CY.
These costs are reasonable when compared to historic costs recorded by FEMA and the USACE.

Monitoring

The applicant used 84.5 hours of force account labor and 71.5 hours of force account equipment to monitor contract debris removal by TFR Enterprises. Force account employees monitored to ensure eligibility of contractor activities, call loads, write load tickets and ensure safety

Final disposition for all debris will be captured on a project worksheet for the period after August 16, 2013. Location will be the Southeast Landfill at 7001 S Bryant Avenue, Oklahoma City, OK 73149 (MSW# 3555028).

The Subgrantee chooses not to claim costs to manage and administer this project as part of the Public Assistance Program's grant award. Declining such costs does not exempt the Subgrantee from maintaining records adequately and documenting the source and application of funds as required in 44 CFR - 13.22.

All documentation was reviewed, validated and found reasonable by FEMA Project Specialist assigned (J.Collins/PS).

As described in 44 CFR 13.42 (2) (b), 3(c), Sub-grantee must maintain all work-related records for a period of three (3) years from Subgrantee closure (final payment), all records relative this project worksheet are subject to examination and audit by the State, FEMA and the Comptroller General of the United States and must reflect work related to disaster specific costs (M.Dunn/IBD).

Accelerated Debris Removal

The Subgrantee has chosen to participate in the Accelerated Debris Removal program of the Public Assistance Alternative Procedures. The Subgrantee will receive an adjusted Federal Share on debris removal activity from day 0-30, and be reimbursed at an 85% Federal Share. Amendment 1 will cover debris removal activities from day 31-90, and be reimbursed at 80% Federal Share. Amendment 2 will cover debris removal activities from day 91-180, and be reimbursed at 75% Federal Share. Extensions for any debris removal activities past 180 days must be approved by FEMA. Subgrantees must follow Federal Procurement procedures as outlined in Title 44 Code of Federal Regulations (CFR) part 13.36.
Force Account Labor (Straight-Time)

One Time Incentive for Debris Management Plan

The Subgrantee has a FEMA reviewed Debris Management Plan, which is attached to the Subgrantee's CMF. For this event, the Subgrantee has requested to use the Debris Management Plan Procedures, and the Subgrantee will receive a one-time Federal cost share increase of 2% for the first 90 days after the start of the incident period for its debris removal operations.

The Subgrantee has chosen to participate in the Debris Removal Straight-Time Force Account Labor Procedures of the Public Assistance Alternative Procedures for Debris Removal. As a result, straight-time force account labor, including benefits, will be reimbursed on the PW.

Does the Scope of Work change the pre-disaster conditions at the site? ☐ Yes ☑ No	Special Considerations included? ☐ Yes ☑ No
Hazard Mitigation proposal Included? ☐ Yes ☑ No	Is there insurance coverage on this facility? ☐ Yes ☑ No

PROJECT COST

ITEM	CODE	NARRATIVE	QUANTITY/UNIT	UNIT PRICE	COST
1	9999	Version 1 (31-90 Days of Operations)	1/LS	$ 0.00	$ 0.00
2	9229	Force Account Labor (Straight-Time) - Debris Monitoring	1/LS	$ 1,875.02	$ 1,875.02
3	9230	Force Account Labor (Over-Time) - Debris Monitoring	1/LS	$ 613.83	$ 613.83
4	9226	Force Account Labor (Straight Time) - Debris Removal	1/LS	$ 1,361.62	$ 1,361.62
5	9227	Force Account Labor (Over Time) - Debris Removal	1/LS	$ 172.31	$ 172.31
6	9008	Equipment	1/LS	$ 1,927.00	$ 1,927.00
7	9999	Reduction from PW NOR1A87 (Materials)	1/LS	$ -6,973.00	$ -6,973.00
8	9999	Reduction from PW NOR1A87 (Force Account)	1/LS	$ -989.52	$ -989.52
9	9222	PAAP Accelerated Debris Removal 31-90 days – 80% Federal Share	1/LS	$ 73,020.86	$ 73,020.86
				TOTAL COST	$ 71,008.12

PREPARED BY Jeremy Collins	TITLE Project Specialist	SIGNATURE
APPLICANT REP. David Grizzle	TITLE Emergency Management Coordinator	SIGNATURE

View Application

(Rev. 1/2012)

OKLAHOMA DEPARTMENT OF EMERGENCY MANAGEMENT (OEM)

PUBLIC ASSISTANCE

REQUEST FOR ADVANCE OR REIMBURSMENT PAYMENT

NORMAN, CITY OF

DEPARTMENT	OBJECT ACCOUNT	CFDA#	Batch #	DR Type
95- 4117 -3	554120	97.036	4117-S3	SEVERE STORMS, TORNADOES, FLOODING MAY 2013

VENDOR ID	LOCATION	Voucher #	DUNS NUMBER
76924	#7		832238146
Tax ID/EIN	**FIPS CODE**	**Bundle#:**	**Prepared by**
	027-52500-00	S	

APPLICANT
NORMAN, CITY OF
201 W GRAY ST
NORMAN OK 73069-

PAYMENT OF STATE FUNDS FOR NON-FEDERAL SHARE OF FEMA GRANT PROJECTS INDICATED IN THE BOX BELOW.

COMPUTATION OF AMOUNT OF REIMBURSEMENT/ADVANCES REQUESTED — 15 Alpha Large 424 Fund

REMARKS

PA:FEMA DR 4117 PW 8 &139: CITY OF NORMAN

Cat	PW + Vsn	424 Fund
A	4117-00008(0)-S	$39,475.56
A	4117-00139(0)-S	$8,876.00
	Total	$48,351.56

I certify that to the best of my knowledge and belief the data above are correct and that all outlays were made in accordance with the grant conditions or other agreement and that payment is due and has not been previously requested.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL — DATE REQUEST SUBMITTED

9/23/2013

Michelann Ooten
Deputy Director
Telephone (405)521-2481

Date

I certify that the amount claimed on this voucher is correct and just and that payment has not been received.

9/23/2013

Governor's Authorized Representative — Date

Supporting documentation is on file at the Oklahoma Emergency Management office and at the local payee.

City of Norman, OK

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

Master

File Number: GID-1314-45

File ID: GID-1314-45 **Type:** Acceptance of Funds **Status:** Consent Item

Version: 1 **Reference:** Item No. 15 **In Control:** City Council

Department: Fire Department **Cost:** **File Created:** 10/31/2013

File Name: FEMA Reimbursement - Tornado May 2013 **Final Action:**

Title: CONSIDERATION OF ACCEPTANCE OF REIMBURSEMENT OF FUNDS IN THE AMOUNT OF $15,873.89 FROM FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND $2,645.65 FROM THE STATE OF OKLAHOMA FOR TORNADO RELATED EXPENSES DURING MAY 2013.

Notes: ACTION NEEDED: Motion to accept or reject reimbursement of funds in the amount of $15,873.89 from FEMA and $2,645.65 from the State of Oklahoma for tornado-related expenses during May 2013; and, if accepted, increase FEMA Reimbursements (010-0000-344-.13-28) by $15,873.89 and Other Agency Reimbursements (010-0000-366.12-39) by $2,654.65.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 15

Attachments: Text File Fema Reimb 2.pdf, FEMA OK-DR-4117 Parks.pdf, FEMA OK-DR-4117 Police.pdf, State OK-DR-4117 - Parks & Police.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-1314-45

body

BACKGROUND: During the severe weather outbreak event May 18 - June 2, 2013, Norman experienced severe storms, flooding and tornados that caused widespread damage throughout the City of Norman. During this time, there was an immediate threat to lives, property, and public health and safety. In response to these threats, FEMA Declaration OK-DR-4117 was approved.

DISCUSSION: During the period of May 18 - June 2, 2013, The City of Norman incurred cost for emergency protective measures performed by the City's Parks Department. The Parks Department assisted other City departments to assure that park areas were evacuated and streets were free of debris that would impede emergency vehicle access. The Parks Department pushed the debris to the rights-of-way to allow emergency vehicle access. During this time the Police Department assisted with search and rescue and securing streets and intersections in areas blocked by debris and downed power lines, utilizing police vehicles as visible

barricades. Under FEMA Declaration OK-DR-4117, the City of Norman was determined as an eligible applicant for reimbursement under Category B, Emergency Protective Measures.

Project Worksheet #00018 for the Parks Department was completed and determination was made that $1,248.46 was the amount eligible for the application. FEMA processed the application based on a cost share basis of 75%. The 75% reimbursable amount was $936.35. This reimbursement was received by the City in August of 2013.

Project Worksheet #0016 for the Police Department was completed and $19,916.72 was determined to be the amount eligible for the application. FEMA processed the application based on a cost share basis of 75%. The 75% reimbursable amount was $14,937.54. This reimbursement was received by the City in August of 2013.

The State of Oklahoma operates a Public Assistance program that provides for 50% of the remaining cost share not covered by FEMA (12.5% of the total incident costs). The amount of the 12.5% provided by the State of Oklahoma for these worksheets was $156.06 and $2,489.59, respectively, for a total amount of $2,645.65.

RECOMMENDATION: It is recommended that City Council approve these reimbursements in the total amount of $18,519.54, and receipt $15,873.89 into FEMA Reimbursements (account 010-0000-334.13-28); and $2,654.65 into Other Agency Reimbursements (account 010-0000-366.12-39).

FEMA Form 90-91, DEC 05

U.S. DEPARTMENT OF HOMELAND SECURITY
FEDERAL EMERGENCY MANAGEMENT AGENCY

PROJECT WORKSHEET

PAPERWORK BURDEN DISCLOSURE NOTICE

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DECLARATION NO.	PW REF NO.	DATE	FIPS NO.	CATEGORY	EMMIE NO.
FEMA 4117 DR OK	NOR002B	07/02/13	027-52500-00	B	

APPLICANT	WORK COMPLETED AS OF: DATE:	PERCENT:
Norman	07/02/13	100%

DAMAGED FACILITY	COUNTY
Emergency Protective Measures (Park Department)	Cleveland

LOCATION	LATITUDE	LONGITUDE
City of Norman	35.22270	-97.43900

Was this site previously damaged? ○ Yes ◉ No ○ Unsure

DAMAGE DESCRIPTION AND DIMENSIONS:

During the incident period of May 18, 2013, through June 2, 2013, the City of Norman incurred cost for emergency protective measures performed by the City's Parks Department. Using Force Account Labor and Equipment, the Parks Department assisted other City departments to assure that park areas were evacuated and streets were free of debris that would impede emergency vehicle access. The City of Norman operates 55 neighborhood parks within the City. There was no debris removed, only pushed to the ROW to allow emergency vehicle access.

GPS is from Norman Emergency Management Office.

SCOPE OF WORK:

Fund at 75%

Work Completed:
The City of Norman utilized 25.5 hours of Force Account Labor (17.25 overtime hours eligible for reimbursement and eight regular time hours ineligible for reimbursement) and 25.25 Force Account Equipment hours at a cost of $478.19 to perform emergency protective measures to evacuate parks and push debris to the ROWs to allow emergency vehicle access. Note: The tractor and trailer were used to move the backhoe constantly from one location to another; therefore no standby time was incurred. Event occurred on Sunday; therefore employees were called in to work OT. There was no debris removed, only streets opened by pushing debris to the ROWs to allow access for emergency vehicle access

(Continued on following page)

PROJECT COST

ITEM	CODE	NARRATIVE	QUANTITY	UNIT	UNIT PRICE	COST
1		Work Completed:				$ -
2	9903	Direct Administrative Cost	1.00	LS	$0.00	$ -
3	9007	Labor (Overtime)	1.00	LS	$770.27	$ 770.27
4	9008	Equipment	1.00	LS	$478.19	$ 478.19
						$ -
						$ -
						$ -
						$ -
						$ -
						$ -
						$ -
				SUBTOTAL FROM COST CONTINUATION PAGE(S)		$ -
					TOTAL PROJECT COST	$ 1,248.46

PREPARED BY:	Ken Howell	TITLE:	Project Specialist
FEMA PAC CREW LEADER:	Steve Snow	STATE PAC CREW LEADER:	Mike Teague
APPLICANT:	David Grizzle	DATE: 7-15-2013	PHONE: 405-292-9780

National PW Template V2.6 June 2012 Excel 2007/2010

REPLACES ALL PREVIOUS VERSIONS

FEDERAL EMERGENCY MANAGEMENT AGENCY

DAMAGE DESCRIPTION & SCOPE OF WORK

DECLARATION NO.				PW REF NO.	DATE	FIPS NO.	CATEGORY	EMMIE NO.
FEMA	4117	DR	OK	NOR002B	07/02/13	027-52500-00	B	

APPLICANT	COUNTY
Norman	Cleveland

DAMAGE DESCRIPTION & SCOPE OF WORK (CONTINUED):

Comments:

9903 – No Direct Administrative Costs Claimed for SubGrantee –
The Subgrantee chooses not to claim costs to manage and administer this project as part of the Public Assistance Program's grant award. Declining such costs does not exempt the Subgrantee from maintaining records adequately and documenting the source and application of funds as required in 44 CFR - 13.22.

Mitigation
(not Categories A or B)
Applicant has decided not to incorporate mitigation. 406 Hazard Mitigation has been discussed with this applicant. No mitigation opportunities were identified by the applicant or the project specialist.

FEMA
All documentation was reviewed, validated and found reasonable by FEMA Project Specialist assigned. K.Howell/PS

As described in 44 CFR 13.42 (2) (b), 3(c), Sub-grantee must maintain all work-related records for a period of three (3) years from Subgrantee closure (final payment), all records relative this project worksheet are subject to examination and audit by the State, FEMA and the Comptroller General of the United States and must reflect work related to disaster specific costs. K.Howell/PS

As described in 44 CFR 13.42 (2) (b), 3(c), Subgrantee must maintain all work-related records for a period of three (3) years from Subgrantee closure (final payment), all records relative this project worksheet are subject to examination and audit by the State, FEMA and the Comptroller General of the United States and must reflect work related to disaster specific costs. Melinda Dunn/Infrastructure Branch Director DR-4117-OK.

State

7/3/13 - As described in 44 CFR 13.42 (2) (b), 3(c), Subgrantee must maintain all work-related records for a period of three (3) years from Subgrantee closure (final payment), all records relative this project worksheet are subject to examination and audit by the State, FEMA and the Comptroller General of the United States and must reflect work related to disaster specific costs. K.Shingledecker/State PAGS

PREPARED BY: Ken Howell	TITLE: Project Specialist

National PW Template V2.6 June 2012 Excel 2007/2010

FEMA Form 90-120

FEDERAL EMERGENCY MANAGEMENT AGENCY

SPECIAL CONSIDERATIONS

DISASTER		APPLICANT NAME	PW REF NO.	FIPS NO.	DATE
4117	OK	Norman	NOR002B	027-52500-00	07/02/13

1. Does the damaged facility or item of work have insurance and/or is it an insurable risk? *(e.g., buildings, equipment, vehicles, etc.)*

○ Yes ◉ No ○ Unsure

2. Is the damaged facility located within a floodplain or coastal high hazard area, or does it have an impact on a floodplain or wetland?

○ Yes ◉ No ○ Unsure

3. Is the damaged facility or item of work located within or adjacent to a Coastal Barrier Resource System Unit or an Otherwise Protected Area?

○ Yes ◉ No ○ Unsure

4. Will the proposed facility repairs/reconstruction change the pre-disaster condition? *(e.g., footprint, material, location, capacity, use or function)*

○ Yes ◉ No ○ Unsure

5. Does the applicant have a hazard mitigation proposal or would the applicant like technical assistance for a hazard proposal?

○ Yes ◉ No ○ Unsure

6. Is the damaged facility on the National Register of Historic Places or the state historic listing? Is it older than 50 years? Are there more, similar buildings near the site?

○ Yes ◉ No ○ Unsure Facility Constructed In:

7. Are there any pristine or undisturbed areas on, or near, the project site? Are there large tracts of forestland?

○ Yes ◉ No ○ Unsure

8. Are there any hazardous materials at or adjacent to the damaged facility and/or item of work?

○ Yes ◉ No ○ Unsure

9. Are there any other environmentally or controversial issues associated with the damaged facility and/or item of work?

○ Yes ◉ No ○ Unsure

10

○ Yes ◉ No ○ Unsure

PREPARED BY: Ken Howell

National PW Template V2.6 June 2012 Excel 7/02/2013

FEDERAL EMERGENCY MANAGEMENT AGENCY

COST SUMMARY RECORD

APPLICANT	PW REF NO.	CATEGORY	FIPS NO.	DISASTER	
Norman	NOR002B	B	027-52500-00	4117	OK

	CLAIM COST	COMMENTS (FEMA USE ONLY)	ELIGIBLE COSTS
FORCE ACCOUNT LABOR *REGULAR TIME*	$ -		$ -
FORCE ACCOUNT LABOR *OVERTIME*	$ -		$ 770.27
FORCE ACCOUNT EQUIPMENT	$ -		$ 478.19
MATERIALS	$ -		$ -
RENTAL EQUIPMENT	$ -		$ -
CONTRACTS	$ -		$ -
DIRECT ADMINISTRATIVE COSTS	$ -		$ -
TOTAL	$ -		$ 1,248.46

I certify that the above information was transcribed from timesheets, payroll records, equipment log, invoices, stock records or other documents which are available for audit.

Certified by:	Title:	Date:
David Grizzle	Emergency Management Coordin	7-18-2013

Applicant's records have been reviewed and found correct with the exceptions as noted.

National PW Template V2.6 June 2012 Excel 2007/2010

FEMA Form 90-91, DEC 02

U.S. DEPARTMENT OF HOMELAND SECURITY
FEDERAL EMERGENCY MANAGEMENT AGENCY

PROJECT WORKSHEET

PAPERWORK BURDEN DISCLOSURE NOTICE

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DECLARATION NO.	PW REF NO.	DATE	FIPS NO.	CATEGORY	EMMIE NO.
FEMA 4117 DR OK	NOR003B	06/25/13	027-52500-00	B	

APPLICANT	WORK COMPLETED AS OF: DATE:	PERCENT:
Norman	06/25/13	100%
DAMAGED FACILITY	COUNTY	
Emergency Protective Measures (Police Department)	Cleveland	
LOCATION	LATITUDE	LONGITUDE
City of Norman	35.22100	-97.44600

Was this site previously damaged? ○ Yes ◉ No ○ Unsure

DAMAGE DESCRIPTION AND DIMENSIONS:

During the incident period while responding to an EF 4 tornado, the City of Norman incurred costs for emergency protective measures performed by the Police Department Force Account Labor and Equipment. The Department assisted with 1) search and rescue, 2) secured streets and intersections in areas blocked by debris and experiencing downed power lines utilizing police vehicles as visible barricades to deter looters.

GPS is from the City of Norman Police Department.

SCOPE OF WORK:

Fund at 75%

Work Completed:
The City of Norman Police Department utilized two-person units totaling 704.5 hours of Force Account Labor (304.5 overtime hours eligible for reimbursement), (400 regular time hours ineligible for reimbursement) and 310.5 Force Account Equipment hours to perform emergency protective measures involving 1) search and rescue, 2) security of areas with downed power lines and hazardous deposits of trees and other debris.

(Continued on following page)

PROJECT COST

ITEM	CODE	NARRATIVE	QUANTITY	UNIT	UNIT PRICE	COST
1		Work Completed:				$ -
2	9901	Direct Administrative Cost	1.00	LS	$81.08	$ 81.08
3	9007	Labor (Overtime)	1.00	LS	$14,790.01	$ 14,790.01
4	9008	Equipment	1.00	LS	$5,045.63	$ 5,045.63
						$ -
						$ -
						$ -
						$ -
						$ -
						$ -
						$ -
		SUBTOTAL FROM COST CONTINUATION PAGE(S)				$ -
					TOTAL PROJECT COST	$ 19,916.72

PREPARED BY:	Ken Howell	TITLE:	Project Specialist
FEMA PAC CREW LEADER:	Steve Snow	STATE PAC CREW LEADER:	Mike Teague
APPLICANT:	David Grizzle	DATE: 7-15-2013	PHONE: 405-292-9780

National PW Template V2.6 June 2011 Excel 2007/2010

REPLACES ALL PREVIOUS VERSIONS

Page 1 of 1

FEDERAL EMERGENCY MANAGEMENT AGENCY

DAMAGE DESCRIPTION & SCOPE OF WORK

DECLARATION NO.				PW REF NO.	DATE	FIPS NO.	CATEGORY	EMMIE NO.
FEMA	4117	DR	OK	NOR003B	06/25/13	027-52500-00	B	

APPLICANT	COUNTY
Norman	Cleveland

DAMAGE DESCRIPTION & SCOPE OF WORK (CONTINUED):

Comments:
9901 – Direct Administrative Cost for Subgrantee –
DAP9525.9 provides guidance on the eligibility of administrative costs. The policy states that FEMA will reimburse DAC that are "properly documented and directly chargeable on a PW for a specific project. Actual costs must be reasonable for the work performed and accounted for in accordance with 44 CFR §13.22 – Allowable Costs." The policy also states that DAC include "costs that can be tracked, charged, and accounted for directly to a specific project ... [and] are limited to actual reasonable costs incurred for a specific project." Throughout the policy, it is clear that DAC must be in compliance with §13.22, and by extension, OMB A-87, A-21, or A-122 (whichever OMB Cost Principle circular applies to the applicant's status as either governmental, educational, or non-profit) and that the costs must be reasonable and properly documented in order to qualify for reimbursement. Such costs cannot be assumed reasonable if the costs are not directly tied to a PW and tracked and documented in such a way that FEMA staff can determine whether or not they are reasonable.

.

FEMA
All documentation was reviewed, validated and found reasonable by FEMA Project Specialist assigned. K.Howell/PS

As described in 44 CFR 13.42 (2) (b), 3(c), Sub-grantee must maintain all work-related records for a period of three (3) years from Subgrantee closure (final payment), all records relative this project worksheet are subject to examination and audit by the State, FEMA and the Comptroller General of the United States and must reflect work related to disaster specific costs. K.Howell/PS

As described in 44 CFR 13.42 (2) (b), 3(c), Subgrantee must maintain all work-related records for a period of three (3) years from Subgrantee closure (final payment), all records relative this project worksheet are subject to examination and audit by the State, FEMA and the Comptroller General of the United States and must reflect work related to disaster specific costs. Melinda Dunn/Infrastructure Branch Director DR-4117-OK.

State

7/3/13 - As described in 44 CFR 13.42 (2) (b), 3(c), Subgrantee must maintain all work-related records for a period of three (3) years from Subgrantee closure (final payment), all records relative this project worksheet are subject to examination and audit by the State, FEMA and the Comptroller General of the United States and must reflect work related to disaster specific costs. K.Shingledecker/State PAGS

PREPARED BY: Ken Howell	TITLE: Project Specialist

FEMA Form 90-120

FEDERAL EMERGENCY MANAGEMENT AGENCY

SPECIAL CONSIDERATIONS

DISASTER		APPLICANT NAME	PW REF NO.	FIPS NO.	DATE
4117	OK	Norman	NOR003B	027-52600-00	06/26/13

C Yes C No C Unsure facility or item of work have insurance and/or is it an insurable risk? *(e.g., buildings, equipment, vehicles, etc.)*

C Yes C No C Unsure lity located within a floodplain or coastal high hazard area, or does it have an impact on a floodplain or wetland?

C Yes C No C Unsure

3. Is the damaged facility or item of work located within or adjacent to a Coastal Barrier Resource System Unit or an Otherwise Protected Area?

C Yes C No C Unsure

4. Will the proposed facility repairs/reconstruction change the pre-disaster condition? *(e.g., footprint, material, location, capacity, use or function)*

C Yes C No C Unsure

5. Does the applicant have a hazard mitigation proposal or would the applicant like technical assistance for a hazard proposal?

C Yes C No C Unsure

C Yes C No C Unsure lity on the National Register of Historic Places or the state historic listing? Is it older than 50 years? Are there more, similar buildings near the site?

Facility Constructed in:

C Yes C No C Unsure

7. Are there any pristine or undisturbed areas on, or near, the project site? Are there large tracts of forestland?

C Yes C No C Unsure

8. Are there any hazardous materials at or adjacent to the damaged facility and/or item of work?

C Yes C No C Unsure

9. Are there any other environmentally or controversial issues associated with the damaged facility and/or item of work?

10

PREPARED BY: Ken Howell

National PW Template V2.6 June 2013 Excel 2007/2010

FEDERAL EMERGENCY MANAGEMENT AGENCY

COST SUMMARY RECORD

APPLICANT		PW REF NO.	CATEGORY	FIPS NO.	DISASTER	
Norman		NOR003B	B	027-52600-00	4117	OK
	CLAIM COST	COMMENTS (FEMA USE ONLY)				ELIGIBLE COSTS
FORCE ACCOUNT LABOR *REGULAR TIME*	$ -					$ -
FORCE ACCOUNT LABOR *OVERTIME*	$ -					$ 14,790.01
FORCE ACCOUNT EQUIPMENT	$ -					$ 5,045.63
MATERIALS	$ -					$ -
RENTAL EQUIPMENT	$ -					$ -
CONTRACTS	$ -					$ -
DIRECT ADMINISTRATIVE COSTS	$ -					$ 81.08
TOTAL	$ -					$ 19,916.72

I certify that the above information was transcribed from timesheets, payroll records, equipment log, invoices, stock records or other documents which are available for audit.

Certified by:	Title:	Date:
David Grizzle	Emergency Management Coordin	7-18-2018 XDVET

Applicant's records have been reviewed and found correct with the exceptions as noted.

National PW Template V2.6 June 2012 Excel 2007/2010

(Rev. 1/2012)

OKLAHOMA DEPARTMENT OF EMERGENCY MANAGEMENT (OEM)

PUBLIC ASSISTANCE

REQUEST FOR ADVANCE OR REIMBURSMENT PAYMENT

NORMAN, CITY OF				DR Type
DEPARTMENT	OBJECT ACCOUNT	CFDA#	Batch #	SEVERE STORMS, TORNADOES, FLOODING MAY 2013
95- 4117 -3	554120	97.036	4117-S3	

VENDOR ID	LOCATION	Voucher #	DUNS NUMBER
76924	#7		832238146
Tax ID/EIN	FIPS CODE	Bundle#:	Prepared by
	027-52500-00	S	

APPLICANT
NORMAN, CITY OF
201 W GRAY ST
NORMAN OK 73069-

PAYMENT OF STATE FUNDS FOR NON-FEDERAL SHARE OF FEMA GRANT PROJECTS INDICATED IN THE BOX BELOW.

COMPUTATION OF AMOUNT OF REIMBURSEMENT/ADVANCES REQUESTED — 15 Alpha Small 424 Fund

REMARKS

PA:FEMA DR 4117 PW 16 & 18: CITY OF NORMAN-STATE FUNDS DUE

Cat	PW+Version	424 Fund
B	4117-00016(0)-S	$2,489.59
B	4117-00018(0)-S	$156.06
	Total	$2,645.65

I certify that to the best of my knowledge and belief the data above are correct and that all outlays were made in accordance with the grant conditions or other agreement and that payment is due and has not been previously requested.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL — DATE REQUEST SUBMITTED

9/23/2013

Michelann Ooten
Deputy Director
Telephone (405)521-2481

Date

I certify that the amount claimed on this voucher is correct and just and that payment has not been received.

DATE REQUEST SUBMITTED

9/23/2013

Governor's Authorized Representative

Date

Supporting documentation is on file at the Oklahoma Emergency Management office and at the local payee.

City of Norman, OK

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

Master

File Number: SC-1314-7

File ID:	SC-1314-7	**Type:**	Special Claim	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 16	**In Control:**	City Council
Department:	Legal Department	**Cost:**	$8,135.80	**File Created:**	10/24/2013
File Name:	Special Claim			**Final Action:**	

Title: SPECIAL CLAIM NO. SC-1314-7: A CLAIM IN THE AMOUNT OF $8,135.80 SUBMITTED BY JERRY MASTERS FOR CHARGES INCURRED DUE TO A WATER MAIN BREAK WHICH FLOODED 3101 AND 3103 PHEASANT RUN.

Notes: ACTION NEEDED: Motion to approve or reject Special Claim No. SC-1314-7; and, if approved, direct payment in the amount of $8,135.80 contingent upon obtaining a Release and Covenant Not to Sue from Jerry Masters.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 16

Attachments: Text File Masters Claim.pdf, Memo Masters.pdf, Claim Masters.pdf, Itemized Costs Masters.pdf

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-1314-7

Body

BACKGROUND: A claim has been filed by Jerry Masters on behalf of Melanie Ann Masters and Laura Anne Masters in the amount of $8,135.80 for restoration services, carpet replacement, flooring replacement, hotel expenses and moving and storage fees due to his claim that a water main break on June 7, 2013 at 3101 and 3103 Pheasant Run caused flooding in and extensive damage to both residences.

DISCUSSION: This incident was investigated by David Hager, Utilities Superintendent. According to staff and field work reports, at approximately 5:00 a.m., a Water Line Maintenance Division water crew was dispatched to an emergency water main break at 3001 Pheasant Run Road. According to the work report, the 8-inch ductile iron water main ruptured in the grass area adjacent to the backyard of 3101-3103 Pheasant Run Road. Staff located and closed the valves to isolate the line which eliminated the flow of water at approximately 6:30 a.m. It was, however, determined that an estimated 150,000+ gallons of water were released from the water line before the actual shutdown occurred.

While onsite, staff confirmed that there was flooding in two (2) two-unit duplexes on Pheasant Run Road as a result of the waterline break. Both duplexes had water damage. Water and red mud were standing in all units.

The tenant at 3101 Pheasant Run Road had to be relocated at the time City staff was at the residence.

The water main in the area is ductile iron and is deteriorated. The utilities contractor was in the process of replacing the 8-inch water line at the time of the rupture, but the water main sustained a baseball-sized rupture to the top side of the main due to the deteriorated state of the ductile iron line. This water main has since been replaced and relocated as part of the Apple Creek replacement project.

RECOMMENDATION: Although there is well settled law in Oklahoma regarding sewer line cases, there is little authority in Oklahoma regarding waterline breaks. Because this matter could involve litigation, the merits were discussed with Council through a privileged and confidential document at an earlier date. The cost to prepare this case for trial would exceed the offer of settlement, even if handled by staff attorneys. Based upon the above and foregoing and the fact that the Masters' clearly suffered property damage from a waterline break they did not cause, it is the recommendation of the City Attorney's office that the claim of Jerry Masters on behalf of Melanie Ann Masters and Laura Anne Masters in the amount of $8,135.80, as above set forth, be approved.

office memorandum

DATE: July 9, 2013

TO: Ken Komiske, Director of Utilities
Jeff Bryant, City Attorney

FROM: Brenda Hall, City Clerk

SUBJECT: Claim from Jerry Masters

I am in receipt of a claim from Jerry Masters, in the amount of $8,135.80 for restoration services, carpet replacement, flooring replacement, hotel expenses, and moving and storage fees due to his claim that on July 7, 2013, a water main break at 3101 Pheasant Run and 3103 Pheasant Run caused flooding in both residences causing extensive damage. Claimant states as landlord, he had to pay for residents at 3101 Pheasant Run to be temporarily relocated for emergency restoration of the property.

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: Masters, Jerry Allen DATE: July 9, 2013

ADDRESS: PO Box 721657 CITY: NORMAN

STATE: OK ZIP: 73070 PHONE: (H) 4059218042 (W) 4053295210

DATE OF INCIDENT: June 1, 2013

LOCATION OF INCIDENT: 3101 AND 3103 Pheasant Run (NORMAN)

STATEMENT OF CIRCUMSTANCES / REASONS YOU BELIEVE CITY IS LIABLE:

City Main Water Line broke adjacent to property - 3101 filled with mud & water - 3103 filled with water. Tenant (Maxwell) for 3101 had to be relocated for emergency restoration. This is claim by landlord for property damages and temporary quarters for tenant

Thank you

(Emergency Services)

(use additional pages if necessary)

MONETARY STATEMENT: List of expenses claimed for payment:

See Enclosed	$		$
21 Pages	$		$
	$		$

TOTAL AMOUNT CLAIMED: $ 8,135.89

NAME AND ADDRESS OF INSURANCE COMPANY: No Coverage For These Damages

AGENT:

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.

J. Allen Masters
CLAIMANT'S SIGNATURE

FILED IN THE OFFICE OF THE CITY CLERK ON 7-9-13

Claim for 3101 and 3103 Pheasant Run for property damage and reimbursement from city water line beak on June 7, 2013

Property filled with mud and/or water and emergency repairs (Floors and walls flooded)

Item 1		
Room for tenant (maxwell) motel 6		
5 pages		521.99
Vanco Flloring		
1 page		604.99
U Haul Truck to store maxwell property		
U Haul 1 page	335.82	335.82
fuel for u haul 1 page	15.71	15.71
Caden Hawley		
1 page move items out of mud		30
Pab Moving		
2 pages (workers to remove maxwell property)		150
Carpet Center		
1 page		1158.78
David Ketchum		
1 page move items from uhaul		50
Sooner Carpet (Emergency Restoration)		
7 pages		5268.6
Total claim from landlord		8135.89

ITEMIZED INVOICES FOR CHARGES ARE AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE

Room for Mr.& Mrs. Greg Maxwell

Home became unlivable when water line broke next to property

6/7/2013		74.57
6/8/2013		74.57
6/9/2013		74.57
6/10/2013		74.57
6/11/2013		74.57
6/12/2013		74.57
06/13/213		74.57
		521.99

Payments	6/7/2013		74.57
Payments	6/7/2013		298.28
Payments	6/12/2013		223.71
Credit			-74.57
			521.99

City of Norman, OK

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

Master

File Number: SC-1314-9

File ID:	SC-1314-9	**Type:**	Special Claim	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 17	**In Control:**	City Council
Department:	Legal Department	**Cost:**	$3,504.99	**File Created:**	10/31/2013
File Name:	SC-1314-10			**Final Action:**	

Title: SPECIAL CLAIM NO. SC-1314-9: A CLAIM IN THE REDUCED AMOUNT OF $3,504.99 SUBMITTED BY COLBY WARDWELL FOR DAMAGES TO HIS VEHICLE AMD CHARGES INCURRED DUE TO AN ACCIDENT WITH A PARKING SERVICES VEHICLE AT THE INTERSECTION OF SANTA FE AVENUE AND SYMMES STREET.

Notes: ACTION NEEDED: Motion to approve or reject Special Claim No. SC-1314-9; and, if approved, direct payment in the reduced amount of $3,504.99 contingent upon obtaining a Release and Covenant Not to Sue from Colby Wardwell.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 17

Attachments: Text File Wardwell Claim.pdf, Clerk Memo Wardwell.pdf, Wardwell Claim.pdf, Police Report Wardwell.pdf

Project Manager: Jeanne Snider, Assisstant 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 SC-1314-9

Body

BACKGROUND: A claim has been filed by Colby Wardwell in the amount of $3,804.99 for damages to his vehicle, tow charges, rental car charges and medical expense due to a vehicle accident that occurred on October 1, 2013, when his vehicle, driven by his son Kyle Wardwell, was struck by a City of Norman parking service officer at the intersection of Santa Fe Avenue and Symmes Street.

DISCUSSION: This incident was investigated by Lt. Jeff Robertson, Lt. Chris Amason and Chief Keith Humphrey. According to the investigation and the official accident report, Mr. Wardwell's vehicle was traveling northbound on Santa Fe Avenue. The City vehicle, driven by Amanda Boutwell, a parking services officer, was traveling eastbound on Symmes Street approaching Santa Fe Avenue. Ms. Boutwell was facing a stop sign; however, she proceeded through the intersection without yielding to the vehicle driven by Kyle Wardwell, striking Mr. Wardwell's vehicle.

Mr. Wardwell's vehicle has been declared a total loss. The vehicle is a 2003 Chevrolet Cavalier with 131,000 miles. According to Mr. Wardwell, the vehicle was in excellent condition and was used by his son to travel back and forth to college. While Mr. Wardwell has placed the value of the vehicle at $3,500, he has agreed to settle for the lesser amount of $3,000 for the vehicle, which amount is in line with research done by the City into the value of the vehicle, a $200 allowance for rental car expense, tow charges in the amount of $284.99 and his medical co-pay in the amount of $20 which allows the City to settle Mr. Wardwell's entire claim for $3,504.99. Additionally, Mr. Wardwell would sign the title of the vehicle over to the City and the City would then be able to sell the vehicle for salvage and retain those proceeds.

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 settlement amount agreed to by Mr. Wardwell 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 Colby Wardwell for damages to his vehicle, tow charges, rental car expenses and medical expense in the reduced amount of $3,504.99, as above set forth, be approved.

office memorandum

DATE: October 7, 2013

TO: Jeff Bryant, City Attorney
Keith Humphrey, Police Chief

FROM: Brenda Hall, City Clerk

SUBJECT: Claim from Colby Wardwell

I am in receipt of a claim from Colby Wardwell in the amount of $3,804.99 for damages to his vehicle, towing fees, and medical expense due to his claim that on October 1, 2013, a City of Norman employee ran a stop sign at the intersection of Santa Fe Avenue and Symmes Street striking his vehicle driven by his son, Kyle Wardwell. According to the police report Amanda Boutwell, Norman Police Department Parking Services Officer, was traveling eastbound on Symmes Street approaching Santa Fe Avenue facing a stop sign, but proceeded through the intersection without stopping at the stop sign. Ms. Boutwell states she does not remember seeing the stop sign and failed to stop striking Mr. Wardwell who was northbound on Santa Fe Avenue, which had no stop sign.

Keith, 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: Colby Wardwell DATE: 10-1-2013

ADDRESS: 409 Baker St. CITY Norman

STATE: Ok ZIP: 73072 PHONE: (H) 447-0994 (W) 618-1823

DATE OF INCIDENT: 10-01-2013

LOCATION OF INCIDENT: Santa Fe Ave & Symms St.

STATEMENT OF CIRCUMSTANCES / REASONS YOU BELIEVE CITY IS LIABLE:

A city employee Ran a STOP Sign hitting my Car. (Parking Enforcement)

(use additional pages if necessary)

MONETARY STATEMENT: List of expenses claimed for payment:

Loss of car	$ 3,500	Dr. Cox	$ 20.00
towing	$ 284.99		$
	$		$

TOTAL AMOUNT CLAIMED: $

NAME AND ADDRESS OF INSURANCE COMPANY: USAA San Antonio Texas

AGENT: Jose Pineiro

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 10-7-13

STEVEN E COX DO PC
905 24TH AVE NW STE B
NORMAN, OK 73069

10/02/2013	14:24:48
Merchant ID:	000000000162100
Terminal ID:	03869440

903515336993

CREDIT CARD

VISA SALE

CARD #	XXXXXXXXXXXX3360
INVOICE	0008
Batch #:	000331
Approval Code:	042448
Entry Method:	Swiped
Mode:	Online

SALE AMOUNT $20.00

CUSTOMER COPY

Quality Inc

Towing Service
4204 Classen Circle
Norman, OK 73071

Office 405) 360-1869
Fax (405) 872-2631
24 Hour Service

DPS 51922-W

NAME David Stanley B/S
PHONE
DATE 10-2-13 TIME REC'D 8:50
ADDRESS
PO# 9081
ARRIVE TIME DEPART TIME
CITY
CASH CHARGE X
ARRIVE DROP DEPART DROP
LOCATIONS 4204 Classen
CALL COMPLETED

VEHICLE DESCRIPTION
MODEL YEAR 03 MAKE Chevy COLOR White BODY STYLE Cavalier
UNIT 23 DRIVER Terry
TAG # STATE/TRIBE 632 AOM 4-14 OK
ENDING MILAGE 42.6
VIN 1G1JC12F937311823
STARTING MILAGE 36.5
CONDITION: ☐ GOOD ☐ FAIR ☐ POOR ☒ WRECKED ☐ STRIPPED ☐ BURNED
NO WHEEL COVERS 4 NO WHEELS 4 NO TIRES 4
TOTAL MILAGE 6.1

MARK EXTERIOR DAMAGE

ARTICLES IN VEHICLE: AM/FM Personals Trash
ODOMETER 100902

REMARKS: Towed to: David Stanley B/S

Explanation of Charges

X [signature] 10-2-13
Name and Signature of Driver Date:
X
Impounded By Date:

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.
THE UNDERSIGNED authorizes listed services and acknowledges that carrier is not responsible for loss or damages due to acts beyond control of the carrier or when services are performed under supervision of others.

X [signature]
SIGNATURE

Complaints may be addressed to the Oklahoma Corporation Commission Transportation Division/Wrecker Services P.O. Box 52000. Oklahoma City Oklahoma 73152-2000. Complaints may also made at www.occeweb.com

CHARGES
HOOK-UP $ 112.50
MILEAGE $
WAIT/STANDBY $
RECOVERY TIME $
DOLLY/RB DS / AXLE $
FSC 18 % $ 20.25
OTHER $
OTHER $
STORAGE $
TAX $
NOTIFICATION $
TOTAL $ 132.75

Member *Thank you for your business!*

№ 97355	GVW	KEY YES ☒ NO ☐	PEG NO

17-4

NPD/OR

Quality Inc

Towing Service
4204 Classen Circle
Norman, OK 73071

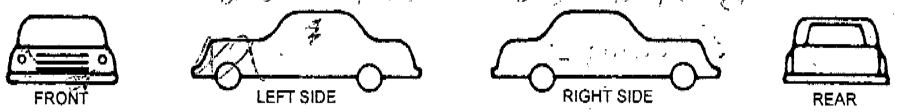
Office 405) 360-1869
Fax (405) 872-2631
24 Hour Service

DPS 51922-W

NAME David Stanley B/S
PHONE
DATE 10-1 TIME REC'D 1515
ADDRESS
PO# 9080
ARRIVE TIME 1537 DEPART TIME 1550
CITY
CASH CHARGE 76
ARRIVE DROP 1600 DEPART DROP 1605
LOCATIONS Symmes St + Santa Fe
CALL COMPLETED 1610

VEHICLE DESCRIPTION
MODEL YEAR 03 MAKE Chevy COLOR White BODY STYLE Cavalier
UNIT 23 DRIVER Terry
TAG # STATE/TRIBE 632 AOM 4-14 OK
ENDING MILAGE 911.3
VIN 1G1JC12F937311823
STARTING MILAGE 906.9
CONDITION: ☐ GOOD ☐ FAIR ☐ POOR ☒ WRECKED ☐ STRIPPED ☐ BURNED
NO WHEEL COVERS 4 NO WHEELS 4 NO TIRES 4
TOTAL MILAGE 4.4

MARK EXTERIOR DAMAGE Driver + Pass air Bags Deployed



ARTICLES IN VEHICLE: AM/FM Personals Trash
ODOMETER 100902

REMARKS: Towed to: Quality 618-1823

Explanation of Charges Colby Wardwell
Released to D/S B/S

X [signature] 10-1-13
Name and Signature of Driver Date:
X
Impounded By Date:

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.
THE UNDERSIGNED authorizes listed services and acknowledges that carrier is not responsible for loss or damages due to acts beyond control of the carrier or when services are performed under supervision of others.

X A. Mendiaz
SIGNATURE

Complaints may be addressed to the Oklahoma Corporation Commission Transportation Division/Wrecker Services P.O. Box 52000. Oklahoma City Oklahoma 73152-2000. Complaints may also made at www.occeweb.com

CHARGES
HOOK-UP $ 112.50
MILEAGE $
WAIT/STANDBY $
RECOVERY TIME $
DOLLY/RB DS / AXLE $
FSC 18 % $ 20.25
OTHER $
OTHER $
STORAGE $ 18.00
TAX $ 1.49
NOTIFICATION $
TOTAL $ 152.24

Member *Thank you for your business!*

№ 97353	GVW	KEY YES ☒ NO ☐	PEG NO T-37

[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): 2013-13470 | Motor Vehicles Involved: 02 | Number Injured: 02 | Number Killed: 00

(2) Date of Collision (mm/dd/yyyy): 10012013 | Time: 1504 | 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: SANTA FE AVE | At [X] | Distance from: Mi. [ ] Ft. [ ] N [ ] S [ ] E [ ] W [ ] | (Nearest) Intersecting Street, Road or Highway: of SYMMES ST

(5) Unit

Unit	Occupants	Type	Hit & Run	CMV	Last Name	First	Middle	Suffix	Date of Birth (mm/dd/yyyy)	Sex
01	01	D			BOUTWELL	AMANDA	ANN			F

(6) Address: 201B W GRAY ST | City: NORMAN | State: OK | Zip: 73069 | Telephone (Use Area Code): 4053211600

(7) Driver License Number | State: OK | Class: D | Endorsement(s) | Restriction(s) | Inj. Sev.: 3 | Type of Injury: 3 | Drv./Ped. Cond.: 01 | OP Use: 04

(8) Air Bag: 1 | Ejected: 1 | Extricated: 1 | Test: 5 | (% BAC): 0. | Transported by: EMSSTAT | To Medical Facility: NORMAN REGIONAL ER | License Plate Number: CI22695 | State: OK | Month: 12 | Year: 2013

(9) VIN: 19XI | Vehicle Year: 2002 | Color: WHI | 2nd Color: 0 | Make: HOND | Model: CIVI | Veh. Conf.: 02 | Extent of Damage: 3

(10) Insurance Verification: 4 | Insurance Company Name | Policy Number | Insurance Telephone (Use Area Code)

(11) Vehicle Removed by: Driver [ ] CITY OF NORMAN WRECKER | Same as Driver [ ] | Owner's Last Name: CITY OF NORMAN | First | Middle | Suffix

(12) Owner's Address: 201 W 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 | Statute/Ordinance Number | Citation Number | Statute/Ordinance Number

(14) Unit

Unit	Occupants	Type	Hit & Run	CMV	Last Name	First	Middle	Suffix	Date of Birth (mm/dd/yyyy)	Sex
02	01	D			WARDWELL	KYLE	EDWARD		02281991	M

(15) Address: 409 BAKER ST | City: NORMAN | State: OK | Zip: 73072 | Telephone (Use Area Code)

(16) Driver License Number: I | State: OK | Class: D | Endorsement(s) | Restriction(s) | Inj. Sev.: 3 | Type of Injury: 4 | Drv./Ped. Cond.: 01 | OP Use: 04

(17) Air Bag: 2 | Ejected: 1 | Extricated: 1 | Test: 5 | (% BAC): 0. | Transported by: REFUSED | To Medical Facility | License Plate Number | State: OK | Month: 04 | Year: 2014

(18) VIN: 1 | Vehicle Year: 2003 | Color: WHI | 2nd Color: 0 | Make: CHEV | Model: CAVA | Veh. Conf.: 02 | Extent of Damage: 4

(19) Insurance Verification: 2 | Insurance Company Name: USAA | Policy Number: 031666847G7101 | Insurance Telephone (Use Area Code): 8005318222

(20) Vehicle Removed by: Driver [ ] QUALITY WRECKER | Same as Driver [ ] | Owner's Last Name: WARDWELL | First: COLBY | Middle | Suffix

(21) Owner's Address: 409 BAKER ST | City: NORMAN | State: OK | Zip: 73072 | 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	Badge Number	Trp/Div. Assigned	Trp/Div. Location	Reviewer (Init.)	Reviewer Badge Number	Date of Report (mm/dd/yyyy)
LT ROBERTSON	9959			BL	9411	10012013

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 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; 8 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; 08 StockTrailer; 10 Camping Trailer; 11 Combination; 12 Other; 99 Unknown

WARNING - STATE LAW Use of contents for commercial solicitation is unlawful

17-5

13470-13

(24) Unit	Injured / Witness	Passenger / Prop. Owner	Pos in Veh.	Last Name	First	Middle	Suffix	DOB(mm/dd/yyyy)	Sex
00		X	00	VELIE	WILLIAM	PLACE		07051965	M

(25) Same as Driver	Address	City	State	Zip	Telephone (Use Area Code)
	210 E MAIN ST	NORMAN	OK	73069	4

(26) Injury Severity / Type	OP Use	Air Bag	Ejected	Extricated	Transported by	To Medical Facility	Property Type

(27) Unit	Injured / Witness	Passenger / Prop. Owner	Pos in Veh.	Last Name	First	Middle	Suffix	DOB (mm/dd/yyyy)	Sex

(28) Same as Driver	Address	City	State	Zip	Telephone (Use Area Code)

(29) Injury Severity / Type	OP Use	Air Bag	Ejected	Extricated	Transported by	To Medical Facility	Property Type

(30) Unit	Injured / Witness	Passenger / Prop. Owner	Pos in Veh.	Last Name	First	Middle	Suffix	DOB (mm/dd/yyyy)	Sex

(31) Same as Driver	Address	City	State	Zip	Telephone (Use Area Code)

(32) Injury Severity / Type	OP Use	Air Bag	Ejected	Extricated	Transported by	To Medical Facility	Property Type

(33) Unit	Injured / Witness	Passenger / Prop. Owner	Pos in Veh.	Last Name	First	Middle	Suffix	DOB(mm/dd/yyyy)	Sex

(34) Same as Driver	Address	City	State	Zip	Telephone (Use Area Code)

(35) Injury Severity / Type	OP Use	Air Bag	Ejected	Extricated	Transported by	To Medical Facility	Property Type

Complete information below if this vehicle is being used for COMMERCE/BUSINESS and has a GVWR/GCWR IN EXCESS OF 10,000 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

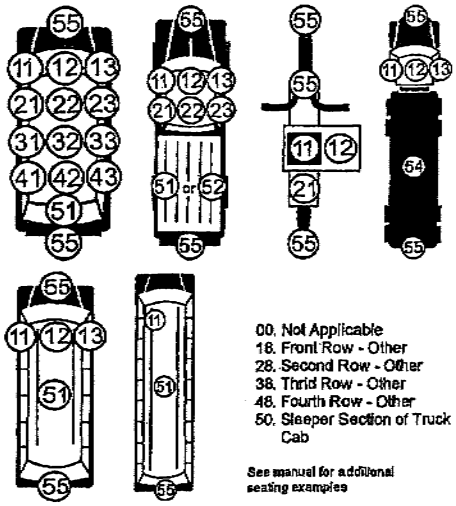
(38) U.S. DOT Number	NASI Report Number	Placard Number	Haz. Mat. Class	Haz. Mat. Involved Yes / No	Haz. Mat. Release Yes / No
	OK				

(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 Yes / No	Haz. Mat. Release Yes / No
	OK				

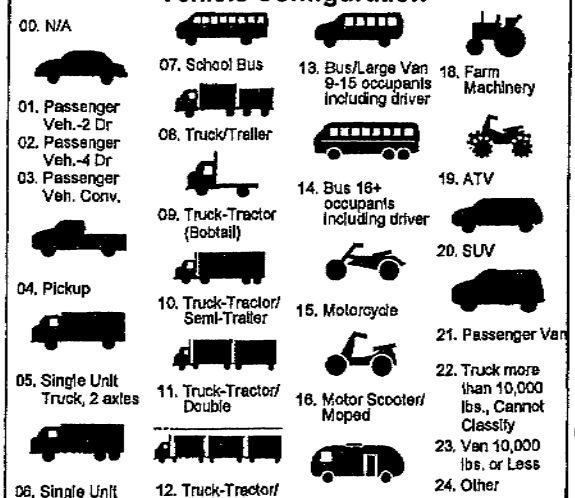
Position in Vehicle



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

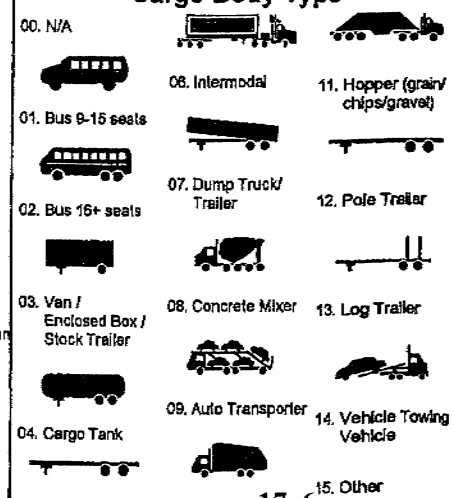
See manual for additional seating examples

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

Case Number 2013-13470

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	25				
This unit will correspond to 'Unit 2'	02	02	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 [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 [4]
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 [01] 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 [2] Unit 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 [2] Unit 2 [1]
0 Not Applicable
1 Towed Due to Vehicle Damage
2 Towed For Reasons Other Than Damage
3 Remained at Scene
4 Driven from Scene
9 Unknown

Vehicle Condition Unit 1 [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 [09] 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 [2] Unit 2 [0]
0 N/A 2 No
1 Yes 9 Unknown

Unsafe / Unlawful Contributing Factors Unit 1 [01] 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

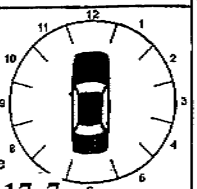
OTHER IMPROPER ACT/ MOVEMENT
82 Failed to Signal
83 Disregarded Warning Signal
84 Improper Use of Lane
85 Improper Backing
86 Apparently Sleepy
87 Failed to Secure Load
88 Other/Unknown

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 [01] Unit 2 [12]

Most Damaged Area Unit 1 [01] Unit 2 [12]

00 Not Applicable 14 Undercarriage
13 Top 99 Unknown



DPS: 0192-03 REV 0107

Case Number 2013-13470

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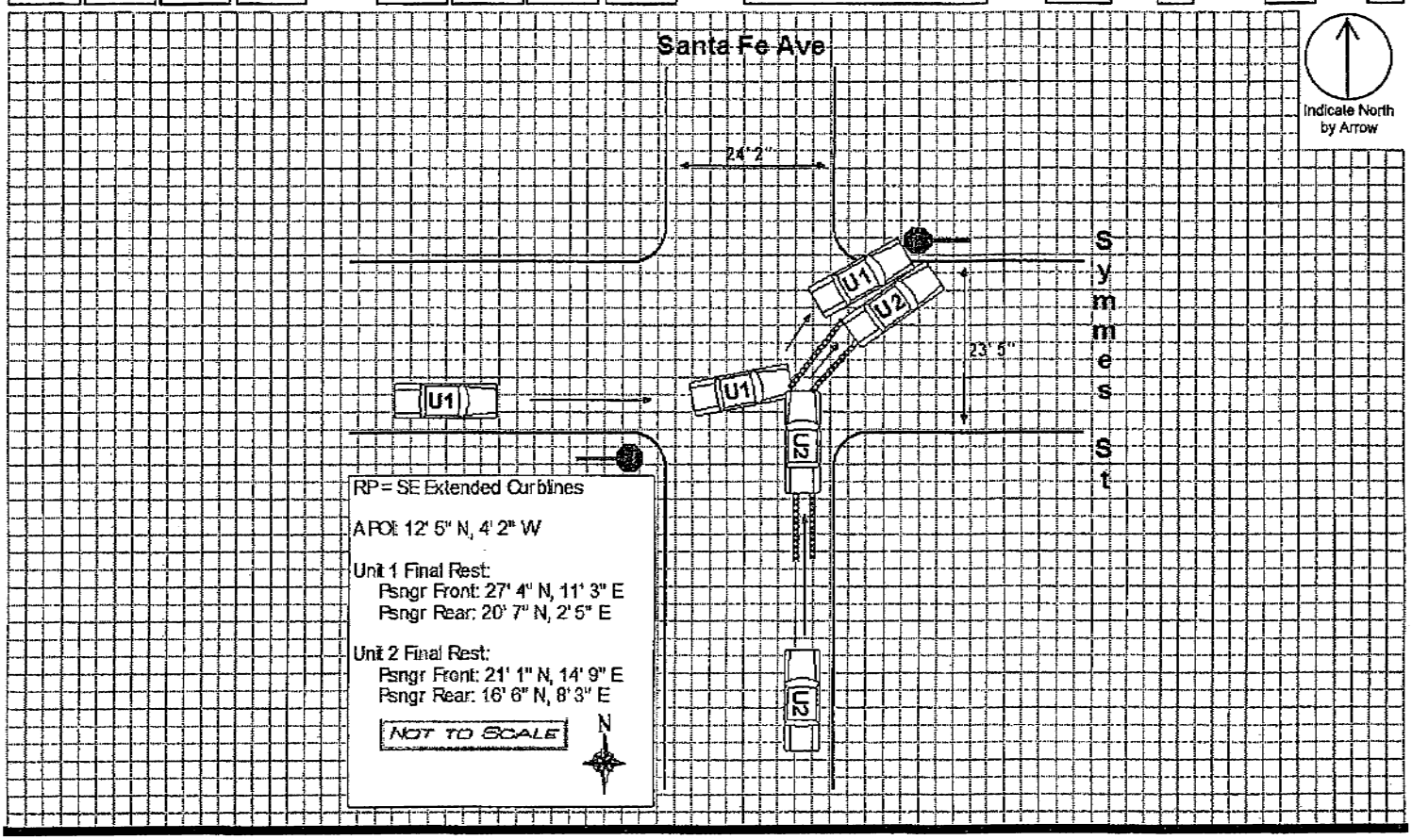
Latitude	Longitude	Railroad Crossing Number	Roadway Orientation					
. . .	N	W	Unit Number	01	NE SW	E	Unit Number 02	NE SW N



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

D-1 WAS TRAVELING EASTBOUND ON SYMMES ST APPROACHING SANTA FE AVE AND FACING A STOP SIGN. D-2 WAS TRAVELING NORTHBOUND ON SANTA FE AVE APPROACHING SYMMES ST WITH NO TRAFFIC CONTROL. D-1 PROCEEDED THROUGH THE INTERSECTION WITHOUT YIELDING TO U-2. ACCORDING TO D-1 SHE DOESN'T REMEMBER SEEING THE STOP SIGN AND BELIEVES SHE FAILED TO EVEN STOP AT THE STOP SIGN. W-1 WAS AN INDEPENDENT WITNESS AND ALSO STATED D-1 FAILED TO STOP FOR THE STOP SIGN PRIOR TO ENTERING THE INTERSECTION. U-1 AND U-2 MADE CONTACT IN THE INTERSECTION CAUSING DAMAGE TO BOTH VEHICLES.

This report is based on the officer's investigation of this collision. This report may contain the opinion of the officer.

[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

COMPLETE ALL BLANKS

(1) Reporting Agency	Case Number (Agency Use)	Motor Vehicles Involved	Number Injured	Number Killed
NORMAN POLICE DEPARTMENT	2013-13470	02	02	00

(2) Date of Collision (mm/dd/yyyy)	Time	County Number and Name		Nearest City or Town Number and Name	
10012013	1504	14	CLEVELAND	In X / Near	20 NORMAN

(3) Distance from Nearest City or Town Limits					Control #	Int ID	Location		East Grid		North Grid		Administrative
	MI / Ft	N / S		MI / Ft	E / W								

(4) Street, Road or Highway		Distance from					(Nearest) Intersecting Street, Road or Highway
SANTA FE AVE	At X		MI / Ft	N / S	E / W	of	SYMMES ST

(5) Unit	Occupants	Type	Hit & Run / CMV	Last Name	First	Middle	Suffix	Date of Birth (mm/dd/yyyy)	Sex
01	01	D	/	BOUTWELL	AMANDA	ANN		10151985	F

(6) Address	City	State	Zip	Telephone (Use Area Code)
201B W GRAY ST	NORMAN	OK	73069	4053211600

(7) Driver License Number	State	Class	Endorsement(s)	Restriction(s)	Inj. Sev.	Type of Injury	Drv./Ped. Cond.	OP Use
R080728077	OK	D			3	3	01	04

(8) Air Bag	Ejected	Extricated	Test	(% BAC)	Transported by	To Medical Facility	License Plate Number	State	Month	Year
1	1	1	5	0.	EMSSTAT	NORMAN REGIONAL ER	CI22695	OK	12	2013

(9) VIN	Vehicle Year	Color	2nd Color	Make	Model	Veh. Conf.	Extent of Damage
19XFB5F57CE004014	2002	WHI	0	HOND	CIVI	02	3

(10) Insurance Verification	Insurance Company Name	Policy Number	Insurance Telephone (Use Area Code)
4			

(11) Vehicle Removed by	Owner's Last Name	First	Middle	Suffix
Driver /	Same as Driver / CITY OF NORMAN WRECKER	CITY OF NORMAN			

(12) Owner's Address	City	State	Zip	Oversized Load	Towed Veh. Type	
201 W GRAY ST	NORMAN	OK	73069	0	00	Rolled / Burned; Phone present X / 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	Suffix	Date of Birth (mm/dd/yyyy)	Sex
02	01	D	/	WARDWELL	KYLE	EDWARD		02281991	M

(15) Address	City	State	Zip	Telephone (Use Area Code)
409 BAKER ST	NORMAN	OK	73072	4053085960

(16) Driver License Number	State	Class	Endorsement(s)	Restriction(s)	Inj. Sev.	Type of Injury	Drv./Ped. Cond.	OP Use
K082792123	OK	D			3	4	01	04

(17) Air Bag	Ejected	Extricated	Test	(% BAC)	Transported by	To Medical Facility	License Plate Number	State	Month	Year
2	1	1	5	0.	REFUSED		632AOM	OK	04	2014

(18) VIN	Vehicle Year	Color	2nd Color	Make	Model	Veh. Conf.	Extent of Damage
1G1JC12F937311823	2003	WHI	0	CHEV	CAVA	02	4

(19) Insurance Verification	Insurance Company Name	Policy Number	Insurance Telephone (Use Area Code)
2	USAA	031666847G7101	8005318222

(20) Vehicle Removed by	Owner's Last Name	First	Middle	Suffix
Driver /	Same as Driver / WARDWELL	COLBY		

(21) Owner's Address	City	State	Zip	Oversized Load	Towed Veh. Type	
409 BAKER ST	NORMAN	OK	73072	0	00	Rolled / Burned; Phone present X / Phone in use

(22) Citation Number	Statute/Ordinance Number	Citation Number	Statute/Ordinance Number

(23) Investigating Officer	Badge Number	Trp/Div. Assigned	Trp/Div. Location	Reviewer (Init.)	Reviewer Badge Number	Date of Report (mm/dd/yyyy)
LT ROBERTSON	9959					10012013

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 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

17-9

DPS: 0192-01 REV 0107

13470-13

Reserve

City of Norman, OK

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

Master

File Number: K-1314-90

File ID:	K-1314-90	**Type:**	Contract	**Status:**	Consent Item
Version:	2	**Reference:**	Item No. 18	**In Control:**	City Council
Department:	Police Department	**Cost:**		**File Created:**	10/24/2013
File Name:	OKOHS 2013 Grant			**Final Action:**	

Title: CONSIDERATION OF ACCEPTANCE OF A GRANT IN THE AMOUNT OF $36,000 FROM THE STATE OF OKLAHOMA OFFICE OF HOMELAND SECURITY FOR THE POLICE DEPARTMENT TO PROVIDE SALARY, BENEFITS, AND TRAINING FOR THE CURRENT POLICE INTELLIGENCE ANALYST POSITION, APPROVAL OF CONTRACT NO. K-1314-90, AND BUDGET APPROPRIATION.

Notes: ACTION NEEDED: Motion to accept or reject a grant in the amount of $36,000 from the State of Oklahoma Office of Homeland Security for the Police Department; and, if accepted, approve Contract No. K-1314-90, authorize the execution thereof, appropriate $36,000 from the Special Grant Fund Balance (022-0000-253.20-00) designating $32,000 to Salary and Benefits (022-6040-421.20-01) and $4,000 to Professional Services & Workshops (022-6040-421.46-04); and, upon reimbursement, deposit funds into Other Revenue/Homeland Security (022-0000-331.13-52).

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 18

Attachments: Text File K-1314-90.pdf, K-1314-90.pdf

Project Manager: Jim Spearman, Professional Standards

Entered by: jim.spearman@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-1314-90

Body

BACKGROUND: The State of Oklahoma, Office of Homeland Security (OKOHS), has offered to award the City of Norman $36,000 to provide salary, benefits, and training for the current Police Intelligence Analyst position. The Intelligence Analyst position is currently funded through a separate OKOHS grant that expires December 31, 2013. This grant would begin when the current grant expires or when funds are expended, whichever occurs first.

DESCRIPTION: The Norman Police Department actively works with other local, state and federal law enforcement agencies to track criminals and terrorists that move from locality to locality. The continuation of the Police Intelligence Analyst position will allow sustained participation in the Oklahoma Fusion Center, a central

information development and data sharing group operated by the Oklahoma State Bureau of Investigation.

The award is offered through a 2013 Department of Homeland Security sub-grant on a reimbursement basis. Once funds are expended, a reimbursement request will be submitted to the OKOHS. History indicates that payment is received within thirty days of the reimbursement request.

RECOMMENDATION: It is recommended that the Council accept the grant in the amount of $36,000, approve the contract and $36,000 be appropriated from Special Grant Fund Balance (account 022-0000-253.20-00) to the expenditure accounts listed below, and upon reimbursement, receipted to Other Revenue/Homeland Security 022-0000-331.13-52.

Salary and Benefits (022-6040-421.20-01) $32,000
Professional Services & Workshops (022-6040-421.46-04) $ 4,000

KIM EDD CARTER
DIRECTOR

MARY FALLIN
GOVERNOR

STATE OF OKLAHOMA
OFFICE OF HOMELAND SECURITY

TO: City of Norman
Cindy S. Rosenthal, Mayor
FROM: Kim Edd Carter, Director KEC
DATE: October 21, 2013
RE: Oklahoma Office of Homeland Security 2013 Homeland Security Grant Program; Fusion Center Analyst; Grant #540.014

Your agency has been selected to receive $36,000.00, (the Proposed Awards), pursuant to the Oklahoma Office of Homeland Security (OKOHS) fiscal year 2013 Homeland Security Grant Program (the 2013 Program). Among other initiatives, the 2013 Program provides this funding for the continued support of the Fusion Center Analyst.

The 2013 Program is a federally funded grant using money provided to the State of Oklahoma as a part of the FY 2013 (FEMA/DHS) Homeland Security Grant Program. Like previous FEMA/DHS/OKOHS grant programs, the 2013 Program is a reimbursement grant.
The process requires the following actions:

(1) Acceptance of the terms and conditions of the 2013 Program including but not limited to those noted on the attached *Schedule "1"*;
(2) Submission of a Budget Detail Worksheet (BDW) to OKOHS with a list of estimated costs of specific allowable items;
(3) Receipt of an approval letter from OKOHS with a schedule of approved items. You must have this ***OKOHS APPROVAL LETTER IN HAND PRIOR TO EXPENDING FUNDS***;
(4) After your receipt of the OKOHS Approval Letter, you may purchase approved items in an amount not to exceed the amount of the Proposed Award; and
(5) Upon receipt of the purchased items, you will need to submit a Reimbursement Request Form, copies of the associated invoices and purchase orders to OKOHS. (Copies of the Reimbursement Request Form and the BDW are available on the OKOHS website at www.homelandsecurity.ok.gov).
(6) After your payment to the vendor has been processed you will need to submit a copy of the cancelled check and an inventory form to OKOHS.

Reimbursement checks are generally mailed to sub grantees by OKOHS within 30 days of receipt of the signed Reimbursement Request Form and associated invoices. If this process will cause a significant hardship, please contact OKOHS for further guidance.

If your organization is willing to accept the Proposed Award subject to all the terms and conditions of the 2013 Program, please so indicate by: (1) affixing the signature of the appropriate chief executive officer (i.e. the chair of the county commissioners, the mayor, the agency director, or the city manager) in the space provided below; and (2) returning an original

P.O. Box 11415 Oklahoma City, OK 73136-0415 PHONE 405/ 425-7296 FAX 405/ 425-7295 www.homelandsecurity.ok.gov

fully executed copy of this letter and each document listed on *Schedule "7"* (each of which is included with this award packet) to OKOHS **ON OR BEFORE November 15, 2013** Post Office Box 11415, Oklahoma City, Oklahoma 73136.0415.

Should you have questions or need additional assistance contact Christina Daron at 405-425-7591 or by email at cneidel@dps.state.ok.us or Robbie Foster at 405-425-7510 or by e-mail at rfoster@dps.state.ok.us.

Thank you for your willingness to participate in this important initiative. We appreciate your efforts to protect our citizens and we look forward to working with you.

Agreed and accepted this ___ day of _____ 2013:

Government/Agency Name: City of Norman

Signature: _____

Printed Name: Cindy Rosenthal

Title: Mayor

APPROVED BY CITY OF NORMAN LEGAL DEPARTMENT
BY _____ DATE 10/30/13

Oklahoma Office of
Homeland Security
Prevent, Protect, Prepare

P.O. Box 11415
Oklahoma City, OK 73136
(405) 425-7296 Office (405) 425-7295 Fax
www.homelandsecurity.ok.gov

SUB-GRANTEE AWARD

Sub-grantee – Required for Reimbursement **FEI#** 736005350 **DUNS #** 009072427	**Original Award Amount** **$36,000.00**
City of Norman **Cindy S. Rosenthal, Mayor** **PO Box 370** **201 West Gray** **Norman, OK 73070**	**Award Number** **#540.014** **Award Effective Date** **9/1/2013** **Project Period** **9/1/2013 – 8/31/2015**
Project Title/IJ Homeland Security Grant Program Fusion Center Analyst/IJ #4	**CFDA** **97.073** **(OKOHS # 97.073 - 5900)**
Applicable Funds **Homeland Security Grant Program** **FY 2013** (SHSP - Local)	**Region** **6**
	County **Cleveland**

Method of Payment: **This is a Reimbursement Grant.**	**Is Sub-Grantee NIMS Compliant?** (Please Check One) **YES** ☒ **NO** ☐
Agency/Jurisdiction Chief Executive Officer Information-Primary Authorized Official City or County Official (Mayor, City Manager, County Commissioner)	**Project Contact/ Secondary Authorized Official (If Applicable)**
Title of Primary Authorized Official Mayor	Title of Secondary Authorized Official Police Chief
Name Cindy S. Rosenthal	Name Keith L. Huphrey
Telephone 405-366-5402 / Fax	Telephone 405-321-1600 / Fax
Email mayor@normanok.gov	Email keith.humphrey@normanok.gov
Signature of Primary Authorized Official: **(Required)** Date	Signature of Secondary Authorized Official: **(Required)** Date 10/25/13

The Primary Authorized Official certifies:

- Legal authorization to accept grants on behalf of the named governmental entity.
- Proposed project can be completed by August 31, 2015
- Sub-Grantee will comply with all laws, regulations, statutes, assurances, certifications, and other requirements referenced in Schedules A, B and C (if applicable) and Schedules 1-6 each of which is attached hereto.
- All submitted data is true and correct to the best of signatory's knowledge.

APPROVED BY CITY OF NORMAN LEGAL DEPARTMENT
BY _____ DATE 10/30/13

Special Conditions

OKOHS Approving Official **Kim Edd Carter** **Director**	**OKOHS Contact Information** Oklahoma Office of Homeland Security P.O. Box 11415 Oklahoma City, OK 73136-0415	
Signature of OKOHS Approving Official	**Telephone** (405) 425-7296	**Fax** (405) 425-7295

Oklahoma Office of
Homeland Security
Prevent, Protect, Prepare

GRANT PROGRAM
Sub-grant Award Terms and Conditions

Instructions:
The Authorized Official must sign the following required documents and return to our office. Please keep a copy of ALL documents for your records.

1. **OKOHS Memorandum, Schedule "A".** (***SIGNATURE REQUIRED***)
2. **Sub-Grantee Award Document, Schedule "B".** (***SIGNATURE REQUIRED***)
3. **Sub-grant Terms and Conditions, Schedule "1".** (***SIGNATURE REQUIRED, RETURN ONLY PAGE 10***)
4. **Lobbying; Debarment, Suspension and other Responsibility Matters; and Drug-Free Workplace Requirements, Schedule "2".** (***SIGNATURE REQUIRED***))
5. **Authorization to Sign OKOHS Program Documents, Schedule "3".** (***SIGNATURES REQUIRED)***
6. **Quarterly Status Report, Schedule "4".** (***SIGNATURE NOT REQUIRED AT THIS TIME.*** This form is included for your convenience only. Report due 15 days following each calendar quarter.)

Grant Terms and Conditions and Homeland Security Grant Program Agreement Articles (referenced in parenthesis)

Recipients of Oklahoma Office of Homeland Security ("OKOHS")/Department of Homeland Security ("DHS")-Federal Emergency Management Administration ("FEMA") grant funds ("Sub-grantee(s)") are urged to carefully review and understand all terms and conditions of the award prior to award acceptance. Failure to comply with these terms and conditions may result in disallowance of costs and recovery of funds and/or suspension or termination of funds and/or award.

As a condition of receipt of this grant, the Sub-grantee understands and agrees:

1. **Acknowledgement of Federal Funding from DHS (Agreement Article 19):** All recipients must acknowledge their use of federal funding when issuing statements, press releases, request for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with Federal funds.

2. **Activities Conducted Abroad (Agreement Article 18):** All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

3. **Allowable Costs:**

   (Agreement Article 2): The recipient agrees that all allocations and use of funds under this grant will be in accordance with the Funding Opportunity Announcement.

   OKOHS requires that Costs charged to this project are subject to advance written approval by OKOHS.

   OKOHS requires that only food and beverages **approved in writing** by OKOHS in advance will be permitted to be purchased with DHS/FEMA funds. As a general rule, FEMA and OKOHS discourage the use of federal funding for food and beverages. While there may be limited exceptions made to this rule that apply solely to working lunches, a strict reasonableness standard must be maintained.

   OKOHS requires that use of DHS/FEMA funding to pay for speaker fees **must be approved in writing** by OKOHS in advance any time the speaker is paid in excess of $100 per hour for services.

4. **Americans with Disabilities Act of 1990 (ADA):** The Sub-grantee must comply with all requirements of the Americans with Disabilities Act of 1990 (ADA), as applicable.

5. **Applicable Laws, Regulations, and Guidance Documents:** Sub-grantee should review and comply with all local, state, federal statutes, regulations, policies, guidelines and requirements including, but not limited to:

   - Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000 et seq.
   - Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794
   - Title IX of the Education Amendments of 1972, as amended, 20 U.S.C 1681 et seq.
   - The Age Discrimination Act of 1975, as amended, 20 U.S.C. 6101 et seq.
   - The Department of Homeland Security Appropriations Act of 2007
   - Homeland Security Act of 2002
   - 28 CFR Part 67, Government-wide Debarment and Suspension (Non-procurement), http://www.gpoaccess.gov/cfr/index.html
   - 6 CFR Part 9, New Restrictions of Lobbying, http://www.gpoaccess.gov/cfr/index.html
   - 28 CFR Part 83, Government-wide Requirements for Drug-free Workplace (Grants), http://www.gpoaccess.gov/cfr/index.html
   - DHS/FEMA Financial Guide at http://www.dhs.gov/xlibrary/assets/Grants_FinancialManagementGuide.pdf
   - Code of Federal Regulations, Title 48 Federal Regulations systems, Part 31, Contract Cost Principles and Procedures – also 48 CFR parts 30 and 31
   - OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, at http://www.whitehouse.gov/omb/circulars/index.html
   - OMB Circular A-102, Grants and Cooperation Agreements with State and Local Governments, at

http://www.whitehouse.gov/omb/circulars/index.html

- OMB Circular A-87, Cost Principals for State, Local, and Indian Tribal Governments, at http://www.whitehouse.gov/omb/circulars/index.html
- OMB Circular A-110, Uniform Administrative Requirements for Grants and Other Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, at http://www.whitehouse.gov/omb/circulars/index.html
- OMB Circular A-21, Cost Principles for Educational Institutions, at http://www.whitehouse.gov/omb/circulars/index.html
- OMB Circular A-122, Cost Principles for Non-Profit Organizations, at http://www.whitehouse.gov/omb/circulars/index.html
- OSHA and NFPA Training Requirements http://www.osha.gov/ http://www.nfpa.org/Codes/
- 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
- In accordance with the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110-329), grant funds must comply with the following two requirements: None of the funds made available shall be used in contravention of the Federal buildings performance and reporting requirements of Executive Order 13123, part 3 of title V of the National Energy Conservation Policy Act (42 USC 8251 et. Seq.), or subtitle A of title I of the Energy Policy Act of 2005 (including the amendments made thereby).
- None of the funds made available shall be used in contravention of section 303 of the Energy Policy Act of 1992 (42 USC13212).

6. **Audit Requirements:** The Sub-grantee agrees to comply with the requirements of OMB Circular A-133.

   Entities that expend $500,000 or more in Federal funds (from all sources) in a fiscal year require an organization-wide financial and compliance audit report. The audit must be performed in accordance with the Government Accountability Office Government Auditing Standards, located at http://www.gao.gov/govaud/ybk01.htm and OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations. Sub-grantees are required to submit to OKOHS (within 90 days of completion) a copy of any audit report received by Sub-grantee in connection with any audit performed by or as a requirement of any regulatory body (federal, state or local) that is conducted with respect to activity taking place during the term of the OKOHS/DHS/FEMA Award. OKOHS will review the audit and determine if any findings exist which may impact the ability of the Sub-grantee to continue to receive funds pursuant to this grant or future funding opportunities.

7. **Best Practices for Collection and Use of Personally Identifiable Information (PII) (Agreement Article 17):** All award recipients who collect PII are required to have a publically-available privacy policy that describes what PII they collect, how they use the PII, whether they share PII with third parties, and how individuals may have their PII corrected where appropriate.
   Award recipients may also find as a useful resource the DHS Privacy Impact Assessments:
   http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_guidance_june2010.pdf and
   http://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_template.pdf, respectively.

8. **Civil Rights Compliance and Notifications of Findings (Agreement Article 3, 5-6):** The Sub-grantee will comply with the nondiscrimination requirements of Title VI of the Civil Rights Act of 1964, as amended: Section 504 of the Rehabilitation Act of 1964, as amended; Subtitle A, Title II of the Americans with Disabilities Act (ADA) (1990); Title IX of the Education Amendments of 1972; Age Discrimination Act of 1975; Department of Homeland Security's Non-Discrimination Regulations, 28CFR Part 35 and 39. The Sub-grantee is required to take reasonable steps to ensure Limited English Proficient ("LEP") persons have meaningful access to language assistance services regarding the development of proposals and budgets and conducting OKOHS/DHS/FEMA funded activities. In the event of Federal or State Court, Federal or State administrative agency, or the Sub-grantee or Contractor makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against a recipient of fund, the Sub-grantee or Contractor will forward a copy of the findings to OKOHS who will, in turn, submit the findings to the Department of Homeland Security and the Office of Justice Programs' Office of Civil Rights.

9. **Community Emergency Response Team (CERT) Training:** That any CERT training funded with OKOHS/FEMA grant funds will be conducted by OKOHS approved trainers.

10. **Compliance Agreement:** The Sub-grantee agrees to abide by all Terms and Conditions including "Special Conditions" placed upon the grant award by OKOHS. Failure to comply could result in a "Stop Payment" being placed on the grant.

11. **Commingling of Funds:** The Sub-grantee is prohibited from commingling funds on either a program-by-program or a project-by-project basis without prior written approval of OKOHS and DHS/FEMA. The accounting systems of all Sub-grantees must ensure that agency funds are not commingled with funds from other awards or Federal agencies. Each award must be accounted for separately by the awarding agency.

12. **Confidential Information:** Any reports, information, data, etc., given to, prepared or assembled by the Sub-grantee under this grant (which OKOHS requests to be kept confidential) shall not be made available to any individual or organization by the Sub-grantee without prior written approval of OKOHS.

13. **Conflict Of Interest:** To take every precaution to avoid the appearance of a conflict of interest. Violations of the conflict of interest standards may result in criminal, civil, or administrative penalties. In the use of agency project funds, officials or employees of State or local units of government shall avoid any action that might result in, or create the appearance of:

    - Using his or her official position for private gain;
    - Giving preferential treatment to any person;
    - Losing complete independence or impartiality;
    - Making an official decision outside official channels; or
    - Affecting adversely the confidence of the public in the integrity of the government or the program. For example, where a Sub-grantee of federal funds makes sub-awards under any competitive process and an actual conflict or an appearance of a conflict of interest exists, the person for whom the actual or apparent conflict of interest exists should recuse himself or herself not only from reviewing the application for which the conflict exists, but also from the evaluation of all competing applications.

14. **Copyright (Agreement Article 16):** All recipients must affix the applicable copyright notices of 17 U.S.C. § 401 or 402 and an acknowledgement of Government sponsorship (including award number) to any work first produced under Federal financial assistance awards, unless the work includes any information that is otherwise controlled by the Government (e.g., classified information or other information subject to national security or export control laws or regulations).

15. **Data Universal Numbering System (DUNS) Numbers:** That the Sub-grantee will obtain a Data Universal Numbering System (DUNS) Number (a nine digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities) for its organization and provide that number to OKOHS as a precondition of funding reimbursement under the grant. A DUNS number may be obtained from D&B by telephone (currently 866.705.5711) or via the Internet at http://fedgov.dnb.com/webform

16. **Debarment Certification (Agreement Article 15):** All recipients must comply with Executive Orders 12549 and 12689, which provide protection against waste, fraud and abuse by debarring or suspending those persons deemed irresponsible in their dealings with the Federal government. **See Schedule 2**

17. **DHS Seals, Logo, and Flags (Agreement Article 4):** All recipients must obtain DHS's approval prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo crests or reproduction of flags or likenesses of Coast Guard officials.

18. **Drug-Free Workplace Certification (Agreement Article 14):** All recipients must comply with the Drug-Free Workplace Act of 1988 (412 U.S.C. § 701 et seq.), which requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. The regulations are codified at 2 CFR 3001. **See Schedule 2**

19. **Duplication of Benefits (Agreement Article 13):** State, Local and Tribal Recipients must comply with 2 CFR Part §225, Appendix A paragraph (C)(3)(c), which provides that any cost allocable to a particular Federal award or cost objective under the principles provided for in this authority may not be charged to other Federal awards to overcome fund deficiencies. However, this prohibition would not preclude governmental units from shifting costs that are allowable under two or more awards in accordance with existing program agreements.

20. **Environmental and Historic Preservation (EHP):** The Sub-grantee shall comply with all applicable Federal, State, and local environment and historic preservation (EHP) requirements and shall provide any information requested by FEMA to ensure compliance with applicable laws including: National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (11988), Wetlands (11990) and Environmental Justice (12898). Sub-grantee shall not undertake any project having the potential to impact EHP resources without the prior approval of FEMA's EHP division, including but not limited to communications towers, physical security enhancements, new construction, modifications to buildings, ground distrubance, and the purchase and use of sonar equipment. Sub-

grantees should submit the FEMA EHP Screening Form for each project as soon as possible following receipt of their grant award. Any construction activities that have been initiated prior to the full environmental and historic preservation review could result in a non-compliance finding. Failure of the Sub-grantee to meet Federal, State, and local EHP requirements and obtain applicable permits may jeopardize Federal funding.

21. **Equal Employment Opportunity:** No person shall on the grounds of race, creed, color or national origin, be excluded from participation in, be refused the benefits of, or be otherwise subjected to discrimination under sub grants awarded pursuant to the Act governing these funds or any project, program, activity or sub-grant supported by such requirements of Title VI of the Civil Rights Act of 1964, and all applicable requirements pursuant to the regulations of the Department of Commerce (Title 15, code of Federal Regulations, Part 8, which have been adopted by the Federal Funding Agency); Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; Department of Labor Regulation 41 CFR Part 60; and the Department of Justice Non-discrimination Regulations 28 CFR Part 42, Subparts C, D, E and G. The Sub-grantee must therefore ensure it has a current Equal Employment Opportunity Program (EEOP) which meets the requirements of 28 CFR 42.301. The Sub-grantee further agrees to post in a conspicuous place, available to all employees and applicants for employment, notices setting forth the provisions of the EEOP, as supplemented in Department of Labor Regulations 41 CFR Part 60. The Sub-grantee assures that in the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin or sex against a recipient of funds, the recipient will immediately forward a copy of the findings to OKOHS

22. **Equipment:** That only equipment that is **approved in writing** by OKOHS will be permitted to be purchased with DHS/FEMA funds. As a general rule, equipment purchased with OKOHS funding must be allowable (for the respective grant program funds to be used) in accordance with DHS's "Authorized Equipment List".

    That, when practicable, any equipment purchased with grant funding shall be prominently marked as follows: "Purchased with funding from the Oklahoma Office of Homeland Security with funds provided by the U.S. Department of Homeland Security." Please contact OKOHS when equipment is received to request appropriate labels.

    That personnel must be properly trained to use the equipment purchased under this grant program in accordance with all applicable federal, state and local laws including, but not limited to regulations established by EPA, OSHA, and NFPA By signing and submitting grant acceptance documents, the authorized official certifies employees have received or will receive required training prior to utilizing equipment purchased with OKOHS/FEMA funding.

    To be responsible for replacing or repairing equipment that is lost, stolen, damaged, or destroyed as a result of Sub-grantee's willful or negligent action. Property with a cost in excess of $10,000 that is purchased using OKOHS/DHS/FEMA funding must be insured for casualty loss unless a written exception to this requirement is permitted by OKOHS. Property losses should be reported to OKOHS immediately.

    To maintain a state of readiness for equipment and personnel to respond to a terrorist incident.

23. **Exercises:** That any exercise conducted with OKOHS grant funds must comply with HSEEP and NIMS requirements. These requirements can be found at http://hseep.dhs.gov. Exercise documentation, including but not limited to: objectives, after-action reports, and participants, must be coordinated with and submitted to the OKOHS Training and Exercise Coordinator.

24. **False Claims Act and Program Fraud Civil Remedies (Agreement Article 12):** All recipients must comply with the requirements of 31 U.S.C. § 3729 which set forth that no recipients of federal payments shall submit a false claim for payment. See also 38 U.S.C. § 3801-3812 which details the administrative remedies for false claims and statements made.

25. **Federal Debt Status (Agreement Article 11):** All recipients are required to be non-delinquent in their repayment of any Federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129 and form SF-424, item number 17 for additional information and guidance.

26. **Financial Guidelines (Agreement Article 20):** The Sub-grantee shall comply with the most recent version of the Administrative Requirements, Cost Principles, and Audit Requirements. A non-exclusive list of regulation commonly applicable to FEMA greats are listed below:

    A. Administrative Requirements:

1. 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
2. 2 CFR Part 215, Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (OMB Circular A-110)
3. 44 CFR, part 10, Environmental Considerations

B. Cost Principles:
1. 2 CFR Part 225, State Local and Indian Tribal Governments (OMB Circular A-87)
2. 2 CFR Part 220, Educational Institutions (OMB Circular A-21)
3. 2 CFR Part 230, Non-Profit Organizations (OMB Circular A-122)
4. Federal Acquisition Regulation Sub-part 31.2, Contracts with Commercial Organizations

C. Audit Requirements:
1. OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations http://www.whitehouse.gov/omb/circulars/index.html

27. **Fly America Act of 1974 (Agreement Article 10):** All recipients must comply with Preference for U.S. Flag Air Carriers: Travel supported by U.S. Government funds requirement, which states preference for the use of U.S. flag air carriers (air carriers holding certificates under 49 U.S.C. §41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. §40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B138942.

28. **Fusion Center:** The Sub-grantee agrees that any funds utilized to establish or enhance state and local fusion centers must support the development of a statewide fusion process that corresponds with the Global Justice/Homeland Security Advisory Council (HSAC) Fusion Center Guidelines and achievement of a baseline level of capability as defined by the Fusion Capability Planning Tool.

    The Sub-grantee agrees that Homeland Security Information Network (HSIN) must serve as the primary vehicle by which information /intelligence is shared with DHS/FEMA as part of the fusion process across the Federal, State, local, regional, tribal and private sectors. All statewide information sharing and analysis centers utilizing HSGP funds must establish connectivity with the DHS/FEMA Homeland Security Operations Center (HSOC) via the HSIN to comply with FEMA policy legislation as outlined in the Program Guidance.

29. **Hotel and Motel Fire Safety Act of 1990 (Agreement Article 9):** In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. §2225(a), all recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974 15 U.S.C. §2225.

30. **Interest and Other Program Income:** The applicant agrees to be accountable for all interest or other income earned by the Sub-grantee with respect to sub-grant funds or as a result of conduct of the project (sale of publications, registration fees, service charges, etc.) All program income generated by this grant during the project must be reported to OKOHS quarterly and must be put back into the project or be used to reduce the Grantor participation in the program. The use or planned use of all program income must have prior written approval from OKOHS.

31. **Interoperable Equipment:** That interoperability of equipment and establishment of multi-regional mutual aid is strongly encouraged and in some cases may be mandated by OKOHS.

    ***Interoperable Communications (IOC) equipment must comply with OKOHS state minimum standards (see** http://www.ok.gov/homeland/Interoperable_Communications/Minimum_Standards_for_Communication_Equipment_Purchases/index.html**)**

32. **Inventory:** That during the term of this grant and for three years following termination of the OKOHS/DHS/FEMA grant (which may be extended beyond the date set in the attached Sub-grantee Award document) the Sub-grantee is responsible for proper reporting, for maintenance of an inventory tracking system and for assuring the location of all equipment purchased through this grant. A physical inventory of the property must be taken, the results reconciled with the property records at least once every two years, and submitted to OKOHS. Inventory records must be maintained which include:

    - Description of the property;
    - Serial number or other identification number;
    - Source of the property;

- Identification of title holder;
- Acquisition date;
- Cost of the property;
- Percentage of Federal participation in the cost of the property;
- Location of the property;
- Use and condition of the property; and
- Disposition data, including the date of disposal and sale price.

33. **Leverage of Funding:** To leverage all available funding and resources when possible in order to support and sustain efforts and to maximize the effectiveness of the OKOHS/FEMA funding.

34. **Lobbying (Article 8):** All recipients must comply with 31 U.S.C. §1352, which provides that none of the funds provided under an award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any Federal action concerning the award or renewal. **See Schedule 2**

35. **Monitoring:** The Sub-grantee agrees to comply with monitoring requirements of OKOHS including, but not limited to, a willingness to provide reasonable access to relevant records, equipment and maintenance of an up to date equipment inventory.

36. **National Incident Management System (NIMS) Implementation:** To comply with any National Incident Management Systems (NIMS) compliance requirements as set forth by OKOHS or the NIMS Integration Center including, but not limited to, ongoing NIMS compliance by the Sub-grantee jurisdiction during the term of the grant.

37. **Non-Supplanting Agreement (Agreement Article 7):** The Sub-grantee shall not use Grantor funds to supplant state or local funds or other resources that would otherwise have been made available for this program. That federal funds expended in connection with this award will be used to supplement, but not supplant, state or local funds.

38. **Obligation of Grant Funds:** That all grant funds must be obligated and expended within the project period set forth on the Sub-grantee award document (Schedule B) unless OKOHS provides a written exception or extension to the Sub-grantee. Any funds not properly obligated and expended by the Sub-grantee during the project period will lapse and revert to OKOHS for potential reallocation to other allowable uses in accordance with DHS/FEMA guidelines.

39. **Political Activity:** That it will not use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of the Oklahoma Office of Homeland Security (OKOHS) and the Department of Homeland Security (DHS)/ the Federal Emergency Management Administration (FEMA).

40. **Procurement:** The recipient agrees to follow the Procurement Standards outlined in the DHS/FEMA Financial Management Guide. These standards require that Sub-grantees use their own procurement procedures and regulations, provided that the procurement conforms to applicable Federal law and standards.

    That all procurement transactions, whether negotiated or competitively bid and without regard to dollar value, shall be conducted in a manner that will provide maximum open and free competition.

    That all sole-source procurements (including contracts properly bid for which only one entity submits a qualified bid) in excess of $100,000 must receive prior written approval of OKOHS. Written justification must be provided for sole source procurement and should include a description of the program and what service or product is being contracted, an explanation of why it is necessary to contract non-competitively, time constraints and any other pertinent information.

41. **Program Guidance:** To comply with all applicable laws, regulations and the applicable FEMA Grant's Program Guidance. All allocations and uses of funds under this grant will be in accordance with the Homeland Security Grant Program Guidelines and Application Kit (or where applicable the Funding Opportunity Announcement), collectively referred to as the (Program Guidance). All Sub-grantees are assumed to have read, understood, and accepted the Program Guidance. The following link will provide access to the respective Grant Year's Program Guidance and Application Kits: http://www.fema.gov/government/grant/index.shtm

    That the use of all funds under this grant must support the goals and objectives included in the State Homeland Security Strategy and/or the Urban Area Homeland Security Strategy. Allocations and use of grant funds must also support the

Investments identified in an Investment Justification, which may have been submitted as part of OKOHS's application for federal funding.

To utilize grant funds for the furthering of the OKOHS State Strategy, the National Preparedness Guidelines and the DHS/FEMA defined National Priorities.

To comply with grant closeout procedures established by OKOHS.

42. **Project Implementation:** The Sub-grantee agrees to implement and complete this project within the project period of the grant or be subject to forfeiture of grant funds.

    That this project will be administered by the local or state governmental entity having authority and responsibility for its completion and that such entity will ensure institutional, managerial and financial capability for proper planning, management and completion of approved projects.

    That the projects funded with this grant should demonstrate multi-disciplinary coordination of response efforts, including but not limited to: emergency medical services, emergency management, fire service, law enforcement, hazardous materials, public works, public health, health care facilities, military, government administration, private sector, citizens and communications.

43. **Property Control/Disposition:** Effective control and accountability must be maintained for all personal property. Sub-grantees must adequately safeguard all such property and must assure that it is used solely for authorized purposes. Sub-grantees should exercise caution in the use, maintenance, protection and preservation of such property.

    Title: Subject to the obligations and conditions set forth in 28 CFR Part 66 (formerly OMB Circular A-102), title to non-expendable property acquired in whole or in part with grant funds shall be vested in the Sub-grantee. Non-expendable property is defined as any item having a useful life of more than one year and an acquisition cost of $5,000 or more per unit.

    Use and Disposition: Equipment shall be used by the Sub-grantee in the program or project for which it was acquired as long as needed, whether or not the program or project continues to be supported by federal funds. That all circumstances requiring disposition or change to intended use of equipment purchased with OKOHS funds should be reported on an Equipment Disposition Form (available on the OKOHS website) and filed with OKOHS within 30 days following such change or disposition. Any ownership transfer (from one jurisdiction to another) of tangible or intangible items purchased with OKOHS funding requires pre-approval from OKOHS and acceptance of OKOHS standard terms and conditions by the acquiring entity. OKOHS consent will not be unreasonably withheld.

44. **Protected Critical Infrastructure Information (PCII):** That Protected Critical Infrastructure Information (PCII) will be treated in a manner consistent with the Critical Infrastructure Information Act of 2002 (Public Law 107-296) (CII Act), which created a new framework, that enables State and local jurisdictions and members of the private sector to voluntarily submit sensitive information regarding critical infrastructure to DHS/FEMA. The Act also provides statutory protection for voluntarily shared CII from public disclosure and civil litigation. If validated as PCII, these documents can only be shared with authorized users who agree to safeguard the information. PCII accreditation is a formal recognition that the covered government entity has the capacity and capability to receive and store PCII. DHS encourages all State Administering Agencies (SAAs) to pursue PCII accreditation to cover their State government and attending local government agencies. Accreditation activities include signing a memorandum of agreement (MOA) with DHS, appointing a PCII Officer, and implementing a self inspection program.

45. **Publications:** That all publications created with funding under this grant shall prominently contain the following statement: "This Document was prepared under a grant from the Federal Emergency Management Administration (FEMA) Grant Programs Directorate (GPD), U.S. Department of Homeland Security (DHS). Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of FEMA/GPD or DHS."

46. **Records (Agreement Article 3, 1-4):** All recipients of financial assistance must acknowledge and agree—and require any Sub-grantee, contractors, successors, transferees, and assignees acknowledge and agree—to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

    Recipients must cooperate with any compliance review or complaint investigation conducted by DHS.

Recipients must give DHS access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or programs guidance.

Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.

That requested or relevant training records of Sub-grantees must be submitted to the OKOHS Training and Exercise Coordinator.

47. **Recording and Documentation of Receipts and Expenditures:** Sub-grantee's accounting procedures must provide for accurate and timely recording of receipt of funds by source of expenditures made from such funds and unexpended balances. These records must contain information pertaining to grant awards, obligations, unobligated balances, assets, liabilities, expenditures and program income. Controls must be established which are adequate to ensure that expenditures charged to the sub-grant activities are for allowable purposes. Additionally, effective control and accountability must be maintained for all grant cash, real and personal property and other assets. Accounting records must be supported by such source documentation as cancelled checks, paid bills, payrolls, time and attendance records, contract documents, grant award documents, etc.

48. **Rehabilitation Act of 1973:** That where practicable, individuals with disabilities will be integrated into the Sub-grantee's emergency preparedness planning activity consistent with Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against people with disabilities in all aspects of emergency mitigation, planning, response, and recovery by entities receiving funds from DHS/FEMA. In addition, and consistent with Executive Order 13347, Individuals with Disabilities in Emergency Preparedness signed in July 2004, the Sub-grantee will encourage consideration of the needs of individuals with disabilities served by State, local, and tribal governments in emergency preparedness planning.

49. **Reports:** To provide quarterly status reports (as required by OKOHS), information and other documentation as may be required by OKOHS.

    To cooperate with any assessments, national evaluation efforts, or information or data collection requests related to any activities within this project.

    To provide DHS/FEMA and OKOHS reasonable assistance with assessments conducted to (a) determine the existing level of preparedness within the Sub-grantee's jurisdiction; (b) determine the homeland security related needs of the jurisdiction, and (c) measure progress in achieving state and federal preparedness goals.

50. **Retention of Records:** That any records relevant to the grant must be retained for at least three years following the termination date (which may be extended beyond the scheduled termination date) of the OKOHS/DHS/FEMA grant (OKOHS will provide the notice on the OKOHS web site under the grants section regarding the start date of this three year period). In accordance with the requirements set forth in the OMB administrative requirements circulars, all financial records, supporting documents, statistical records, and all other records pertinent to the award shall be retained by each organization for at least three years from the date of submission of the final expenditure report. In cases where litigation, a claim, or an audit is initiated prior to expiration of the three year period, records must be retained until completion of the action and resolution of issues or the end of the three year period, whichever is later. Retention is required for purposes of Federal examination and audit. Records may be retained in an electronic format.

51. **Sanctions:** If a Sub-grantee materially fails to comply with the terms and conditions of an award, OKOHS or DHS/FEMA may take one or more of the following actions, as appropriate in the circumstances:

    - Temporarily withhold cash payments pending correction of the deficiency by the Sub-grantee.
    - Disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance.
    - Wholly or partly suspend or terminate the current award.
    - Withhold future awards for the project or program.
    - Pursue any other legal remedy that may be available.

- Require reassignment of any tangible or intangible items purchased with OKOHS grant funding to another local jurisdiction.

Prior to taking action, OKOHS will provide the Sub-grantee reasonable notice of intent to impose measures and will make efforts to resolve the problem informally.

52. **Trafficking Victims Protection Act of 2000 (TVPA) (Agreement Article 6):** The Sub-grantee agrees that they will not participate in or knowingly ignore, aid or abet illegal Trafficking in Persons [as more fully described in Section 106(g) of the Trafficking Victims Protection Act of 2000 ("TVPA"), as amended (22 U.S.C. 7104(g), located at 2 CFR Part 175] in any way whether directly or indirectly (through the illegal activity of an employee, subcontractor or vendor of the Sub-grantee). The Sub-grantee must inform OKOHS immediately upon receipt of any information received from any source alleging a violation of the prohibitions associated with human trafficking. FEMA and OKOHS reserve the right to terminate unilaterally any grant awarded to an entity in violation of the TVPA, as amended from time to time.

53. **Unauthorized Expenditures:** Examples of **unauthorized expenditures** include but are not limited to:

- Hiring of Public Safety Personnel
- Construction and Renovation
- General use equipment including but not limited to items jurisdictions would normally be expected to have.
- Items not pre-approved by OKOHS
- Exercise related costs for non expendable equipment items (e.g., electronic messaging signs) and/or vehicle/emergency response apparatus costs (other than the cost of fuel/gasoline, which is allowable)

54. **USA Patriot Act of 2001(Agreement Article 5):** All recipients must comply with the requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. §§ 175-175c. Among other things, the USA PATRIOT Act prescribes criminal penalties for possession of any biological agent, toxin, or delivery system of a type or in a quantity that is not reasonably justified by a prophylactic, protective, bona fide research, or other peaceful purpose.

55. **Utilization of Minority Businesses:** Sub-grantees are encouraged to utilize qualified minority firms where cost and performance of major contract work will not conflict with funding or time schedules.

56. **Written Approval of Changes:** Sub-grantee must notify OKOHS in writing of any events or changes requiring adjustment in the grant award. Examples include but are not limited to: changes of address, project manager, project site, budget categories or scope.

Authorized Official:

Cindy Rosenthal

Name *Please type or print*

Signature

Date

APPROVED BY CITY OF NORMAN LEGAL DEPARTMENT
BY _____ DATE 10/30/13

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug- Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. **LOBBYING**
As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over $100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-grants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. **DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS** (DIRECT RECIPIENT)
As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. **DRUG-FREE WORKPLACE** (GRANTEES OTHER THAN INDIVIDUALS)
As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about:

(1) The dangers of drug abuse in the workplace;
(2) The grantee's policy of maintaining a drug-free workplace;
(3) Any available drug counseling, rehabilitation, and employee assistance programs; and
(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will

(1) Abide by the terms of the statement; and
(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

_____ _____

Authorized Official Date

APPROVED BY CITY OF NORMAN LEGAL DEPARTMENT
BY _____ DATE 10/30/13

Contract No. K-1314-90

Oklahoma Office of
Homeland Security
Prevent, Protect, Prepare

P.O. Box 11415
Oklahoma City, OK 73136
(405) 425-7296 Office • (405) 425-7295 Fax
www.homelandsecurity.ok.gov

SIGNATURE AUTHORIZATION

Required to sign all OKOHS subgrant documents

PROJECT CONTACT/SECONDARY AUTHORIZED OFFICIAL INFORMATION

PRINT Name: Keith L. Humphrey			
Title: Chief of Police			
Agency: Norman Police Department			
Mailing Address: 201-B W. Gray St. Norman		State: OK	Zip: 73069
Phone #: 405-366-5201	Fax #: 405-217-1066	Email: keith.humphrey@normanok.gov	

Primary Contact Signature — Date: 10/25/13

OPTIONAL Secondary Contact

Authorized to sign subgrant documents? ☐ Yes ☐ No
(If "yes," please sign below)

PRINT Name: Jim Spearman	Title / Agency: Police Standards Administrator
Email: jim.spearman@normanok.gov	Phone #: 405-366-5215

Secondary Contact Signature — Date: 10/25/13

AGENCY/JURISDICTION CHIEF EXECUTIVE OFFICER – PRIMARY AUTHORIZED OFFICIAL INFORMATION

City or County Official (Mayor, City Manager, County Commissioner)

I hereby authorize the individual(s) identified above to act on my behalf in coordination with the Oklahoma Office of Homeland Security (OKOHS) and to sign all documentation related to this subgrant.

PRINT Chief Executive Officer Name: Cindy Rosenthal		OKOHS Award #: 540.014	
Title: Mayor		Phone #: 405-366-5406	
Jurisdiction (City, County, etc.): Norman, Cleveland, Oklahoma		Email: mayor@normanok.gov	
Mailing Address: PO Box 370, Norman		State: OK	Zip: 73070

Chief Executive Officer Signature — Date

Form Revised as of: September 10, 2007

If any of the above information changes please submit a new ***SIGNATURE AUTHORIZATION FORM*** *to OKOHS immediately.*

City of Norman, OK

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

Master

File Number: K-0809-45 Amd #4

File ID:	K-0809-45 Amd #4	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 19	**In Control:**	City Council
Department:	Police Department	**Cost:**		**File Created:**	10/22/2013
File Name:	Amd #4 K-0809-45 Nextel West			**Final Action:**	

Title: AMENDMENT NO. FOUR TO CONTRACT NO. K-0809-45: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND NEXTEL WEST CORPORATION TO PROVIDE ADDITIONAL PROJECT MANAGEMENT AT NO COST TO THE CITY OF NORMAN. AS PART OF THE FREQUENCY CONFIGURATION AGREEMENT FOR THE 800 MEGAHERTZ (MHZ) COMMUNICATION SYSTEM.

Notes: ACTION NEEDED: Motion to approve or reject Amendment No. Four to Contract No. K-0809-45 with Nextel West Corporation; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 19

Attachments: Text File Amd 4 K-0809-45.pdf, Amd 4 K-0809-45.pdf

Project Manager: Lance Terry, Communications Center Supervisor

Entered by: kathy.lamar@normanok.gov **Effective Date:**

History of Legislative File

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

Text of Legislative File K-0809-45 Amd #4

Body

BACKGROUND: Nextel West Corporation is under order from the Federal Communications Commission (FCC) to stop interference within the 800 MHz radio band. This process is being funded entirely by Nextel West Corporation. Contract No. K-0809-45 was approved by City Council on December 23, 2008, and was executed by Nextel West Corporation on January 21, 2009. Since execution of the Contract, City staff and contractors deployed various radios to both internal City users and external users that operate under our FCC license(s). The First Amendment to the Contract was approved by City Council on August 25, 2009, which added 25 additional replacement radios along with labor and materials. On September 13, 2011, City Council approved the Second Amendment to the Contract which added 151 additional replacement radios, the tuning of a mutual aid repeater and additional labor and materials. On March 12, 2013, City Council approved the Third Amendment to the Contract which replaced the mutual aid repeater. This Fourth Amendment to the Contract is for Professional Services Costs for additional project management.

DESCRIPTION: Nextel West Corporation is obligated by the FCC to pay for professional services costs. Nextel West Corporation and the City have negotiated the costs of the professional services costs for additional project management in the amount of $7,875, none of which is a cost to the City of Norman. After the work is

completed, and the City gives final approval, the $7,875 will be paid directly from Sprint Nextel.

RECOMMENDATION: Staff recommends approval of the Fourth Amendment to Frequency Reconfiguration Agreement Contract No. K-0809-45.

Contract Number 0809-45

FOURTH AMENDMENT TO FREQUENCY RECONFIGURATION AGREEMENT

THIS FOURTH AMENDMENT (the "Fourth Amendment") amends and revises that certain Frequency Reconfiguration Agreement (the "Agreement"), executed on January 21, 2009 and amended on September 9, 2009, September 16, 2011 and March 22, 2013, by and between the **City of Norman**, an Oklahoma municipality ("Incumbent"), and **Nextel West Corp.** ("Nextel"), a wholly-owned indirect subsidiary of Sprint Corporation, a Kansas corporation. Incumbent and Nextel may be referred to individually as "Party," or collectively as the "Parties." All capitalized terms not defined herein shall have the definitions set forth in the Agreement.

WHEREAS, the Parties have agreed to amend Schedule C of the Agreement.

NOW THEREFORE, in consideration of the mutual covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties, through this Third Amendment, hereby agree to amend and revise the Agreement as follows:

Schedule C to the Agreement is revised and replaced in its entirety with the attached revised Schedule C.

In the event of any inconsistencies between the terms and conditions contained in the Agreement and the terms and conditions contained in the First, Second, Third Amendment Fourth, this Fourth Amendment shall control.

Except as set forth above, there are no other revisions or amendments to the Agreement or to the obligations of Incumbent or Nextel.

IN WITNESS WHEREOF, the Parties hereto, intending to be legally bound, have duly executed this Fourth Amendment as of this _____ day of _____, 2013.

[SIGNATURE PAGE IMMEDIATELY FOLLOWS]

Contract Number 0809-45

INCUMBENT:
City of Norman

Approved as to form and legality this ____ day of_____, 2013.

Jeff Bryant, City Attorney

Approved by the City of Norman this _____ day _____, 2013

Cindy Rosenthal, Mayor

ATTEST:

Brenda Hall, City Clerk

NEXTEL:
Nextel West Corp.

By:_____

Name:

Title:

Contract Number 0809-45

SCHEDULE C

800 MHZ RECONFIGURATION

COST ESTIMATE - CERTIFIED REQUEST

Request for Reconfiguration Funding

Incumbent's Name: NORMAN, CITY OF, OK PH II

Pursuant to the Order, Incumbent is required to reconfigure its existing facilities and requests Sprint Nextel to fund the estimated reconfiguration costs included below:

Incumbent Payment Terms: Sprint Nextel will pay Incumbent an amount not to exceed the Estimated Cost(s) for Incumbent with respect to each category of work, as set forth below. Sprint Nextel will pay Incumbent $40,081.61 within 15 days (30 days if Incumbent elects to be paid by check rather than electronic funds transfer) after receipt by Sprint Nextel of the fully executed Agreement and fully completed Incumbent Information Form (as set forth on Exhibit A). Sprint Nextel will pay any outstanding balance of the Actual Costs due to Incumbent within 30 days after the Reconciliation Date (as "Actual Costs" and "Reconciliation Date" are defined in Section 3(b)(i)).

Vendor Payment Terms: Sprint Nextel will pay each Vendor an amount not to exceed the Estimated Cost(s) for that Vendor with respect to each category of work, as set forth below. Sprint Nextel will pay each Vendor within 30 days after receipt by Sprint Nextel of (A) an invoice from the Vendor and (B) Incumbent's approval of receipt of goods and services and approval of associated costs included on the Vendor invoice.

1. System Description: The City of Norman operates an 800 MHz trunked Smartnet radio system. This system is a 14 channel 2-site simulcast system which is integrated into the State of Oklahomas Smartzone network. Of the 14 current channels, 4 are NPSPAC voice only and will need to be reconfigured to the new NPSPAC band. The system is used jointly by the State of Oklahoma, City of Tulsa, City of Moore, City of Lawton, Cleveland County and other agencies.

The major system elements to be reconfigured are summarized in the table below:

	Total In System	Total Included in FRA
Base station frequencies	14	4
- Voice channels	14	4
- Home/Control channels	4	0
Repeater sites	2	2
Other sites (remote recv, BDA)	0	0
Subscriber units retuned	34	34
Subscriber units reprogrammed	742	742
Subscriber units replaced	604	604
Subscriber units rebanded total	1380	1380
Entities operating on the system	6	6

2. Reconfiguration Milestones: Identify the anticipated start date of the overall reconfiguration of your system (Project Start). Then, for each major reconfiguration milestone listed in the table below, provide (1) the anticipated number of days after project start date required to begin execution of the task identified, and (2) the estimated duration in number of days required to complete the task identified. As an FRA is negotiated, it is not always possible to know an actual start date for specific reconfiguration tasks. In such a case, it is acceptable to forecast an estimated start date from execution of the FRA (i.e., "contract execution + xx days") and estimate the duration of each task.

Reconfiguration Task	Start Date	# of Days After Project Start Date for Start of Task	Estimated Duration in # of Days
Project Start	TBD		
Reconfiguration Planning		0	5
Reconfigure Subscriber Equipment (1st)		10	150
Reconfigure Infrastructure Equipment		165	30
Reconfigure Subscriber Equipment (2nd)		175	150
System Acceptance		325	10

3. Implementation Plan: The attached Implementation Plan and associated deliverables describe the reconfiguration implementation plan resulting from funds expended under the Planning Funding Agreement dated February 5, 2007, amended on April 30, 2007 and on September 26, 2007.

4. Cost Estimate:

Description of Work To Be Performed	Payee(separately identify Incumbent and each Vendor being paid for work performed)	Estimated Cost(s) for Incumbent and Each Vendor (Not to Exceed listed amount)
I. Subscriber Equipment Reconfiguration • Removals of existing Motorola 800 MHz mobile radios from City of Norman Public Works vehicles. Work effort to consist of removing the radio, power cables/leads, mounting brackets, mobile antennas & line kits. (268hrs @ $80.00 /hr = $21,440.00) • Installation of new 800 MHz dash mount mobile radios for under dash or overhead console installations. Work effort will consist of the installation of new power cables/leads, new microphones, new mounting brackets, new mobile antennas and line kits. (268hrs @ $150.00 /hr = $40,200.00)	(Vendor) Total Radio	$61,640.00
• Technician - Subscriber Inv Evaluation/Deployment (67hrs @ $41.78 /hr = $2,799.26) • Technician - Deploy new portables (24hrs	(Incumbent) Norman	$51,258.02

@ $41.78 /hr = $1,002.72) • Expenses for mobile installs (1 @ $16,000.00 /unit = $16,000.00) • Technician - Inventory control new/old equip (122hrs @ $41.78 /hr = $5,097.16) • Warehouse rental space (1 @ $5,000.00 /unit = $5,000.00) • Technician - Create Subscriber Programming Files (140hrs @ $41.78 /hr = $5,849.20) • Program new subscriber equip (196hrs @ $41.78 /hr = $8,188.88) • Technician - Training specialist (80hrs @ $41.78 /hr = $3,342.40) • Manager - Training specialist (80hrs @ $43.48 /hr = $3,478.40) • Motorola training software (1 @ $500.00 /unit = $500.00)		
• Engineer - Subscriber Inv Evaluation/Deployment (48hrs @ $90.00 /hr = $4,320.00) • Technician - Inventory control new/old equip (61hrs @ $90.00 /hr = $5,490.00) • Technician - Create Subscriber Programming Files (120hrs @ $90.00 /hr = $10,800.00) • Technician - Re-program existing subscriber equip (765hrs @ $90.00 /hr = $68,850.00) • Technician - Program new subscriber equip (170hrs @ $75.00 /hr = $12,750.00) • Technician - Set up Control Stations (80hrs @ $90.00 /hr = $7,200.00) • Technician - Remove old freqs (1209hrs @ $45.00 /hr = $54,405.00) • Scanners (1 @ $6,000.00 /unit = $6,000.00)	(Vendor) Stolz Telecom	$169,815.00
II. Infrastructure Equipment Reconfiguration **a. Infrastructure Equipment Reconfiguration Services** • Service assistance for code plugs installation and testing (1 @ $960.00 /unit = $960.00)	(Vendor) Total Radio	$960.00
• Technician - Infrastructure inventory evaluation (5hrs @ $41.78 /hr = $208.90) • Technician - Migration methodology (5hrs @ $41.78 /hr = $208.90)	(Incumbent) Norman	$2,423.24

• Technician - Proof of concept engineer (5hrs @ $41.78 /hr = $208.90) • Technician - Develop solution (5hrs @ $41.78 /hr = $208.90) • Technician - Observe ATP test (30hrs @ $41.78 /hr = $1,253.40) • Technician - Coverage acceptance (8hrs @ $41.78 /hr = $334.24)		
• Engineer - Infrastructure inventory evaluation (36hrs @ $90.00 /hr = $3,240.00) • Engineer - Migration methodology (32hrs @ $90.00 /hr = $2,880.00) • Engineer - Proof of concept engineer (18hrs @ $90.00 /hr = $1,620.00) • Engineer - Develop solution (60hrs @ $90.00 /hr = $5,400.00) • Engineer - Antennas and associated Feedline (1 @ $29,940.00 /unit = $29,940.00) • Engineer - Reconfigure Prime Site (1 @ $8,640.00 /unit = $8,640.00) • Engineer - Reconfigure Sarkey and Interop Sites (1 @ $19,440.00 /unit = $19,440.00) • Engineer - Reconfigure East Site (1 @ $4,320.00 /unit = $4,320.00) • Engineer - Create equip ATP plan (6hrs @ $90.00 /hr = $540.00) • Engineer - Coverage ATP plan (36hrs @ $90.00 /hr = $3,240.00) • Cash for purchase and installation of the upgrade to the Site Lens as outlined in the Motorola SAIR. (1 @ $17,600.00 /unit = $17,600.00)	(Vendor) Stolz Telecom	$96,860.00
b. Infrastructure Equipment Reconfiguration Equipment/Software: • Host or Stand Alone Control Channel CORE - Model No:GW3-H-CORE (1 @ $8,400.00 /Each) • Activity by Talkgroup with Emergencies â€“ LIMIT 9 TGs. - Model No:GW3-Grp-LIMIT9 (1 @ $1,800.00 /Each) • System Activity Summary - Model No:GW3-SysSum (1 @ $950.00 /Each) • Affiliation / Deaffiliation Display - Model No:GW3-AFF (1 @ $1,000.00 /Each) • Archiving Limit - Model No:GW3-	(Vendor) Genesis	$37,401.00

ARCH-LIMIT2 (1 @ $2,000.00 /Each) • SQL for Workgroups - Model No: GW3-SQL-WGP (1 @ $1,300.00 /Each) • Reports LIMITED - Model No:GW3-CoreRpt-LIMIT3 (1 @ $1,200.00 /Each) • Channel Status Display - Model No:GW3-CHAN (1 @ $2,500.00 /Each) • SWII output replacement - Model No:GW3-GSP-SWII (1 @ $900.00 /Each) • Trigger Monitor - Model No:GW3-TRIG (1 @ $1,700.00 /Each) • GenWatch3 Host ENTRY level Computer - Model No:GW3-HW-CPU2 (1 @ $5,850.00 /Each) • INSTALLATION - Genesis Integration of Software on to PC and Configuration - Model No: GW3-INST (1 @ $1,000.00 /Each) • TRAINING - 1 day travel + 2.5 days installation, training, observation, .5 days travel home, 3 nights stay, mileage(240*2+30), day rate - Model No:GW3-TRAIN (1 @ $5,517.00 /Each) • SHIPPING - Pre-ship of HW to City of Norman - Model No:GW3-SHIP (1 @ $130.00 /Each) • SUPPORT - One YearÂ of Total Support @ 9.5% of Software -1 year. - Model No: GW3-MTSÂ (1 @ $2,066.00 /Each) • Motorola OSW License Fee (5% of Software, minus RCM modules) - Model No:GW3-MOTOSWL (1 @ $1,088.00 /Each)		
• CPS for ASTRO 25 Portable Radio - Model No:RVN4185AA (1 @ $265.00 /Each) • CPS for ASTRO 25 Mobile Radio - Model No:RVN4181AA (1 @ $265.00 /Each) • CPS for MTS2000 - Model No:RVN4176U (1 @ $279.00 /Each) • CPS for MCS2000 Mobile - Model No: RVN4175V (1 @ $263.00 /Each) • CPS for ASTRO SPECTRA - Model No:RVN4183V (1 @ $276.00 /Each) • Programming cables for Quantar (2 @ $59.06 /Each) • RSS for QUANTAR/QUANTRO Base Station (1 @ $280.00 /Each) • Programming cables and software for	(Vendor) Total Radio	$12,090.12

MTC3600 (1 @ $1,000.00 /Each) • MTC3600 Controller Codeplugs (4 @ $2,336.00 /Each)		
III. Professional Services Costs • PM - Overall Program Manager (360hrs @ $225.00 /hr = $81,000.00) • Expenses (1 @ $5,400.00 /unit = $5,400.00)	(Vendor) ACD	$86,400.00
• Subscriber Program Manager (60hrs @ $42.50 /hr = $2,550.00) • Subscriber travel expenses (1 @ $1,500.00 /unit = $1,500.00) • Technician - Infrastructure Program Manager (260hrs @ $41.78 /hr = $10,862.80) • Infrastructure travel expenses (1 @ $1,000.00 /unit = $1,000.00) • Technician - Norman team tech support (40hrs @ $41.78 /hr = $1,671.20) • Manager - Develop programming schedule & coordinate with user agencies (92hrs @ $43.48 /hr = $4,000.16) • Technician - Coordinate & escort personnel to sites (96hrs @ $41.78 /hr = $4,010.88)	(Incumbent) Norman	$25,595.04
IV. Contracts and Legal Costs • Legal (12hrs @ $73.91 /hr = $886.92)	(Incumbent) Norman	$886.92
• Legal Fees to Negotiate FRA, participate in mediation and draft PRM's. (54hrs @ $400.00 /hr = $21,600.00)	(Vendor) Keller & Heckman	$21,600.00

Amendment - 1 (Previous)

Description of Work To Be Performed	Payee	Estimated Cost(s)
I. Subscriber Equipment Reconfiguration • Technician - Re-program existing subscriber equip (50 @ $90.00 /unit = $4,500.00) • Technician - Program new subscriber equip (27 @ $75.00 /unit = $2,025.00)	(Vendor) Stolz Telecom	$6,525.00

Amendment - 2 (Previous)

Description of Work To Be Performed	Payee	Estimated Cost(s)
I. Subscriber Equipment Reconfiguration • Technician - Subscriber Inv	(Incumbent) Norman	$4,737.63

Evaluation/Deployment (151 units @ 0.50 hrs each @ $41.86 /hr = $3,160.43) • Program new subscriber equip (151 units @ 0.25 hrs each @ $41.78 /hr = $1,577.20)		
• Install Dash Mount Radio in Public Safety Vehicle (16 @ $350.00 /unit = $5,600.00) • Install Remote Mount Radio in Public Safety Vehicle (58 @ $450.00 /unit = $26,100.00) • Rebanding Labor - New Radio First Touch (151 @ $75.00 /unit = $11,325.00) • Rebanding Labor - Radio Second Touch (151 @ $45.00 /unit = $6,795.00) • Install New Control Station (3 @ $450.00 /unit = $1,350.00)	(Vendor) Stolz Telecom	$51,170.00
II. Professional Services Costs • Additional Project Management (2 hours per month for 22 months) (22 units @ 2.00 hrs each @ $225.00 /hr = $9,900.00) • PM - Overall Program Manager (25hrs @ $225.00 /hr = $5,625.00) Reallocation of costs from the City of Norman • Expenses (1 @ $500.00 /unit = $500.00) • Project Management (13.33hrs @ $225.00 /hr = $2,999.25)	(Vendor) ACD	$19,024.25
Reallocation of costs to ACD • Infrastructure Travel Expense (-1 @ $500.00 /unit = ($500.00)) • Manager - Develop programming schedule & coordinate with user agencies (-44hrs @ $43.48 /hr = ($1,913.12)) • Technician - Coordinate & escort personnel to sites (-26hrs @ $41.78 /hr = ($1,086.28))	(Incumbent) Norman	($3,499.40)

Amendment - 3 (Previous)

Description of Work To Be Performed	**Payee**	**Estimated Cost(s)**
I. Infrastructure Equipment Reconfiguration **a. Infrastructure Equipment Reconfiguration Services** • Engineer - Labor to install repeater (6hrs @ $90.00 /hr = $540.00)	(Vendor) Stolz Telecom	$540.00

Amendment - 4 (New)

Description of Work To Be Performed	Payee	Estimated Cost(s)
I. Professional Services Costs • Additional project management for ACD to continue to serve as project lead on status meetings, participate in discussions with the TA/Sprint/Norman and to provide assistance with wrapping up second touch and project closeout (35hrs @ $225.00 /hr = $7,875.00)	(Vendor) ACD	$7,875.00

Amended Cost Totals:		
Norman	Incumbent	$81,401.45
Total Radio	Vendor	$74,690.12
Stolz Telecom	Vendor	$324,910.00
ACD	Vendor	$113,299.25
Keller & Heckman	Vendor	$21,600.00
Genesis	Vendor	$37,401.00
Total Estimated Costs		$653,301.82

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Certification

Pursuant to the Order, Incumbent hereby certifies to the Transition Administrator appointed pursuant to the Order that the funds requested above are the minimum necessary to provide Incumbent reconfigured facilities comparable to those presently in use in a manner that is reasonable, prudent and timely. Incumbent further certifies, to the best of Incumbent's knowledge, that any vendor costs identified on the Schedule C are comparable to costs previously charged by each such vendor to Incumbent.

Signature:_____
Print Name:_____
Title:_____
Phone Number:_____
E-mail:_____
Date:_____

SCHEDULE D

NORMAN, CITY OF, OK PH II

Replaces Previous Schedule D

1) Loaned Reconfiguration Equipment (provided by Nextel)

Quantity	Manufacturer	Description	Model Number	New/Used
2		Battery eliminator	REX4424A	New
2		XTS2500/1500 Battery Eliminator	AA0180305G54	New
2		PROGRAMMING CABLE, USB, XTS2500	RKN4105A	New
4		CABLE, CH PROGRAMMING USB (GCAI)	HKN6184A	New
2		XTL5000 W series remote power cables	YKN4261A	New
6		MOBILE PWR CBL HIPWR	HKN-4191B	New
4		10' Astro power cables	HKN6170A	New
4		CABLE, PROGRAM, MCS 2000	RKN4062B	New
4		MCS2000 Programming cable	RKN4063B	New
4		MCS2000 dash mount power cable	HKN6128A	New
4		MCS2000 Remote mount power cable	HKN6111B	New
2		Program cable for high power spectra	0180300B10	New
2		CABLE, ASSY.RIB TO SPECTRA 900	3080369B73	New
2		Astro Spectra remote mount power cable	HKN4192B	New
4		SRIB INERFACE BOX	RLN1015D	New
4		SRIB AC PWR PAK 110V	0180302E27	New
4		BATTERY PACK, SMART RIB	RLN4488A	New
4		COMPUTER RIB CABLE	3080390B48	New
4		COMPUTER RIB CABLE	3080390B49	New
2		CABLE, PROGRAMMING	3080369E32	New
4		Programming cable for MTS2000	RKN4035D	New

2) Replacement Equipment (provided by Nextel)

Quantity	Manufacturer	Description	Model Number	New/Used
5		SW Flash Kit-Mobile	299-RBSK-002	New
5		SW Flash Kit-Mobile	299-RBSK-004	New
4		SW Flash Kit-Portable	299-RBSK-001	New
268		7/800MHZ Complete Radio,NO SW Options,DASH-MT, ENCRYPTED HW, Mic, Accessory Interface Cable, Power / Battery Interface Cable, Wiring Harness, Mounting Bracket,	242-537G-001AAYB6	New

		New Housing		
268		SmartZone & SMARTNET System Option	299-RBOM-002	New
3		PC Configure Programming Kit (Mobile, USB cable)	250-5300-104	New
1		Operation Manual - 5300	002-5300-70000CD	New
1		Service Manual - 5300	001-5300-70000CD	New
94		7/800MHZ Complete Radio,No SW Options, includes DISPLAY and SIMPLE KEYPAD, ENCRYPTED HW, Antenna, Battery Separate, New Housing	242-517B-810YY6	New
94		SmartZone & SMARTNET System Option	299-RBOP-002	New
94		Spare Battery (NiMH)	587-5100-362	New
94		Speaker Microphone	589-0015-057	New
48		Leather Case w/D-Swivel Belt Loop, Model II / III	585-5100-14004	New
3		PC Configure Programming Kit (Portable, USB cable)	250-5100-104	New
1		Operation Manual - 5100	002-5100-72000CD	New
1		Service Manual - 5100	001-5100-70002CD	New
		Amendment #1		
-94		Speaker Microphone	589-0015-057	New
70	EFJ	7/800MHZ Complete Radio, No SW Options, includes DISPLAY and SIMPLE KEYPAD, ENCRYPTED HW, Antenna, Battery Separate, New Housing	242-517B-810YY6	New
70	EFJ	SmartZone & SmartNet System Option	299-RBOP-002	New
70	EFJ	Leather Case w/D-Swivel Belt Loop, Model II/III	585-5100-14004	New
52	EFJ	Single Rapid Vehicle Charger	DC-1 EFJ-3	New
52	EFJ	Hard Wire Kit for DC-1, 10ft	PC-DC1-10	New
70	EFJ	Spare Battery (NiMH)	587-5100-362	New
94	EFJ	Single Bay Tri-Chem Charger w/Switched P/S Rapid Rate	250-5100-315	New
70	EFJ	Single Bay Tri-Chem Charger w/Switched P/S Rapid Rate	250-5100-315	New
1	EFJ	PC Tune Kit, Portable & Mobile (SW / manual CD, mobile / portable tuning HW)	250-5400-005	New
9	EFJ	7/800MHZ Complete Radio, No SW Options, includes DISPLAY and SIMPLE KEYPAD, ENCRYPTED HW, Antenna, Battery Separate, New Housing	242-517B-810YY6	New
9	EFJ	SmartZone & SmartNet System Option	299-RBOP-002	New
9	EFJ	Spare Battery (NiMH)	587-5100-362	New
9	EFJ	Single Bay Tri-Chem Charger w/ Switched P/S Rapid Rate	250-5100-315	New
16	EFJ	7/800MHZ Complete Radio, No SW Options, includes DISPLAY and SIMPLE KEYPAD, ENCRYPTED HW, Antenna, Battery Separate, New	242-517B-810YY6	New

		Housing		
16	EFJ	SmartZone & SmartNet System Option	299-RBOP-002	New
16	EFJ	Leather Case w/D-Swivel Belt Loop, Model II/III	585-5100-14004	New
16	EFJ	Single Rapid Vehicle Charger	DC-1 EFJ-3	New
16	EFJ	Hard Wire Kit for DC-1, 10ft	PC-DC1-10	New
16	EFJ	Spare Battery (NiMH)	587-5100-362	New
16	EFJ	Single Bay Tri-Chem Charger w/Switched P/S Rapid Rate	250-5100-315	New
3	EFJ	Multi-Unit Charger Kit (6-unit) Normal Rate	250-5100-360	New
38	EFJ	SW Flash Kit-Portable	299-RBSK-003 SW Flash Kit-Portable ES or Series 6 (per radio)	New
12	EFJ	SW Flash Kit-Mobile	299-RBSK-004 SW Flash Kit-Mobile/CS ES or Series 6 (per radio)	New
		Amendment #2		
74		7/800MHZ Complete Radio, No SW Options, includes DISPLAY and DTMF, ENCRYPTED HW, Antenna, Battery Separate, New Housing	242-517B-810YY6	New
74		SmartNet Operation	299-RBOP-001	New
77		7/800MHZ Complete Radio, NO SW Options, REMOTE-MT, ENCRYPTED HW, Mic, Accessory & Remote Interference Cable, Power / Battery Interface Cable, Wiring Harness, Mounting Bracket, New Housing (No Charge for 700 MHz capability)	242-537H-001AAYB6	New
77		SmartNet Operation	299-RBOM-001	New
3		15 amp / 120 volt Power Supply, Cabinet, and radio power cable	250-4001-202	New
87		5" Remote Speaker	250-0151-006	New
10		Single Unit Charger	250-5100-315	New
17		Multi-Unit Charger Kit (4-unit) 68 Total Banks Replaces 11 - 6 Bank Chargers	250-5100-365	New
126		Spare Battery (NiMH)	587-5100-362	New
50		Lapel Microphones	589-0015-057	New
1		Micor Transmitter High Stability reference oscillator	On File with SN	New
1		Micor Receive Channel Element	KXN1068	New
1		Micor Transmitter Channel Element	KXN1068	New
10		15 amp 120V Power Supply with cabinet and radio power	250-4001-202	New
10		5300 Series Desktop Microphone (13-pin)	589-0012-02201	New
		Amendment #3		
1		Mastr III Repeater		Used
1		Rack		Used
1		Software		New
1		Duplexer (tuned to: 853.0125)		Used

1		Microphone		Used
1		Power Supply		Used
1		PA Deck		Used
1		GTX Mobile Programming Software		New

3) Replaced Equipment (to be delivered to Nextel prior to Closing)

Quantity	Manufacturer	Description	Model Number
268	Motorola	LCS2000 Mobile Radio (each with SmartNet operation, control head and mic)	LCS2000
94	Motorola	LTS2000 Portable Radio (each with SmartNet option, antenna and at least one battery)	LTS2000
1		Site Lens Workstation	
1		Workstation for SWII	
		Amendment #1	
70	Motorola	LTS2000 Portable Radio (each with SmartNet option, antenna and at least one battery)	LTS2000
70	Motorola	Carry Case Leather w/ 3" swivel belt loop	Carry Case
52	Motorola	XTS Vehicular Charger	Charger
70	Motorola	Spare HiCap Battery	Battery
94	Motorola	Desktop Charger	Charger
70	Motorola	Desktop Charger	Charger
9	Motorola	LTS2000 Portable Radio (each with SmartNet option, antenna and at least one battery)	LTS2000
9	Motorola	Spare Battery	Battery
9	Motorola	Desktop Charger	Charger
16	Motorola	LCS2000 Mobile Radio (each with SmartNet operation, control head and mic)	LCS2000
		Amendment #2	
19	Motorola	LTS2000 Portable Radio (each with SmartNet operation, antenna and at least one battery)	LTS2000
55	Motorola	MTX820S Portable Radio (each with SmartNet operation, antenna and at least one battery)	MTX820S
74	Motorola	Spectra Mobile Radio (each with control head and microphone)	Spectra
3	Motorola	Spectra Consolette	Spectra Consolette
87		Remote Speaker	Remote Speaker
10		Single Bank Charger	Single Charger
11		6-Bank Charger	6-Bank Charger
126		Spare Battery	Battery
50		Lapel Microphone	Lapel Microphone
1		Micor High Stability Oscillator	Oscillator
1		Micor Receive Channel Element	RX Channel Element
1		Micor Transmitter Channel Element	TX Channel Element
10		15 Amp Power Supply	Power Supply
10		Desktop Microphone	Desktop Microphone
		Amendment #3	

1		Micor Repeater (must be inoperative)	Micor Repeater

4) Motorola Schedule D Equipment (to be provided by Motorola) – Motorola radios and flash- kits and accessories only

a) Reserved

b) Motorola Subscriber Services will not be provided for the following Motorola Schedule D Equipment

Quantity	Description	Radio Software	Encryption	Model Number
728	FlashKit			FlashKit
70	XTS2500 RB III Portable Radio Kit (each with H335 HiCap batteries)	SmartZone		XTS2500 RB III
70	Carry Case Leather w/ 3" swivel belt loop			NNTN4115
164	Remote Microphone			NMN6191
52	XTS Vehicular Charger			NTN9176C
70	Spare HiCap Battery			NTN9858
4	Programming cable for MTS2000			RVN4176U
	Amendment #1			
-70	XTS2500 RB III Portable Radio Kit (each with H335 HiCap batteries)	SmartZone		XTS2500 RB III
-70	Carry Case Leather w/ 3" swivel belt loop			NNTN4115
-52	XTS Vehicular Charger			NTN9176C
-70	Spare HiCap Battery			NTN9858

5) Motorola Replaced Equipment (to be delivered to Motorola within 30 days of receipt of Motorola Schedule D Equipment)

Quantity	Description	Radio Software	Encryption	Mounting	Model Number
70	LTS2000 Portable Radio (each with antenna and at least one HiCap battery)	SmartNet			LTS2000
70	Carry Case Leather w/ 3" swivel belt loop				
164	Remote Microphone				
52	XTS Vehicular Charger				
70	Spare HiCap Battery				
118	Leather Carry Case				
	Amendment #1				
-118	Leather Carry Case				
-70	LTS2000 Portable Radio (each with antenna and at least one HiCap battery)	SmartNet			LTS2000
-70	Carry Case Leather w/ 3" swivel belt loop				Carry Case
-52	XTS Vehicular Charger				Charger
-70	Spare HiCap Battery				Battery

City of Norman, OK

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

Master

File Number: K-1011-135 AMD #1

File ID:	K-1011-135 AMD #1	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 20	**In Control:**	City Council
Department:	Public Works Department	**Cost:**	$52,661.00	**File Created:**	10/27/2013
File Name:	Cedar Lane-Amd #1 to K-1011-135			**Final Action:**	

Title: AMENDMENT NO. ONE TO CONTRACT NO. K-1011-135: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CARDINAL ENGINEERING, INC. INCREASING THE CONTRACT AMOUNT BY $52,661 FOR A REVISED CONTRACT PRICE OF $403,291 TO PROVIDE ADDITIONAL DESIGN SERVICES FOR THE CEDAR LANE ROAD WIDENING PROJECT.

Notes: ACTION NEEDED: Motion to approve or reject Amendment No. One to Contract No. K-1011-135 with Cardinal Engineering, Inc. increasing the contract amount by $52,661 for a revised contract price of $403,291; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 20

Attachments: Text File Amendment Cedar Lane.pdf, K-1011-135#1.pdf, K-1011-135.pdf, Location map, PR Cardinal.pdf

Project Manager: Josh Malwick, Capital Projects Engineer

Entered by: pam.jones@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1011-135 AMD #1

body

BACKGROUND: The Cedar Lane Road Widening Project is one of the 2012 bond projects that was approved in the August 28, 2012 Bond Election to finance the local share of eight transportation/storm water improvement projects. Please see the attached location map showing the project boundaries.

On February 8, 2011, City Council approved engineering services Contract No. K-1011-135 with Cardinal Engineering, Inc. for the design of the Cedar Lane Road Widening Project for $350,630 or 3.5% of the total estimated project cost. The Cedar Lane Road Widening Project involves the construction of a new four-lane roadway that will include on-street five foot bike lines and off-street sidewalks on each side of the road. The project will also include improvements at the intersections with 12th Avenue S.E., 24th Avenue S.E., and U.S. Highway 77 and at the Burlington Northern Santa Fe (BNSF) railroad crossing. A new traffic signal will be installed at the intersection of the 12th Avenue S.E. and Cedar Lane Road to relieve traffic congestion at peak

travel times during the day.

On November 22, 2011, City Council approved programming Resolution No. R-1112-60 requesting federal funds to widen Cedar Lane Road. This resolution states the City's commitment to adhere to the terms and conditions of a federally funded project including engineering design, acquisition of all necessary rights-of-way and relocation of utilities and encroachments at 100% the City's cost. In return, the Association of Central Oklahoma Governments (ACOG), through the Oklahoma Department of Transportation (ODOT), agrees to provide 80% of the construction cost estimated at $6,231,280, and administration of the construction with the matching share from the City of Norman.

On April 23, 2013, City Council approved Contract No. K-1213-183, a Right-of-Way and Utility Agreement with ODOT, for the construction of the Cedar Lane Road Widening Project. This agreement requires the City to acquire right-of-way and relocate utilities for this project. Currently, all right-of-way has been acquired. All utility companies have been given a notice to proceed with several of the utility companies already completing their relocation.

DISCUSSION: Per the agreement with ODOT, the City is responsible for the design of the Cedar Lane Road Project. The attached contract amendment with Cardinal Engineering, Inc. addresses additional surveying and engineering design services that are necessary for completion of the project. It establishes the expenditures for extending the US-77 design, the cost for utility locates, the addition of a second left turn lane on 12th Avenue S.E., and a storm water pipeline location adjustment.

Survey services were included in the original contract with Cardinal Engineering, Inc. based on the expected project boundaries and normal project assumptions. As the design has progressed, the supplemental surveying services needed for the project design exceeded the original estimated cost. Following is a discussion of the additional surveying services that are required:

1. The additional survey services are needed for staking right-of-way during the right-of-way acquisition process and to allow some property owners to install temporary fences for livestock and to provide others the ability to see their new property line.

2. Along with staking right-of-way, Cardinal Engineering Inc. is tasked with correcting legal descriptions which changed after OG&E completed their relocation plans. Because the City is widening Cedar Lane Road, OG&E's transmission and distribution line, which runs along the north side of Cedar Lane Road, required the City to purchase utility easements to meet OG&E's standards. Initially, OG&E's alignment was within the boundaries of the 100-foot roadway right-of-way. Once OG&E established the location of their transmission line, Cardinal Engineering Inc. is required to correct previously written easements and develop additional easements for the properties adjacent to the transmission line relocation.

3. The design of Cedar Lane Road began in February 2011. Since that time, the construction of Campus Crest Apartments was initiated, including the installation of a 12-inch (12") sanitary sewer line. Because the sewer line was installed after the initial survey, it is necessary for Cardinal Engineering Inc. to conduct a second survey of the sewer line. Knowing the locations of all utilities is vital when designing and constructing a roadway.

4. Before construction of the Links at Norman Apartments, a traffic study was completed for the intersection of Cedar Lane Road and US-77. The study determined that dual left turn lanes onto Cedar Lane Road from US-77 (Classen Boulevard) are needed in both directions when the City of Norman improves the intersection. In the scoping of the project, the length of the left turn bay was estimated that 500 feet north and south of the intersection would be sufficient for the design of the left turn lanes. After design began, that length was increased to 800 feet north and south because of the length of the taper and the turn lanes required for the amount of traffic on US Highway 77 (Classen Boulevard). Increasing the length of the project requires an increase in the survey boundaries.

Utility Potholes:
Another fee included in the original contract included the number of utility locates that were necessary. The utility locates are used to determine the exact location and depth of utilities which may be in conflict with the

new construction. The locating contractor digs "potholes" with special equipment that will not cause damage to the utility, but allows them to determine the exact location and depth of the utility. In order to locate the utility, the process is repeated until the pothole intersects the utility in question. The contractor charges for every pothole whether or not the utility is discovered. Utility companies do not provide this level of accuracy through the OKIE One Call System. In the original scope of the project, staff estimated there was a potential for 25 locations where utilities could conflict with construction that would require pothole services. Once staff began the utility relocation process, it was clear that the number of potholes required to verify all possible conflicts was approximately 100. After completing the utility locates, the contractor dug 112 potholes.

Double Left Turn Lane:
Cardinal Engineering's contract only included one left turn lane from southbound 12th Avenue S.E. onto Cedar Lane Road. Traffic studies were completed in 2012 and 2013 for the Campus Crest Apartments and the Park 7 development. The studies recommended the addition of a second left turn lane for southbound traffic on 12th Avenue S.E. onto eastbound Cedar Lane Road. The dual turn lanes will allow more traffic to flow through the intersection, thus reducing the length of the traffic queue. This requires additional services as a part of the design of the project. Both of the developments were required to pay traffic impact fees to fund a portion of the necessary improvements of the intersections. These funds will be used for the construction of this project.

OG&E vs. City Storm Water System:
During the utility relocation process, a design change to shift the storm water system located west of the BNSF railroad tracks was required. In order to have plans for the utility companies to review, it is necessary for the consultants to re-design the storm water system. Typically, the utility companies are capable of designing their relocation to avoid the storm water system. However, the proposed storm water system design was in conflict with the OG&E required power line locations based on their latest requirements for clear zone from overhead obstructions to allow for distance the wire can swing under high winds. The clear zone prevents anyone from building a structure within the area. To meet City of Norman and OG&E standards, the most feasible decision was to relocate the storm water system under the roadway and place OG&E as close to the curb as possible. This relocation of the storm water system also kept the City from having to purchase more right-of-way which OG&E would have required for their new alignment.

Cardinal Engineering, Inc. will provide complete plans and specifications for this project and provide technical assistance to the City as needed. The consultant will perform the additional work for a cost of $52,661 or an increase of 15% over the current contract amount of $350,630. If approved, the total contract amount with Cardinal Engineering, Inc. will be $403,291 or 4.1% of the estimated project cost of $9,846,786. Funds are available to cover the design cost of Amendment No. 1 in the project construction account (Account 050-9079-431.61-01, Project No. BP0196).

If approved, this contract amendment will allow the Cedar Lane Road Project, the first of eight 2012 Bond Projects, to remain on schedule. The bid letting for the project is scheduled in February 2014. Construction is anticipated to begin in May, 2014 and be complete by July, 2015. The project is being financed with $6,231,280 in federal transportation funds, $3,615,506 in City Bond funds, and $161,861 in development and traffic impact fees.

RECOMMENDATION: Staff recommends approval of Amendment No. 1 to Contract No. K-1011-135 with Cardinal Engineering Inc. for the additional engineering design services for the Cedar Lane Road Widening Project in the amount of $52,661.

AMENDMENT NO. 1

AGREEMENT
FOR
ENGINEERING SERVICES

This is an amendment, AMENDMENT NO. 1, attached to and made a part of the AGREEMENT, dated February 8, 2011, between the CITY OF NORMAN (OWNER) and Cardinal Engineering Inc. (CONSULTANT) for professional engineering services as necessary for the Reconstruction and Widening of Cedar Lane from 12th Avenue SE to ½ mile east of 24th Avenue SE (the SERVICES).

WHEREAS, the Owner has determined that additional services beyond the Scope originally estimated for Design Services, Design Additional Services, Right-of-Way Acquisition Support Services are required to complete the project and those services are similar in scope, location, schedule, and required expertise as is required under the AGREEMENT.

WHEREAS, the Engineer is prepared to provide those additional engineering services under AMENDMENT NO. 1 – ADDITIONAL DESIGN SERVICES.

NOW THEREFORE, in consideration of the promises contained in said Agreement, Owner and Engineer agree as follows:

SCOPE OF SERVICES
CONSULTANT shall perform Additional Services in accordance with Attachment A.

COMPENSATION
Owner shall pay CONSULTANT for Additional Services in accordance with Attachment B.

SCHEDULE
CONSULTANT shall complete the ADDITIONAL DESIGN SERVICES in accordance with Attachment C.

IN WITNESS WHEREOF. OWNER and CONSULTANT have executed this Amendment.

DATED this _____ day of _____, 20_____.

The City of Norman (OWNER)	Cardinal Engineering, Inc.. (CONSULTANT)
Signature_____	Signature_____
Name Cindy Rosenthal	Name STEVEN K. LEMKE
Title Mayor	Title V.P.
Date_____	Date 8-21-13
ATTEST:	ATTEST:
_____ City Clerk	_____ Secretary
Seal	Seal

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

_____
City Attorney

ATTACHMENT A

SCOPE OF SERVICES

In addition to the scope of services to be performed under the AGREEMENT, the following additional services are to be performed under AMENDMENT NO. 1 – ADDITIONAL DESIGN SERVICES:

Pre-Design Services (Phase 1): NO CHANGE

Design Additional Services (Phase 2):

(a) The required supplemental survey effort exceeded the Estimated Fee established in the original contract. The original contract was based on a projected level of unknown supplemental survey effort. Tasks included ROW staking, extending the topographic survey limits beyond the original scope on U.S. 77, locating previously unmarked utilities, locating new & changed utilities, and modifying various easements & documents due to land owner negotiations.

(b) The actual number of subcontracted utility locates (112) exceeded the original number (25) included in the original contract.

The above items were identified as "Estimated Fee" in the original contract and noted to be paid based on actual expenditures. This Amendment updates the Estimated Fee to Actual Expenditures.

Design Services (Phase 3):

(a) Design modifications to the intersection of 12th Avenue SE & Cedar Lane requiring that additional dual, south bound turn lanes were added to the required scope due to recent traffic studies increasing the projected southbound traffic for this intersection. The new data will require the modification at the 95% complete stage requiring substantial additional design effort. The original design was based on the contract scope of a single left turn lane.

(b) Design modifications to the storm sewer to reduce right-of-way acquisition costs and to accommodate a major power transmission line were required at the 95% complete stage requiring substantial additional design effort.

Environmental Clearance Support (Phase 4): NO CHANGE

ROW Acquisition Support Services, Recoupment District Legals & Exhibits (Phase 5):

(a) The proposed ROW was reduced to save ROW acquisition costs. The ROW acquisition documents required significant modification to reflect the changes.

Utility Relocation/BNSF Railroad Coordination (Phase 6): NO CHANGE

Construction Services (Phase 7): NO CHANGE

ATTACHMENT B

COMPENSATION

The CONSULTANT will receive a total compensation for Amendment No. 1 Services of Fifty-Two Thousand Six Hundred and Sixty-One ($52,661.00) dollars. The fee will be distributed as follows:

Task	Original Contract	Amendment No. 1 Additional Design Services	Revised Contract Amount
Phase 1 Pre-Design Services	$71,782	$0	$71,782
Phase 2 Design Additional Services	$21,478	$19,360	$40,838
Phase 3 Design Services	$179,930	$29,462	$209,392
Phase 4 Environmental Clearance Support	$8,480	$0	$8,480
Phase 5 ROW Acquisition Support Services Recoupment District Legals & Exhibits	$13,210	$3,839	$17,049
Phase 6 Utility Relocation BNSF Railroad Coordination	$31,870	$0	$31,870
Phase 7 Construction Services	$23,880	$0	$23,880
Total Fee	**$350,630**	**$52,661**	**$403,291**

The CONSULTANT may submit interim statements, not to exceed one per month, for partial payment for Services rendered. The statements to owner will be for all work actually completed. The OWNER shall make interim payments within 45 days of receipt of invoice in response to CONSULTANT'S interim statements.

ATTACHMENT C

TIME SCHEDULE FOR SCOPE OF SERVICES PERFORMANCE

Time is of the essence. The CONSULTANT will immediately initiate outstanding additional design services upon approval of AMENDMENT NO. 1.

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT is entered into between The City of Norman (OWNER) and Cardinal Engineering, Inc. (CONSULTANT) for the following reasons:

1. OWNER intends to Reconstruct and Widen Cedar Lane from 12th Avenue SE to ½ mile east of 24th Avenue SE (the PROJECT); and,

2. OWNER requires certain professional survey, design, analysis and engineering services in connection with the PROJECT; and,

3. CONSULTANT is prepared to provide the Services.
In consideration of the promises contained in this Agreement, OWNER and CONSULTANT agree as follows:

ARTICLE 1 - EFFECTIVE DATE
The effective date of this Agreement shall be 8th day of FEBRUARY 2011.

ARTICLE 2 - GOVERNING LAW
This Agreement shall be governed by the laws of the State of Oklahoma.

ARTICLE 3 - SCOPE OF SERVICES
CONSULTANT shall provide the Services described in Attachment A, Scope of Services.

ARTICLE 4 - SCHEDULE
CONSULTANT shall exercise its reasonable efforts to perform the Services described in Attachment A according to the Schedule set forth in Attachment B.

ARTICLE 5 -COMPENSATION
OWNER shall pay CONSULTANT in accordance with Attachment C, Compensation.
Invoices shall be due and payable upon receipt. OWNER shall give prompt written notice of any disputed amount and shall pay the remaining amount.

ARTICLE 6 - OWNER'S RESPONSIBILITIES
OWNER shall be responsible for all matters described in Attachment D, OWNER'S Responsibilities. OWNER hereby represents that it owns the intellectual property rights in any plans, documents or other materials provided by OWNER to CONSULTANT. If OWNER does not own the intellectual property rights in such plans, documents or other materials, prior to providing same to CONSULTANT, OWNER shall obtain a license or right to use, including the right to sublicense to CONSULTANT. OWNER hereby grants CONSULTANT the right to use the intellectual property associated with plans, documents or other materials it owns or has the right to use for the limited purpose of performing the Services. OWNER represents that CONSULTANT'S use of such documents will not infringe upon any third parties' rights.

ARTICLE 7 - STANDARD OF CARE
The same degree of care, skill, and diligence shall be exercised in the performance of the Services as is ordinarily possessed and exercised by a member of the same profession, currently practicing, under similar circumstances. No other warranty, express or implied, is included in this Agreement or in any drawing, specification, report, opinion, or other instrument of service, in any form or media, produced in connection with the Services.

ARTICLE 8 -INDEMNIFICATION AND LIABILITY
Indemnification. The CONSULTANT and the OWNER each hereby agree to defend, indemnify, and hold harmless the other party, its officers, servants, and employees, from and against any and all liability, loss, damage, cost, and expense (including attorneys' fees and accountants' fees) caused by an error, omission, or negligent act of the indemnifying party in the performance of services under this Agreement. The CONSULTANT and the OWNER each agree to promptly serve notice on the other party of any claims arising hereunder, and shall cooperate in the defense of any such claims. In any and all claims asserted by any employee of the CONSULTANT against any indemnified party, the indemnification obligation shall not be limited in any way by any limitation on the amount or type of damages, compensation, or benefits payable by or for the CONSULTANT or any of the CONSULTANT'S employees under workers' compensation acts, disability benefit acts, or other employee benefit acts. The acceptance by OWNER or its representatives of any certification of insurance providing for coverage other than as required in this Agreement to be furnished by the CONSULTANT shall in no event be deemed a waiver of any of the provisions of this indemnity provision. None of the foregoing provisions shall deprive the OWNER of any action, right, or remedy otherwise available to the OWNER at common law.

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

ARTICLE 9 - INSURANCE
During the performance of the Services under this Agreement, CONSULTANT shall maintain the following insurance:

(a) General Liability Insurance, with a limit of
$1,000,000 per occurrence and $2,000,000 annual aggregate.

(b) Automobile Liability Insurance, with a combined single limit of $1 ,000,000 for each person and $1,000,000 for each accident.

(c) Workers' Compensation Insurance in accordance with statutory requirements and Employers' Liability Insurance, with a limit of $500,000 for each occurrence.

(d) Professional Liability Insurance, with a limit of
$1,000,000 per claim and annual aggregate.

CONSULTANT shall, upon written request, furnish OWNER certificates of insurance which shall include a provision that such insurance shall not be canceled without at least thirty days' written notice to OWNER. OWNER shall require all PROJECT contractors to include OWNER, CONSULTANT, and its parent company, affiliated and subsidiary entities, directors, officers and employees, as additional insureds on their General and Automobile Liability insurance policies, and to indemnify both OWNER and CONSULTANT, each to the same extent

ARTICLE 10 - LIMITATIONS OF RESPONSIBILITY

CONSULTANT shall not be responsible for (a) construction means, methods, techniques, sequences, procedures, or safety precautions and programs in connection with the PROJECT; (b) the failure of any contractor, subcontractor, vendor, or other PROJECT participant, not under contract to CONSULTANT, to fulfill contractual responsibilities to OWNER or to comply with federal, state, or local laws, regulations, and codes; or (c) procuring permits, certificates, and licenses required for any construction unless such procurement responsibilities are specifically assigned to CONSULTANT in Attachment A, Scope of Services. In the event the OWNER requests CONSULTANT to execute any certificates or other documents, the proposed language of such certificates or documents shall be submitted to CONSULTANT for review at least 15 days prior to the requested date of execution. CONSULTANT shall not be required to execute any certificates or documents that in any way would, in CONSULTANT's sole judgment, (a) increase CONSULTANT'S legal or contractual obligations or risks; (b) require knowledge, services or responsibilities beyond the scope of this Agreement; or (c) result in CONSULTANT having to certify, guarantee or warrant the existence of conditions whose existence CONSULTANT cannot ascertain.

ARTICLE 11 - OPINIONS OF COST AND SCHEDULE

Because CONSULTANT has no control over the cost of labor, materials, or equipment furnished by others, or over the resources provided by others to meet PROJECT schedules, CONSULTANT's opinion of probable costs and of PROJECT schedules shall be made on the basis of experience and qualifications as a practitioner of its profession. CONSULTANT does not guarantee that proposals, bids, or actual PROJECT costs will not vary from CONSULTANT'S cost estimates or that actual schedules will not vary from CONSULTANT'S projected schedules.

ARTICLE 12 - REUSE OF DOCUMENTS

All documents, including, but not limited to, plans, drawings, and specifications prepared by CONSULTANT as deliverables pursuant to the Scope of Services are instruments of service in respect to the PROJECT. They are not intended or represented to be suitable for reuse by OWNER or others on modifications or extensions of the PROJECT or on any other project. Any reuse without prior written verification or adaptation by CONSULTANT for the specific purpose intended will be at OWNER'S sole risk and without liability or legal exposure to CONSULTANT. OWNER shall indemnify and hold harmless CONSULTANT and its subconsultants against all judgments, losses, damages, injuries, and expenses, including reasonable attorneys' fees, arising out of or resulting from such reuse. Any verification or adaptation of documents will entitle CONSULTANT to additional compensation at rates to be agreed upon by OWNER and CONSULTANT.

ARTICLE 13 - OWNERSHIP OF DOCUMENTS AND INTELLECTUAL PROPERTY

Except as otherwise provided herein, documents, drawings, and specifications prepared by CONSULTANT and furnished to OWNER as part of the Services shall become the property of OWNER; provided, however, that CONSULTANT shall have the unrestricted right to their use. CONSULTANT shall retain its copyright and Ownership rights in its design, drawing details, specifications, data bases, computer software, and other proprietary property. Intellectual property developed, utilized, or modified in the performance of the Services shall remain the property of CONSULTANT.

ARTICLE 14 - TERMINATION AND SUSPENSION

This Agreement may be terminated by either party upon written notice in the event of substantial failure by the other party to perform in accordance with the terms of this Agreement; provided, however, the nonperforming party shall have 14 calendar days from the receipt of the termination notice to cure or to submit a plan for cure acceptable to the other party. OWNER may terminate or suspend performance of this Agreement for OWNER'S convenience upon written notice to CONSULTANT. CONSULTANT shall terminate or suspend performance of the Services on a schedule acceptable to OWNER, and OWNER shall pay CONSULTANT for all the Services performed. Upon restart of suspended Services, an equitable adjustment shall be made to CONSULTANT'S compensation and the PROJECT schedule.

ARTICLE 15 - DELAY IN PERFORMANCE

Neither OWNER nor CONSULTANT shall be considered in default of this Agreement for delays in performance caused by circumstances beyond the reasonable control of the nonperforming party. For purposes of this Agreement, such circumstances include, but are not limited to, abnormal weather conditions; floods; earthquakes; fire; epidemics; war, riots, and other civil disturbances; strikes, lockouts, work slowdowns, and other labor disturbances; sabotage; judicial restraint; and delay in or inability to procure permits, licenses, or authorizations from any local, state, or federal agency for any of the supplies, materials, accesses, or services required to be provided by either OWNER or CONSULTANT under this Agreement. CONSULTANT shall be granted a reasonable extension of time for any delay in its performance caused by any such circumstances.

Should such circumstances occur, the nonperforming party shall, within a reasonable time of being prevented from performing, give written notice to the other party describing the circumstances preventing continued performance and the efforts being made to resume performance of this Agreement.

ARTICLE 16 - NOTICES

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

OWNER:

Lonnie Ferguson, P.E.
Capital Projects Engineer
City of Norman
P.O. Box 370
Norman, OK 73070

CONSULTANT:

William R. Swain, P.E., P.L.S.
Principal
Cardinal Engineering, Inc.
3226 Bart Conner Drive
Norman, OK 73072

Nothing contained in this Article shall be construed to restrict the transmission of routine communications between representatives of OWNER and CONSULTANT.

ARTICLE 17 - DISPUTES
In the event of a dispute between OWNER and CONSULTANT arising out of or related to this Agreement, the aggrieved party shall notify the other party of the dispute within a reasonable time after such dispute arises. If the parties cannot thereafter resolve the dispute, each party shall nominate a senior officer of its management to meet to resolve the dispute by direct negotiation or mediation.

Should such negotiation or mediation fail to resolve the dispute, either party may pursue resolution of the dispute by arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association; provided, however, in the event the parties are unable to reach agreement to arbitrate under terms reasonably acceptable to both parties, either party may pursue resolution in any court having jurisdiction. During the pendency of any dispute, the parties shall continue diligently to fulfill their respective obligations hereunder.

ARTICLE 18 - EQUAL EMPLOYMENT OPPORTUNITY
CONSULTANT hereby affirms its support of affirmative action and that it abides by the provisions of the "Equal Opportunity Clause" of Section 202 of Executive Order 11246 and other applicable laws and regulations. CONSULTANT affirms its policy to recruit and hire employees without regard to race, age, color, religion, sex, sexual preference/orientation, marital status, citizen status, national origin or ancestry, presence of a disability or status as a Veteran of the Vietnam era or any other legally protected status. It is CONSULTANT'S policy to treat employees equally with respect to compensation, advancement, promotions, transfers and all other terms and conditions of employment. CONSULTANT further affirms completion of applicable governmental employer information reports including the EEO-1 and VETS-1 00 reports, and maintenance of a current Affirmative Action Plan as required by Federal regulations.

ARTICLE 19 - WAIVER
A waiver by either OWNER or CONSULTANT of any breach of this Agreement shall be in writing. Such a waiver shall not affect the waiving party's rights with respect to any other or further breach.

ARTICLE 20 - SEVERABILITY
The invalidity, illegality, or unenforceability of any provision of this Agreement or the occurrence of any event rendering any portion or provision of this Agreement void shall in no way affect the validity or enforceability of any other portion or provision of this Agreement. Any void provision shall be deemed severed from this Agreement, and the balance of this Agreement shall be construed and enforced as if it did not contain the particular portion or provision held to be void. The parties further agree to amend this Agreement to replace any stricken provision with a valid provision that comes as close as possible to the intent of the stricken provision. The provisions of this Article shall not prevent this entire Agreement from being void should a provision which is of the essence of this Agreement be determined void.

ARTICLE 21 - INTEGRATION
This Agreement, including Attachments A, B, C, and D incorporated by this reference, represents the entire and integrated agreement between OWNER and CONSULTANT. It supersedes all prior and contemporaneous communications, representations, and agreements, whether oral or written, relating to the subject matter of this Agreement.

ARTICLE 22 - SUCCESSORS AND ASSIGNS
OWNER and CONSULTANT each binds itself and its successors, executors, administrators, permitted assigns, legal representatives and, in the case of a partnership, its partners, to the other party to this Agreement and to the successors, executors, administrators, permitted assigns, legal representatives, and partners of such other party in respect to all provisions of this Agreement.

ARTICLE 23 - ASSIGNMENT
Neither OWNER nor CONSULTANT shall assign any rights or duties under this Agreement without the prior written consent of the other party, which consent shall not be unreasonably withheld; provided, however, CONSULTANT may assign its rights to payment without OWNER'S consent. Unless otherwise stated in the written consent to an assignment, no assignment will release or discharge the assignor from any obligation under this Agreement. Nothing contained in this Article shall prevent CONSULTANT from engaging independent CONSULTANTS, associates, and subcontractors to assist in the performance of the Services.

ARTICLE 24 - NO THIRD PARTY RIGHTS
The Services provided for in this Agreement are for the sole use and benefit of OWNER and CONSULTANT. Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than OWNER and CONSULTANT.

This space intentionally left blank.

IN WITNESS WHEREOF, OWNER and CONSULTANT have executed this Agreement.

DATED this 8th day of February, 2011.

The City of Norman
(OWNER)

Signature _____

Name Cindy Rosenthal

Title Mayor

Date 2/8/11

Attest:

_____
City Clerk

CITY OF NORMAN CORPORATE SEAL OKLAHOMA

Cardinal Engineering, Inc.
(CONSULTANT)

Signature _____

Name Steve Mason

Title President

Date 1/15/11

Attest:

_____
Secretary

Approved as to form and legality this 1st day of February, 2011.

_____
City Attorney

ATTACHMENT A
SCOPE OF SERVICES

Article 3 of the AGREEMENT is amended and supplemented to include the following agreement of the parties. CONSULTANT shall, except as otherwise provided for herein, furnish all Engineering services, labor, equipment and incidentals (SERVICES) as required for this AGREEMENT.

PART I – DESCRIPTION OF PROJECT

CONSULTANT is to provide SERVICES in connection with the development of design, right-of-way acquisition, utility coordination and relocations, bidding, and construction documents for the following improvements located within the City of Norman, Oklahoma:

Widening of Cedar Lane from 12th Avenue SE to 1.5 miles east of 24th Avenue SE from two to four lanes including bicycle lanes.

PROJECT Extents:

The beginning of PROJECT (BOP) shall be approximately 500' west of the intersection of 12th Avenue SE and Cedar Lane. The PROJECT shall extend approximately 8420' feet east (1.5 miles) or ½ mile east of 24th Avenue SE to the End of PROJECT (EOP).

PROJECT Exceptions:

One exception within the PROJECT extents will be the BNSF railroad crossing which will require coordination only with BNSF. Construction documents will be prepared by the BNSF for all railroad components.

Any identified public water and/or sewer line relocation plans are excluded from this Scope of Work unless specifically added by addendum.

Incidental Construction:

The PROJECT shall include grading, sidewalk, reconstruction, drainage structures, and any other ancillary construction as required, tying the proposed construction to adjacent improvements.

Specific PROJECT Requirements:

Design criteria and other requirements specific to this PROJECT include:

- The design speed will be determined by consultation with City Traffic Engineer prior to the preparation of construction documents.
- The design shall include the reconstruction and signalization of 12th Avenue SE & Cedar Lane. The intersection shall included standard stacking length and taper lengths for single turn lanes. The intersection will be lighted by standard street lights on signal poles.
- The design shall be coordinated with the BNSF railroad to ensure compatibility with their construction documents for the actual crossing.
- The design shall include a typical section based on: 4-lane, curb & gutter with integral 5' bicycle lanes. Paving recommendations are anticipated to require pc concrete at intersections through turn land tapers with flexible paving sections between intersections.
- The design shall include the reconstruction and signal modifications at S.H. 77 & Cedar Lane based on the recommendations included in the Traffic Study prepared for "The Links at Norman" dated "Revised October 30, 2008".
- The design shall include intersection lighting by separate light poles at 24th Avenue SE & Cedar Lane. No signalization.
- Reconstructed pavement shall be designed for a 30-year life. The pavement life shall assume normal routine maintenance and one major maintenance/restoration event at approximately the 15th year of service as is ordinary for the type of pavement specified.
- The design shall include all associate drainage structures and associated calculations.

- Engineering reports, bidding, construction, and supporting documents developed by CONSULTANT shall comply with the established requirements of OWNER, the Association of Central Oklahoma Governments (ACOG), Oklahoma Department of Transportation (ODOT), and Federal Highway Administration (FHWA) for the purpose of seeking/securing federal construction funds by OWNER. CONSULTANT makes no representations, warranties, or guarantees with regard to the success of OWNER in securing said funds.

In addition, PROJECT shall be designed in accordance with the general criteria identified in PART III – Design Criteria.

PART II – SERVICES PROVIDED BY OTHERS

Engineering and ancillary services including but not limited to those identified below, shall be the responsibility of others:

- Utility relocation design – Relocation design for utility systems in conflict with the proposed construction are not included in CONSULTANT's SERVICES. Relocation designs shall be the responsibility of each Utility Owner. Design of OWNER-owned utilities (such as water and sanitary sewer services), services may be provided by CONSULTANT if authorized by OWNER in writing in the form of an executed Amendment to this AGREEMENT.
- Certificates of title and Right-of-Way Appraisals & Acquisitions – Certificates of title and right-of-way appraisals & acquisitions required for the proposed construction and/or utility relocations are not included in CONSULTANT's SERVICES. Certified title information provided by OWNER to CONSULTANT prior to the Plan-in-Hand review shall be incorporated into the right-of-way drawings, plats, misery reports, and other instruments as required at no additional cost to OWNER.
- Environmental Clearance – CONSULTANT responsibility for Environmental clearance shall be limited to preparing/completing ODOT's National Environmental Policy Act (NEPA) Checklist Form in collaboration with OWNER. The NEPA clearance necessary to acquire right-of-way and construct PROJECT shall be submitted & obtained by ODOT as is the ordinary practice for ACOG/ODOT/FHWA funded projects. CONSULTANT responsible for facilitating and assisting the OWNER in conducting and documenting the associated Public Meeting.
- Bidding, Construction Management, and Inspection Services – Bidding, construction management, and inspection services ordinarily provided/administered by ODOT are not included in CONSULTANT's SERVICES.

PART III – DESIGN CRITERIA

The design and plans shall conform to current State and AASHTO policies and standards (as modified under the direction of OWNER in writing) including:

- Manual on Uniform Traffic Control Devices for Streets and Highways, U.S. Department of Transportation, FHWA, 2003 Edition;
- An International Guide for Roadway Lighting, American Association of State Highway and Transportation Officials, (latest revision);
- LRFD Bridge Design Specifications for Highway Bridges, AASHTO, 1998, and all current interim specifications with S.I. Units;
- ANSI/AASHTO/AWS DI.5 Bridge Welding Code (latest revision);
- A policy on Geometric Design of Highways and Streets, American Association of State Highway and Transportation Officials, 2004 Edition;
- Standard Specifications for Highway Construction, and Supplementals, Oklahoma Department of Transportation, 1999;
- Highway Capacity Manual, Transportation Research Board, 2000 Edition;

- Policy on Driveway Regulations for Oklahoma Highways, Oklahoma Department of Transportation, 1996 Edition;
- Roadside Design Guide, American Association of State Highway and Transportation Officials, 2006 Edition;
- Right-of-way Specifications Manual for Preparation of Plans and Documents, Oklahoma Department of Transportation, (latest revision);
- Oklahoma Administrative Code (OAC), Title 730;
- Drainage Design Manual, Oklahoma Department of Transportation, 1988 Edition;
- Roadway Design Manual, Oklahoma Department of Transportation, 1992 Edition;
- Roadway Safety and Convenience Design Guide for Oklahoma Cities, Oklahoma Department of Transportation, 1991 Edition;
- Checklist for Local Government Urban Plans, Oklahoma Department of Transportation, 2001 Edition.

PART IV – GENERAL PERFORMANCE REQUIREMENTS

CONSULTANT agrees to the following as appropriate and when applicable SERVICES included in this AGREEMENT:

1. To compute and place upon the construction plans, right-of-way ties to the survey line or a construction reference line, whichever is the most feasible, for the purpose of staking the right-of-way line for construction operations.
2. To prepare and furnish complete detailed final construction plans as called for in "DESCRIPTION OF PROJECT".
3. To prepare and furnish all field surveys and mapping, including topographic survey of PROJECT area, control survey to establish section corners and section lines, ties to local coordinate system, horizontal location of existing utilities, and monumentation for construction staking.
4. To prepare and furnish complete structural design, hydraulic (including drainage maps and design data for any storm sewer systems and other drainage included in this AGREEMENT), geometric and pay quantity computations, as follows:
    a. CONSULTANT shall ensure that these computations are independently checked in detail by competent personnel and shall provide a written statement to that effect when the plans are submitted.
    b. All computations shall be neat, legible, identified, indexed, and bound in a manner that is easy to follow by someone unfamiliar with PROJECT. They shall be considered a part of the work done under this AGREEMENT and shall become the sole property of the OWNER.
    c. CONSULTANT shall furnish drainage maps and design data with computations for any storm sewer systems and other drainage involved in this AGREEMENT.
5. To provide a full pedological survey necessary to design all aspects of the PROJECT including but not limited to retaining walls (if applicable), bridges (if applicable), and pavement. CONSULTANT shall furnish, if requested by the OWNER, comparative estimates for Asphalt and Portland Cement Concrete pavement alternatives of comparable life, durability, and life-cycle costs.
6. To furnish any additional plan sheets identified in the scope of services and as required by the OWNER.
7. That all preliminary designs, final plans, and reports submitted for review by the OWNER shall be accompanied by a written statement signed and sealed by a professional engineer attesting that a prior detailed check has been made of the plans and reports.
8. To prepare the right-of-way studies, legal descriptions and instruments of conveyance for partial and total take parcels in accordance with

the "Right-of-Way Specifications Manual and Associated Materials".

9. To provide public involvement participation, coordination and support between the OWNER, the effected local business owners, residents, and community based organizations. Such services shall include, but not limited to, attendance and participation at meetings, gatherings, assemblies or hearings as requested by the OWNER.
10. To be available for such conferences as the OWNER may deem necessary in connection with the work. The OWNER shall have the right to inspect the work at all reasonable times at CONSULTANT's office.
11. To coordinate its CONSULTANT's work with other consultants on adjoining projects, if any, and to furnish and share survey and plan data identified in the scope of services in such a manner as to facilitate and expedite the completion of AGREEMENTS for adjacent work.
12. To prepare and/or update CONSULTANT's Opinion of Probable Cost at each submittal milestone.
13. To furnish a legible copy of all computations used in developing cost estimates which are neatly arranged, bound and are properly identified and indexed. The computations shall be submitted when the documents are submitted to the OWNER.
14. To furnish bi-monthly progress reports to the OWNER and attend bi-monthly progress meetings with OWNER. These monthly reports shall be prepared in accordance with the OWNERS Requirements. In the event of any delay in performing the work and/or increase in anticipated construction costs of the resulting PROJECT provided for in this AGREEMENT, CONSULTANT shall immediately notify the OWNER and shall fully explain the nature, time, and reason for the delay.

PART V – WORK BREAKDOWN STRUCTURE & WORK PRODUCT REQUIREMENTS

The following Work Breakdown Structure (WBS) and Work Product Requirement are an outline and understanding of the scope of services that supports CONSULTANT's fee and PROJECT schedule. The WBS is an expansion on the general requirements presented PARTS I through IV. All requirements set forth PARTS I through IV shall be met regardless of whether or not more specific requirements are stipulated herein. A list of the sizes and number of sets of plans included in the AGREEMENT is provided in PART VI – PLAN REQUIREMENTS.

PHASE I – PRE-DESIGN SERVICES

Pre-Design services include field surveying and geotechnical exploration and analysis necessary to commence the design. The tasks to be performed by CONSULTANT include:

Task 1A – Design Survey

Surveying shall be in accordance with the minimum standards for land surveying as stipulated by the Oklahoma State Board of Professional Engineers and Land Surveyors. Tract ownerships are to be based on observable evidence and reasonable public record research. Ownerships shown will not be conclusive to actual land title.

a. CONSULTANT shall establish horizontal and vertical control within PROJECT limits necessary to collect all topographic and planimetric features, boundaries, right-of-way/easement information, etc. and to serve as survey control for construction staking by the Construction Contractor.
b. CONSULTANT shall provide field surveying in order to develop existing roadway cross sections at 50' intervals as well as at intersections and driveways throughout PROJECT.
c. CONSULTANT shall create contours and a digital terrain model from the collected data to support the design.
d. CONSULTANT shall collect topographic data including, but not limited to, surface

features such as utilities, signs, (including type and reference marker, if any), headwalls, retaining walls, curb and grate inlet locations, pipe and box culvert flowlines, driveway locations and profile, and other pertinent data.

e. CONSULTANT shall tie any soil borings and pavement cores along PROJECT, to PROJECT control, to be shown in the plans.

f. CONSULTANT shall develop survey data and information in a format suitable to be incorporated into the Final Plan Set. The survey sheets shall be submitted to OWNER for review no later than the 30% Design Submittal.

g. CONSULTANT shall provide survey in the Oklahoma State Plane Coordinate System, South Zone. The ground/grid combined scale factor shall be computed for PROJECT and noted on the survey sheets.

h. CONSULTANT shall establish adequate monumentation for construction staking including horizontal control points and vertical bench marks. The monumentation shall cover the PROJECT area with inter-visible control points set on prominent ground, avoiding short back sights. Points should be set where likelihood of disturbance by construction is minimized. Primary control should be brass cap in concrete. Secondary control should be iron pins with plastic cap identifying the survey company when practical.

i. CONSULTANT shall include survey sheets in the plan sets or as a separate set of drawings (at OWNERS discretion). Survey sheets shall include contours and boundary information. Survey sheets shall be sealed by Licensed Surveyor in the State of Oklahoma.

j. CONSULTANT shall contact the Oklahoma One Call System "CALL OKIE" via the "Web Ticket" system and maintain records of reported utility holders. Information on Utility holders received from OKIE shall be shown on plan sheets. Utility drawings based on surface features, flagging, and record drawings shall be included in the plan sets. Any additional information received directly from the utility companies shall be included in the plan sets and identified.

Task 1B – Geotechnical Investigation & Pavement Design

a. CONSULTANT shall provide standard geotechnical investigation sufficient to satisfy PROJECT design requirements. Geotechnical investigations shall be in accordance with AASHTO/ASTM procedures and shall include the following:

- Shoulder Soil Survey – every 500' – 36" deep – 60 samples
- Pavement Core Soil Survey – 13 locations – 36" deep – 39 samples
- Auger samples evaluated for in-situ moisture content
- Soil Classifications
- Liquid Limit/Plastic
- Three bucket samples from dominant soils evaluated for Resilient Modulus (MR)
- Measurement of groundwater levels (if present) while boring and at the completion of each boring;
- Standard Proctor Densities and optimum moisture content.

b. CONSULTANT shall provide Pavement Design based on the criteria established by the OWNER.

c. CONSULTANT shall provide the results in a written report including a site plan showing the location of each boring/sample, evaluation of each, recommended pavement designs (program printouts or workup), and recommended pavement sections including subgrade treatments.

PHASE 2 – DESIGN ADDITIONAL SERVICES

CONSULTANT services identified in Phase 2 are services anticipated to be required. However, the specific required level of effort by the CONSULTANT will be unknown until additional information becomes better defined during the course of the PROJECT. The identified services and anticipated level of effort are educated estimates only. Services will be provided on and "as needed" and "as requested" basis according to the identified unit cost.

Task 2A – Utility Locates

a. As unknown underground utility locations become critical to identify, a utility locate company will be contracted by the CONSULTANT to physically locate the utility by exposing the utility and measuring critical parameters. An estimate of 25 locates under a variety of conditions was assumed for purposes of determining the contract base budget. The OWNER will be invoiced on an "as used" basis at cost plus 15%.

Task 2B – Supplemental Survey Needs

The OWNER and CONSULTANT will have several needs for additional survey services after the initial design survey is complete. The level of effort required is unknown. An estimate of required man hours is included in the contract amount to be used "as needed" and "as requested". The anticipated items are listed below:

a. Survey underground utility locates
b. Survey previously unmarked utilities
c. Survey additional development changes
d. Stake existing right-of-way
e. Stake proposed right-of-way
f. Additional legal descriptions & exhibits
g. Misc. other surveys required by the OWNER or CONSULTANT.

The OWNER will be invoiced on an "as used" basis at Standard Rates.

PHASE 3 – DESIGN SERVICES

The following Design Services will be provided by the CONSULTANT as necessary to complete the PROJECT as defined above:

Task 3A – Traffic Engineering

Traffic Engineering design & plan preparation will include the following:

a. Signalization and intersection lighting of 12th Avenue SE & Cedar Lane. There is apparently no existing traffic study for this intersection. The scope of design of this intersection is to be based on standard turn lanes, standard stacking lengths, and single left turn lanes.
b. Signal modifications and turn lane modifications at S.H. 77 & Cedar Lane to be based on the Traffic Study prepared for "The Links at Norman" dated "Revised October 30, 2008".
c. Intersection lighting only at 24th Avenue SE & Cedar lane.
d. Signing
e. Striping
f. Traffic Control

Task 3B – Preliminary Design & Report

The CONSULTANT shall conduct the following preliminary design functions during the Preliminary Design task:

a. Prepare preliminary horizontal & vertical alignments and associated Plan & Profile Sheets.
b. Prepare a Preliminary Engineers Estimate of Probable Cost and Budget Review.
c. Document existing utilities and possible design conflicts.
d. Identify significant design issues.
e. Document existing drainage characteristics in a drainage report indicating all existing drainage boundaries, areas, runoff coefficients, flow quantities, flow velocities, etc. for all points of concentrated drainage

entering and exiting the existing and proposed PROJECT right-of-ways for each design storm event.

f. Document existing FEMA Floodplain/Floodway conditions within PROJECT extents.

No FEMA CLOMR/ LOMRs and no COE 404 Applications/Permits are anticipated for PROJECT.

Task 3C – 60% Design

The CONSULTANT shall complete design analysis and prepare all design documents necessary to conduct a Plan-in-Hand PROJECT review with ODOT and the OWNER and to provide subsequent OWNER TIPs application assistance with ACOG. These tasks are anticipated to include the following:

a. Verify PROJECT Scope
b. Confirm horizontal and vertical alignments
c. Confirm Typical Sections
d. Field verify survey
e. Initiate environmental clearance
f. Identify drainage issues
g. Identify construction sequencing
h. Identify preliminary Right-of-Way needs and Utility Conflict
i. Revise P & P Sheets
j. Prepare Cross Section Sheets
k. Revise Drainage Structure Tables
l. Prepare Summary Tables
m. Prepare Driveway Schedules
n. Prepare Pay Items & Notes
o. Prepare Signalization Plan Sheets
p. Prepare Signing & Striping Plan Sheets
q. Prepare Detail Sheets
r. Revise Engineer's Estimate of Probable Cost.
s. Prepare Right of Way Sheets
t. Prepare Survey Data Sheets

Task 3D – Final Plans

Upon receiving Plan-in-Hand comments from the OWNER and ODOT, the CONSULTANT shall prepare final Construction Plans suitable for ODOT bid letting. These tasks are anticipated to include the following:

a. Finalize P & P Sheets
b. Finalize Cross Section Sheets
c. Finalize Drainage Structure Tables
d. Finalize Summary Tables
e. Finalize Driveway Schedules
f. Finalize Pay Items, Bid Quantities & Pay Notes
g. Prepare any Special Provisions
h. Finalize Signalization Plan Sheets
i. Finalize Signing & Striping Plan Sheets
j. Finalize Detail Sheets
k. Finalize Construction Sequence Plans
l. Finalize Engineer's Estimate of Probable Cost.
m. Finalize Right of Way Sheets

PHASE 4 – ENVIRONMENTAL CLEARANCE SUPPORT

The CONSULTANT will provide assistance to the OWNER as necessary to assist in obtaining the Environmental Clearance to be performed by ODOT. Specifically, the CONSULTANT will perform the following:

a. Conduct the required Public Meeting at a location to be determined by the OWNER and ODOT.
b. Prepare and publish the required Public Notice advertisement.
c. Prepare the Adjacent Ownership List and prepare the notification mailout for right-of-entry for environmental clearance. Review & update as necessary.
d. Prepare Power Point Presentation for OWNER & revise as requested.

e. Attend & Present at the Public Meeting as request by the OWNER.

f. Prepare responses to questions raised at the Public Meeting.

g. Prepare Meeting Minutes.

h. Coordinate with ODOT as necessary.

i. Prepare various meeting exhibits.

j. Provide 1 set of full-size P & P Sheets to be available at the Public Meeting.

k. Notify ODOT, City Council, and Politicians of Public Meeting schedule.

l. Take site pictures of PROJECT route.

PHASE 5 – RIGHT-OF-WAY ACQUISITION SUPPORT SERVICES – RECOUPMENT DISTRICT LEGALS & EXHIBITS

The CONSULTANT will prepare and provide the OWNER with all required Right-of-Way acquisition documents necessary to acquire the right-of-way to complete the PROJECT as defined. Additionally, the CONSULTANT will provide the OWNER with Recoupment District legal descriptions and exhibits as necessary. These tasks are anticipated to include the following tasks:

Task 5A – Right-of-Way Acquisition Support Services

a. Prepare legal descriptions

b. Prepare exhibits

c. Prepare Misery Sheets

d. Attend meetings

e. Revise legal descriptions & exhibits as required per land owner negotiations

Task 5B – Recoupment District Legal Descriptions & Exhibits

a. Prepare legal descriptions

b. Prepare exhibits

c. Attend meetings

PHASE 6 – UTILITY RELOCATION & BNSF RAILROAD COORDINATION

The CONSULTANT will work with the OWNER's Utility Coordinator to ensure that all required utility relocations are consistent with PROJECT requirements and performed in a timely manner. Additionally, the CONSULTANT will coordinate with ODOT and the BNSF railroad to facilitate the required improvements to the BNSF railroad crossing. These tasks are anticipated to include the following tasks:

Task 6A – Utility Relocation Coordination & Relocation Plan Review

a. Work with City Utility Coordinator

b. Coordinate with each individual utility company

c. Conduct 2-3 individual meetings with each utility company to verify existing utilities and relocation plans

d. Review utility relocation plans for compatibility with PROJECT design

e. Be persistent in requesting timely relocation plans & relocation activities

f. Maintain a color "Utility Relocation Map" showing existing and relocated utilities.

g. Monitor utility relocation activities and "new" utilities in PROJECT corridor.

Task 6B – BNSF Railroad Design Coordination

a. Coordinate with ODOT on BNSF design

b. Coordinate with BNSF on design

c. Review BNSF design for consistency and compatibility with PROJECT design

d. Exchange design data with BNSF design team

e. Attend meetings as necessary

PHASE 7 – CONSTRUCTION SERVICES

Task 7A – Bid Administration

It is anticipated that ODOT will assume primary responsibility for the bidding/award process as is the ordinary practice for ACOG/ODOT/FHWA funded projects of this nature. CONSULTANT will serve OWNER in a support role during the bidding/award

process. CONSULTANT shall also provide the specific services outlined herein.

a. CONSULTANT shall prepare a signed/sealed Engineer's Estimate based on the final construction documents, pay items, and quantities. The Engineer's Estimate shall be presented to the OWNER for review prior to submission to ODOT.

b. "Issue for Construction" Plans, approved by OWNER, shall be submitted by CONSULTANT to ODOT for reproduction and distribution by ODOT to prospective bidders.

c. CONSULTANT shall attend the Pre-Bid Conference conducted by ODOT to discuss the PROJECT and answer questions from possible contractors. CONSULTANT shall provide written responses to questions received and submit to OWNER/ODOT. CONSULTANT shall review ODOT's minutes and provide written comments as required.

d. It is anticipated that ODOT will assume primary responsibility for Bid Review and Tabulation as is the ordinary practice for ACOG/ODOT/FHWA funded projects of this nature.

Task 7B – Construction Administration

It is anticipated that ODOT will assume primary responsibility for the construction administration as is the ordinary practice for ACOG/ODOT/FHWA funded projects of this nature. CONSULTANT will serve OWNER in a support role during the construction process. CONSULTANT shall also provide the specific services outlined herein.

a. It is not anticipated that Addenda will be required for PROJECT. If required, CONSULTANT shall revise plans as requested by OWNER for issuance of Addenda by ODOT.

b. CONSULTANT will support the OWNER and ODOT as necessary to ensure PROJECT completion. CONSULTANT will respond to any Requests for Information (RFIs) as requested by ODOT and the OWNER.

c. CONSULTANT shall maintain a log of all RFI's and responses and provide OWNER with an RFI update as requested by the OWNER.

d. CONSULTANT will attend pre-construction conference conducted by ODOT.

e. CONSULTANT will attend monthly construction meetings conducted by ODOT as requested by the OWNER.

f. CONSULTANT will monitor work progress and construction schedule on behalf of the OWNER.

g. CONSULTANT will represent the OWNER as necessary at miscellaneous PROJECT meetings with ODOT and BNSF.

Task 7C – Record Drawings

Record Drawings will be prepared and submitted to the OWNER. Record Drawings will be prepared from field documents provided by ODOT. Full time inspections, periodic site visits or mapping/surveying of as-built conditions are not included in this AGREEMENT. If field survey is required, it will be requested by the OWNER, and invoiced, under Task 2B on an "as needed" basis.

PART VI – PLAN REQUIREMENTS

Drawings shall conform to ordinary ODOT drafting standard and shall be 22 x 34-inches (full size) and 11 x 17-inches (half size) prints. CONSULTANT shall provide and submit the required number of plan sets to complete the PROJECT. It is currently unknown the exact number of full size and half size plan sets required. For purposes of this contract, the following numbers of submittal plan sets (Plan-in-Hand & Final Plans) are included in the base fees:

a. Full Size – 10

b. Half-Size – 41

Other required plan set copies will be provided as a reimbursed expense on a cost plus 15% basis. Work in progress sets and progress meeting sets will be half size and included in the base fees.

PART VII – MUTUAL AGREEMENTS

OWNER and CONSULTANT mutually agree:

a. SERVICES to be performed by CONSULTANT shall include and encompass those services identified in "PART V – WORK BREAKDOWN STRUCTURE & WORK PRODUCT REQUIREMENTS".

b. CONSULTANT shall hold the OWNER as a confidential client. CONSULTANT shall make no statements or publish any materials regarding any investigations to any party on behalf of the OWNER without prior written authorization from the OWNER. CONSULTANT shall refer all questions regarding this AGREEMENT and the work defined herein to the OWNER.

c. Because CONSULTANT has no control over the cost of labor, materials, or equipment furnished by others, CONSULTANT'S Opinion of Probable Cost shall be made on the basis of its experience and qualifications as a professional engineer. CONSULTANT does not guarantee that proposals, bids, or actual PROJECT construction costs will not vary from CONSULTANT'S construction cost estimates.

d. When the plans are completed to the field review stage, representatives of the OWNER will accompany CONSULTANT on a field review investigation to mutually determine design features to be incorporated in the final plans.

e. All tracings, plans, computations, specifications, and maps prepared or obtained under the terms of the AGREEMENT shall be delivered to and become the property of the OWNER. All basic survey notes and sketches, charts, computations, and other data prepared or obtained under this AGREEMENT shall be made available upon request to the OWNER without restriction or limitation on their use. When an AGREEMENT is for preliminary plans only, no commitment is made or implied that would constitute a limitation on the subsequent use of the plans or the ideas incorporated therein for preparation of construction plans

f. CONSULTANT shall furnish all engineering services, labor, equipment, and incidentals as may be required to perform this AGREEMENT, except as may be otherwise specifically provided for herein.

g. CONSULTANT shall sign the final product of CONSULTANT'S efforts submitted to the OWNER and affix the appropriate Oklahoma seal as proof of Professional engineer registration in the State of Oklahoma.

h. CONSULTANT and/or surveyor shall place his professional seal of endorsement and signature on all the documents, survey information and engineering data furnished to the OWNER when such is required by the Level or Type of Service defined by this AGREEMENT and additionally, as may be required by State Law.

i. CONSULTANT and it's sub-consultants are to maintain all books, documents, papers, accounting records and other evidence pertaining to costs incurred and to make such materials available at its respective offices at all reasonable times, during the AGREEMENT period and for three (3) years from the date of final payment under the AGREEMENT, for inspection by the OWNER and copies thereof shall be furnished to the OWNER, and if required, to ODOT.

ATTACHMENT B
PROJECT SCHEDULE

Article 4 of the AGREEMENT is amended and supplemented to include the following agreement of the parties.

It is understood and agreed that the date of beginning, rate of progress, and the time of completion of SERVICES under this AGREEMENT are essential provisions of this AGREEMENT. It is further understood and agreed that the services under this Agreement shall commence upon execution of the AGREEMENT between OWNER & CONSULTANT and after receipt of a written Notice to Proceed from CONSULTANT. The parties mutually agree that time is of the essence in the performance of this AGREEMENT in order for OWNER to have advantage of existing funding. SUBCONSULTANT agrees to provide SERVICES for each phase of PROJECT as stated in Attachment A – Scope of Services, in accordance with the time frame as stated below:

TASK/MILESTONE	ANTICIPATED COMPLETION DATE
Notice to Proceed	February 15, 2011
Pre-Design Services	April 15, 2011
Preliminary Design	June 15, 2011
60% Plan-in-Hand	August, 2011
Final Plans (95% - Not Bid Set)	November, 2011
Submit TIPs to ACOG	November, 2011
ROW Acquisition Documents Final	May, 2012

The parties further agree that CONSULTANT will meet this schedule using standards and procedures for their submissions consistent with those currently used by Engineers/Surveyors practicing in Oklahoma. This schedule excludes the governing agency review time (except as provided above) and anytime lost while CONSULTANT is waiting for direction either by government agency or OWNER, and any excusable delays as described in Article 15 of the AGREEMENT.

Dates indicated are dependant upon timely review by OWNER & ODOT, environmental Clearance, Right-of-Way Acquisition, Utility Relocations, and other factors beyond direct control of CONSULTANT.

ATTACHMENT C
COMPENSATION

Article 5 of the AGREEMENT is amended and supplemented to include the following agreement of the parties.

I. PAYMENTS FOR SERVICES AND EXPENSES OF CONSULTANT

A. Types of Services

1. FOR BASIC SERVICES (as described in Attachment A – Scope of Services)

The CONSULTANT shall be paid a fee of **three-hundred fifty thousand, six hundred and thirty dollars ($350,630.00)** with the following breakdown..

Phase 1	**Pre-Design Services**	**$71,782**	**Lump Sum**
Phase 2	**Design Additional Services**	**$21,478**	**Estimated Fee ***
Phase 3	**Design Services**	**$179,930**	**Lump Sum**
Phase 4	**Environmental Clearance Support**	**$8,480**	**Lump Sum**
Phase 5	**ROW Acquisition Support Services**		
	Recoupment District Legals & Exhibits	**$13,210**	**Lump Sum**
Phase 6	**Utility Relocation**		
	BNSF Railroad Coordination	**$31,870**	**Lump Sum**
Phase 7	**Construction Services**	**$23,880**	**Lump Sum**
		$350,630.00	**Total Fee**

*Expenditures will be on an "As Requested Basis" and invoiced according to Standard Labor Rates for Additional Services.

2. FOR ADDITIONAL SERVICES - CONSULTANT shall be paid fees equal to the CONSULTANT's actual expenditures at the labor category rates set forth in the Fee Schedule below.

B. Times of Payment

1. CONSULTANT shall submit monthly statements for services rendered for BASIC and ADDITIONAL SERVICES in accordance with the paragraphs below:
   a. For BASIC SERVICES, the compensation will be based on CONSULTANT's estimate of the proportion of the total services actually completed at the time of billing and agreed upon by OWNER.
   b. For ADDITIONAL SERVICES compensation will be based on the CONSULTANT's actual number of manhours rendered at the time of billing plus itemized reimbursable expenses (multiplied as set forth in the Fee Schedule below).
2. OWNER shall make prompt monthly payments in response to CONSULTANT's monthly statements.

II. **LABOR RATES FOR ADDITIONAL SERVICES:**

CARDINAL ENGINEERING, INC.
FEE SCHEDULE

Principal	$140
GIS Consultant	$ 90
Professional Engineer	$100 - $124
Geologist	$105
Professional Land Surveyor	$100
Staff Professional	$ 60 - $85
Environmental Scientist	$ 98
Environmental Specialist	$ 60
Environmental Technician	$ 60
Field Technician	$ 45 - $60
CADD Technician	$ 70
Data Reduction/Office Calculations	$ 85
Expert Testimony	$200
Clerical	$ 40

CARDINAL SURVEY RATES

Two-Man Survey Party	$100 - $105
Subcontracted Services	Cost + 15%
Mileage for car	$0.55
Mileage for pickup truck	$0.60
Per Diem (overnight stays only)	$130/person/day
GPS/RTK-Robotic Equipment	$45
ATV (4-wheel)	$40/half day
Monuments/Stakes/Marketing Materials (extra charge on high volume projects only)	Quoted per project

ATTACHMENT D
OWNER'S RESPONSIBILITIES

Article 6 of the AGREEMENT is amended and supplemented to include the following agreement of the parties.

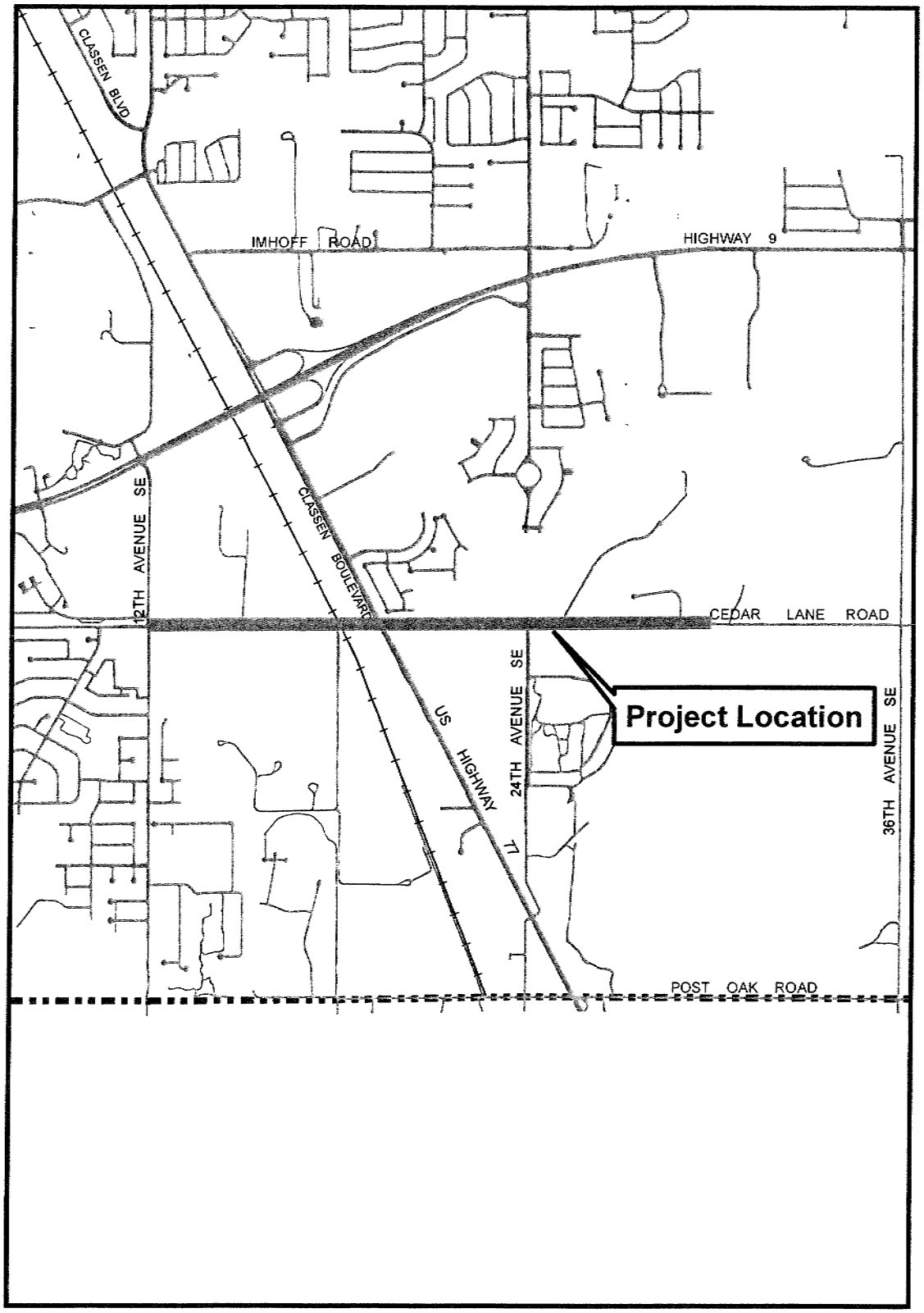
I. OWNER RESPONSIBILITIES

1. OWNER shall furnish to CONSULTANT all available information pertinent to PROJECT including previous reports, and any other data relative to design and construction of PROJECT.
2. OWNER shall be responsible for all permit fees.
3. OWNER shall examine all studies, reports, sketches, estimates specifications, plan drawings, proposals, and any other documents presented by the CONSULTANT and render in writing decisions pertaining thereto within a reasonable time so as not to delay SERVICES of CONSULTANT.
4. OWNER shall designate in writing a person to act as its representative in respect to the work to be performed under this AGREEMENT, and such person shall have complete authority to transmit instructions, receive information, interpret, and define OWNER's policies and decisions with respect to materials, equipment, elements, and systems pertinent to the services covered by this AGREEMENT.
5. OWNER shall furnish legal assistance as required in the preparation, review, and approval of construction documents.
6. OWNER shall furnish assistance in locating existing OWNER-owned underground utilities and expediting their relocation in preparation for construction.
7. OWNER shall provide for meeting facilities (or arrange for meeting facilities) for all PROJECT meetings with OWNER or Public Meetings in connection with PROJECT.

II. SPECIAL RESPONSIBILITIES

1. OWNER shall furnish to CONSULTANT traffic studies as may be required for by ACOG, ODOT, and/or FHWA for consideration of PROJECT funding and/or PROJECT letting.
2. OWNER shall furnish Certificates of Title, Appraisals, and Right-of-Way Acquisition necessary for utility relocations and/or proposed construction of PROJECT.

Cedar Lane Road Project
from 12th Ave SE to 1/2 mile east of 24th Ave SE
Norman, Oklahoma
Project Location Map



0.25 0.125 0 0.25 0.5 0.75 1

Miles

PURCHASE REQUISITION NBR: 0000223767

STATUS: DIVISION APPROVAL

REQUISITION BY: JOSH MALWICK
REASON: DESIGN SERVICES FOR CEDAR LANE ROAD PROJECT
DATE: 9/24/13

SHIP TO LOCATION: PUB WKS- ENGINEERING
SUGGESTED VENDOR: 1512 CARDINAL ENGINEERING INC
DELIVER BY DATE: 9/24/13

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	DESIGN SERVICES FOR CEDAR LANE ROAD PROJECT COMMODITY: CONSULTING SERVICES SUBCOMMOD: ENGINEERING CONSULTING	52661.00	EA	1.0000	52661.00	

REQUISITION TOTAL: 52661.00

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	05090794316201	Capital Projects Design	BP0196 Cedar Ln:12thSE-1/2m 24th	100.00	52661.00
					52661.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

LINE ITEM TRANSFER FROM CONSTRUCTION ACCOUNT
050-9079-431.61-01 TO DESIGN ACCOUNT
050-9079-431.62-01. TRANSFER FOR CONTRACT
AMENDMENT NO. 1 TO CONTRACT K-1011-135 WITH
CARDINAL ENGINEERING.
CONTINGENT ON COUNCIL APPROVAL 10-22-13

City of Norman, OK

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

Master

File Number: K-1314-68

File ID:	K-1314-68	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 21	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$13,200.00	**File Created:**	10/18/2013
File Name:	SVSC Contract with NAIC			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $13,200 AND ENTER INTO CONTRACT NO. K-1314-68 WITH NORMAN ADDICTION INFORMATION AND COUNSELING (NAIC).

Notes: ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $13,200 from NAIC and Contract No. K-1314-68; and, if approved, authorize the execution thereof and direct payment in the amount of $13,200 to NAIC.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 21

Attachments: Text File K-1314-68 NAIC.pdf, SVSC Funding Requests 2013 2014.pdf, K-1314-68 NAIC.pdf, PO NAIC.pdf, SVSC Minutes September 30.pdf, Funding Request NAIC.pdf

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-68

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2013-2014 City of Norman budget adopted on June 11, 2013.

DISCUSSION: On September 23, 2013, the Social and Voluntary Services Commission (SVSC) heard presentations from 21 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 18 of the agencies would be recommended for funding to the Norman City Council at the November 12, 2013 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (account 010-1087-411-4741).

SVSC Funding Request 2013/2014

Organization	Purpose of Request	Contract No.	Funded
NAIC	Health records, partnership with Norman Public Schools	K-1314-68	$13,200.00
Among Friends Activity Center, Inc.	Healthy Client meals	K-1314-69	$4,250.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1314-70	$5,000.00
Transition House	Housing Assistance, utilities and food	K-1314-71	$10,000.00
Bridges	Student's Utility Bills	K-1314-72	$7,200.00
Center for Children and Families	Program materials, updated curriculum and nutritious snacks	K-1314-73	$15,000.00
Food and Shelter for Friends	Utility, operational costs, case management & winter shelter	K-1314-74	$27,500.00
Aging Services	Special Assistance Program and Food Pantry	K-1314-75	$4,000.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1314-76	$4,200.00
Bethesda, Inc.	Therapist/Counselor - Support Staff	K-1314-77	$5,000.00
Mary Abbott Children's House	Training and travel	K-1314-78	$7,150.00
Full Circle Life Enrichment Center	Computers and OSBI background checks	K-1314-79	$3,500.00
Community Services Building	Upgrade to entry and restrooms in B wing	K-1314-80	$15,000.00
East Main Place	Large lawn mower and commercial weed eater	K-1314-81	$5,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1314-82	$4,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1314-83	$3,000.00
The Salvation Army	Utilities, Food, Supplies and Coursework for clients	K-1314-84	$7,000.00
Community After School Program	Tutoring Program	K-1314-85	$10,000.00
Total Amount			**$150,000.00**

K-1314-68

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 12th day of November, 2013, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **NAIC**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$13,200.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Health records, partnership with Norman Public Schools for Alternative to Suspension Program.**

John R Koons
Board Secretary

Board President

Approved as to form and legality this 30 day of Oct. 2013.

City Attorney

Approved by the City Council of the City of Norman this 12th day of November, 2013.

ATTEST:

City Clerk

Mayor

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

September 30, 2013

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 30th day of September, 2013, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Teresa Capps, Diana Hartley, Denise Millar, Pam Normile and Chris Porter
ABSENT:	Commissioners Brian Burk and Cody Ponder
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE SEPTEMBER 30, 2013, MEETING.

Commissioner Normile moved that the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Hartley; and the question being upon approving the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 23, 2013.

Commissioner Normile moved that the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 23, 2013

and the question being upon approving the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

CONSIDERATION OF APPLICATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

NAIC	$13,200.00
Among Friends Activity Center, Inc.	$ 4,250.00
Meals on Wheels of Norman, Inc.	$ 5,000.00
Transition House, Inc.	$10,000.00
Center for Children and Families	$15,000.00
Food and Shelter for Friends	$27,500.00
Aging Services, Inc.	$ 4,000.00
Food for Thought Learning Institute	$ 4,200.00
Bethesda, Inc.	$ 5,000.00
Mary Abbott Children's House	$ 7,150.00
Full Circle Life Enrichment Center	$ 3,500.00
Community Services Building, Inc.	$15,000.00
East Main Place, Inc.	$ 5,000.00
Women's Resource Center, Inc.	$ 4,000.00
HeartLine, Inc.	$ 3000.00
The Salvation Army	$ 7,000.00
Community after School Program	$10,000.00

which motion was duly seconded by Commissioner Porter; and the question being upon recommending the selected agencies for funding, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the selected agencies will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

Commissioner Millar moved that Bridges, Inc. be recommended for funding in the amount of $7,200; which motion was duly seconded by Commissioner Normile; and the question being upon recommending Bridges, Inc. in the amount of $7,200.00 for funding, a vote was taken with the following result:

YEAS:	Commissioners Capps, Millar, Normile and Porter
NAYES:	None
ABSTAIN:	Commissioner Hartley

The Chair declared the motion carried; and Bridges, Inc. will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

No discussion.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the September 30, 2013, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar;

and the question being upon adjourning the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the September 30, 2013, meeting of the Social and Voluntary Services Commission was adjourned at 8:30 p.m.

* * * * *

P U R C H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 238378
DATE: 10/02/13

VENDOR #
1370

NORMAN ALCOHOL INFORMATION
CENTER INCORPORATED (NAIC
P O BOX 730
NORMAN, OK 73070

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/30/13	BEST WAY	DESTINATION	NET

CONFIRM BY FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	224201	10/01/13

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE CONTRIBUTION	13200.0000	13200.00
				SUB-TOTAL	13200.00
				TOTAL	13200.00

City of Norman, OK

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

Master

File Number: K-1314-69

File ID:	K-1314-69	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 22	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$4,250.00	**File Created:**	10/18/2013
File Name:	SVSC Contract with Among Friends			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $4,250 AND ENTER INTO CONTRACT NO. K-1314-69 WITH AMONG FRIENDS ACTIVITY CENTER, INC.

Notes: ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $4,250 from Among Friends Activity Center, Inc., and Contract No. K-1314-69; and, if approved, authorize the execution thereof and direct payment in the amount of $4,250 to Among Friends Activity Center, Inc.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 22

Attachments: Text File K-1314-69 Among Friends.pdf, SVSC Funding Requests 2013 2014.pdf, K-1314-69 Among Friends.pdf, PO Among Friends.pdf, SVSC Minutes September 30.pdf, Funding Request Among Friends.pdf

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-69

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2013-2014 City of Norman budget adopted on June 11, 2013.

DISCUSSION: On September 23, 2013, the Social and Voluntary Services Commission (SVSC) heard presentations from 21 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and

staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 18 of the agencies would be recommended for funding to the Norman City Council at the November 12, 2013 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (account 010-1087-411-4741).

SVSC Funding Request 2013/2014

Organization	Purpose of Request	Contract No.	Funded
NAIC	Health records, partnership with Norman Public Schools	K-1314-68	$13,200.00
Among Friends Activity Center, Inc.	Healthy Client meals	K-1314-69	$4,250.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1314-70	$5,000.00
Transition House	Housing Assistance, utilities and food	K-1314-71	$10,000.00
Bridges	Student's Utility Bills	K-1314-72	$7,200.00
Center for Children and Families	Program materials, updated curriculum and nutritious snacks	K-1314-73	$15,000.00
Food and Shelter for Friends	Utility, operational costs, case management & winter shelter	K-1314-74	$27,500.00
Aging Services	Special Assistance Program and Food Pantry	K-1314-75	$4,000.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1314-76	$4,200.00
Bethesda, Inc.	Therapist/Counselor - Support Staff	K-1314-77	$5,000.00
Mary Abbott Children's House	Training and travel	K-1314-78	$7,150.00
Full Circle Life Enrichment Center	Computers and OSBI background checks	K-1314-79	$3,500.00
Community Services Building	Upgrade to entry and restrooms in B wing	K-1314-80	$15,000.00
East Main Place	Large lawn mower and commercial weed eater	K-1314-81	$5,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1314-82	$4,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1314-83	$3,000.00
The Salvation Army	Utilities, Food, Supplies and Coursework for clients	K-1314-84	$7,000.00
Community After School Program	Tutoring Program	K-1314-85	$10,000.00
Total Amount			**$150,000.00**

K-1314-69

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 12th day of November, 2013, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Among Friends Activity Center, Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$4,250.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Healthy client meals.**

Board Secretary

Toni R. Williams
Board President

Approved as to form and legality this 30 day of Oct. 2013.

City Attorney

Approved by the City Council of the City of Norman this 12th day of November, 2013.

ATTEST:

City Clerk

Mayor

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

September 30, 2013

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 30th day of September, 2013, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Teresa Capps, Diana Hartley, Denise Millar, Pam Normile and Chris Porter
ABSENT:	Commissioners Brian Burk and Cody Ponder
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE SEPTEMBER 30, 2013, MEETING.

Commissioner Normile moved that the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Hartley; and the question being upon approving the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 23, 2013.

Commissioner Normile moved that the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 23, 2013

and the question being upon approving the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

CONSIDERATION OF APPLICATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

NAIC	$13,200.00
Among Friends Activity Center, Inc.	$ 4,250.00
Meals on Wheels of Norman, Inc.	$ 5,000.00
Transition House, Inc.	$10,000.00
Center for Children and Families	$15,000.00
Food and Shelter for Friends	$27,500.00
Aging Services, Inc.	$ 4,000.00
Food for Thought Learning Institute	$ 4,200.00
Bethesda, Inc.	$ 5,000.00
Mary Abbott Children's House	$ 7,150.00
Full Circle Life Enrichment Center	$ 3,500.00
Community Services Building, Inc.	$15,000.00
East Main Place, Inc.	$ 5,000.00
Women's Resource Center, Inc.	$ 4,000.00
HeartLine, Inc.	$ 3000.00
The Salvation Army	$ 7,000.00
Community after School Program	$10,000.00

which motion was duly seconded by Commissioner Porter; and the question being upon recommending the selected agencies for funding, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the selected agencies will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

Commissioner Millar moved that Bridges, Inc. be recommended for funding in the amount of $7,200; which motion was duly seconded by Commissioner Normile; and the question being upon recommending Bridges, Inc. in the amount of $7,200.00 for funding, a vote was taken with the following result:

YEAS:	Commissioners Capps, Millar, Normile and Porter
NAYES:	None
ABSTAIN:	Commissioner Hartley

The Chair declared the motion carried; and Bridges, Inc. will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

No discussion.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the September 30, 2013, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar;

and the question being upon adjourning the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the September 30, 2013, meeting of the Social and Voluntary Services Commission was adjourned at 8:30 p.m.

* * * * *

P U R C H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 238379
DATE: 10/02/13

VENDOR #
8032

AMONG FRIENDS ACTIVITY CENTER
4101 HERITAGE PLACE DR
NORMAN, OK 73072

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/30/13	BEST WAY	DESTINATION	NET

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	224202	10/01/13

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE CONTRIBUTION	4250.0000	4250.00
				SUB-TOTAL	4250.00
				TOTAL	4250.00

City of Norman, OK

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

Master

File Number: K-1314-70

File ID:	K-1314-70	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 23	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$5,000.00	**File Created:**	10/18/2013
File Name:	SVSC contract with MOW			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $5,000 AND ENTER INTO CONTRACT NO. K-1314-70 WITH MEALS ON WHEELS OF NORMAN, INC.

Notes: ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,000 from Meals on Wheels of Norman, Inc., and Contract No. K-1314-70; and, if approved, authorize the execution thereof and direct payment in the amount of $5,000 to Meals on Wheels of Norman, Inc.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 23

Attachments: Text File K-1314-70 MOW.pdf, SVSC Funding Requests 2013 2014.pdf, K-1314-70 MOW.pdf, PO MOW.pdf, SVSC Minutes September 30.pdf, Funding Request Meals on Wheels.pdf

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-70

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2013-2014 City of Norman budget adopted on June 11, 2013.

DISCUSSION: On September 23, 2013, the Social and Voluntary Services Commission (SVSC) heard presentations from 21 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 18 of the agencies would be recommended for funding to the Norman City Council at the November 12, 2013 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (account 010-1087-411-4741).

SVSC Funding Request 2013/2014

Organization	Purpose of Request	Contract No.	Funded
NAIC	Health records, partnership with Norman Public Schools	K-1314-68	$13,200.00
Among Friends Activity Center, Inc.	Healthy Client meals	K-1314-69	$4,250.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1314-70	$5,000.00
Transition House	Housing Assistance, utilities and food	K-1314-71	$10,000.00
Bridges	Student's Utility Bills	K-1314-72	$7,200.00
Center for Children and Families	Program materials, updated curriculum and nutritious snacks	K-1314-73	$15,000.00
Food and Shelter for Friends	Utility, operational costs, case management & winter shelter	K-1314-74	$27,500.00
Aging Services	Special Assistance Program and Food Pantry	K-1314-75	$4,000.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1314-76	$4,200.00
Bethesda, Inc.	Therapist/Counselor - Support Staff	K-1314-77	$5,000.00
Mary Abbott Children's House	Training and travel	K-1314-78	$7,150.00
Full Circle Life Enrichment Center	Computers and OSBI background checks	K-1314-79	$3,500.00
Community Services Building	Upgrade to entry and restrooms in B wing	K-1314-80	$15,000.00
East Main Place	Large lawn mower and commercial weed eater	K-1314-81	$5,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1314-82	$4,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1314-83	$3,000.00
The Salvation Army	Utilities, Food, Supplies and Coursework for clients	K-1314-84	$7,000.00
Community After School Program	Tutoring Program	K-1314-85	$10,000.00
Total Amount			**$150,000.00**

K-1314-70

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 12th day of November, 2013, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Meals on Wheels of Norman, Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$5,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Free Meal Program.**

Board Secretary

Board President

Approved as to form and legality this 30 day of Oct., 2013.

City Attorney

Approved by the City Council of the City of Norman this 12th day of November, 2013.

ATTEST:

City Clerk

Mayor

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

September 30, 2013

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 30th day of September, 2013, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Teresa Capps, Diana Hartley, Denise Millar, Pam Normile and Chris Porter
ABSENT:	Commissioners Brian Burk and Cody Ponder
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE SEPTEMBER 30, 2013, MEETING.

Commissioner Normile moved that the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Hartley; and the question being upon approving the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 23, 2013.

Commissioner Normile moved that the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 23, 2013

and the question being upon approving the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

CONSIDERATION OF APPLICATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

NAIC	$13,200.00
Among Friends Activity Center, Inc.	$ 4,250.00
Meals on Wheels of Norman, Inc.	$ 5,000.00
Transition House, Inc.	$10,000.00
Center for Children and Families	$15,000.00
Food and Shelter for Friends	$27,500.00
Aging Services, Inc.	$ 4,000.00
Food for Thought Learning Institute	$ 4,200.00
Bethesda, Inc.	$ 5,000.00
Mary Abbott Children's House	$ 7,150.00
Full Circle Life Enrichment Center	$ 3,500.00
Community Services Building, Inc.	$15,000.00
East Main Place, Inc.	$ 5,000.00
Women's Resource Center, Inc.	$ 4,000.00
HeartLine, Inc.	$ 3000.00
The Salvation Army	$ 7,000.00
Community after School Program	$10,000.00

which motion was duly seconded by Commissioner Porter; and the question being upon recommending the selected agencies for funding, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the selected agencies will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

Commissioner Millar moved that Bridges, Inc. be recommended for funding in the amount of $7,200; which motion was duly seconded by Commissioner Normile; and the question being upon recommending Bridges, Inc. in the amount of $7,200.00 for funding, a vote was taken with the following result:

YEAS:	Commissioners Capps, Millar, Normile and Porter
NAYES:	None
ABSTAIN:	Commissioner Hartley

The Chair declared the motion carried; and Bridges, Inc. will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

No discussion.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the September 30, 2013, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar;

and the question being upon adjourning the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the September 30, 2013, meeting of the Social and Voluntary Services Commission was adjourned at 8:30 p.m.

* * * * *

P U R C H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 238380
DATE: 10/02/13

VENDOR #
6445

MEALS ON WHEELS OF NORMAN INC
P O BOX 1371
NORMAN, OK 73070

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/30/13	BEST WAY	DESTINATION	NET/30

CONFIRM BY
BARBARA HOPPER

FREIGHT

ACCOUNT NO.
01010874114741

REQUISITIONED BY
COLES,C

REQ. NO.
224203

REQ. DATE
10/01/13

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE CONTRIBUTION	5000.0000	5000.00
				SUB-TOTAL	5000.00
				TOTAL	5000.00

City of Norman, OK

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

Master

File Number: K-1314-71

File ID:	K-1314-71	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 24	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$10,000.00	**File Created:**	10/18/2013
File Name:	SVSC Contract with Transition House			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $10,000 AND ENTER INTO CONTRACT NO. K-1314-71 WITH THE TRANSITION HOUSE, INC.

Notes: ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $10,000 from the Transition House, Inc., and Contract No. K-1314-71; and, if approved, authorize the execution thereof and direct payment in the amount of $10,000 to the Transition House, Inc.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 24

Attachments: Text File K-1314-71 Transition House.pdf, SVSC Funding Requests 2013 2014.pdf, K-1314-71 Transition House.pdf, SVSC Minutes September 30.pdf, PO Transition House.pdf, Funding Request Transition House.pdf

Project Manager: Carol Coles, Administration Assistant

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-71

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2013-2014 City of Norman budget adopted on June 11, 2013.

DISCUSSION: On September 23, 2013, the Social and Voluntary Services Commission (SVSC) heard presentations from 21 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 18 of the agencies would be recommended for funding to the Norman City Council at the November 12, 2013 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (account 010-1087-411-4741).

SVSC Funding Request 2013/2014

Organization	Purpose of Request	Contract No.	Funded
NAIC	Health records, partnership with Norman Public Schools	K-1314-68	$13,200.00
Among Friends Activity Center, Inc.	Healthy Client meals	K-1314-69	$4,250.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1314-70	$5,000.00
Transition House	Housing Assistance, utilities and food	K-1314-71	$10,000.00
Bridges	Student's Utility Bills	K-1314-72	$7,200.00
Center for Children and Families	Program materials, updated curriculum and nutritious snacks	K-1314-73	$15,000.00
Food and Shelter for Friends	Utility, operational costs, case management & winter shelter	K-1314-74	$27,500.00
Aging Services	Special Assistance Program and Food Pantry	K-1314-75	$4,000.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1314-76	$4,200.00
Bethesda, Inc.	Therapist/Counselor - Support Staff	K-1314-77	$5,000.00
Mary Abbott Children's House	Training and travel	K-1314-78	$7,150.00
Full Circle Life Enrichment Center	Computers and OSBI background checks	K-1314-79	$3,500.00
Community Services Building	Upgrade to entry and restrooms in B wing	K-1314-80	$15,000.00
East Main Place	Large lawn mower and commercial weed eater	K-1314-81	$5,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1314-82	$4,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1314-83	$3,000.00
The Salvation Army	Utilities, Food, Supplies and Coursework for clients	K-1314-84	$7,000.00
Community After School Program	Tutoring Program	K-1314-85	$10,000.00
Total Amount			**$150,000.00**

K-1314-71

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 12th day of November, 2013, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Transition House, Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$10,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Housing assistance, utilities and food.**

Board Secretary

Board President

Approved as to form and legality this 30 day of Oct, 2013.

City Attorney

Approved by the City Council of the City of Norman this 12th day of November, 2013.

ATTEST:

City Clerk

Mayor

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

September 30, 2013

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 30th day of September, 2013, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Teresa Capps, Diana Hartley, Denise Millar, Pam Normile and Chris Porter
ABSENT:	Commissioners Brian Burk and Cody Ponder
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE SEPTEMBER 30, 2013, MEETING.

Commissioner Normile moved that the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Hartley; and the question being upon approving the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 23, 2013.

Commissioner Normile moved that the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 23, 2013

and the question being upon approving the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

CONSIDERATION OF APPLICATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

NAIC	$13,200.00
Among Friends Activity Center, Inc.	$ 4,250.00
Meals on Wheels of Norman, Inc.	$ 5,000.00
Transition House, Inc.	$10,000.00
Center for Children and Families	$15,000.00
Food and Shelter for Friends	$27,500.00
Aging Services, Inc.	$ 4,000.00
Food for Thought Learning Institute	$ 4,200.00
Bethesda, Inc.	$ 5,000.00
Mary Abbott Children's House	$ 7,150.00
Full Circle Life Enrichment Center	$ 3,500.00
Community Services Building, Inc.	$15,000.00
East Main Place, Inc.	$ 5,000.00
Women's Resource Center, Inc.	$ 4,000.00
HeartLine, Inc.	$ 3000.00
The Salvation Army	$ 7,000.00
Community after School Program	$10,000.00

which motion was duly seconded by Commissioner Porter; and the question being upon recommending the selected agencies for funding, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the selected agencies will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

Commissioner Millar moved that Bridges, Inc. be recommended for funding in the amount of $7,200; which motion was duly seconded by Commissioner Normile; and the question being upon recommending Bridges, Inc. in the amount of $7,200.00 for funding, a vote was taken with the following result:

YEAS:	Commissioners Capps, Millar, Normile and Porter
NAYES:	None
ABSTAIN:	Commissioner Hartley

The Chair declared the motion carried; and Bridges, Inc. will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

No discussion.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the September 30, 2013, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar;

and the question being upon adjourning the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the September 30, 2013, meeting of the Social and Voluntary Services Commission was adjourned at 8:30 p.m.

* * * * *

P U R C H A S.E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 238381
DATE: 10/02/13

VENDOR #
432

TRANSITION HOUSE INC
700 ASP SUITE 2
NORMAN, OK 73069

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/30/13	BEST WAY	DESTINATION	NET

CONFIRM BY
BONNIE DUNN

FREIGHT

ACCOUNT NO.
01010874114741

REQUISITIONED BY
COLES,C

REQ. NO.
224205

REQ. DATE
10/01/13

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE FUNDING	10000.0000	10000.00
				SUB-TOTAL	10000.00
				TOTAL	10000.00

City of Norman, OK

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

Master

File Number: K-1314-72

File ID:	K-1314-72	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 25	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$7,200.00	**File Created:**	10/18/2013
File Name:	SVSC Contract with Bridges			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $7,200 AND ENTER INTO CONTRACT NO. K-1314-72 WITH BRIDGES, INC.

Notes: ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $7,200 from Bridges, Inc., and Contract No. K-1314-72; and, if approved, authorize the execution thereof and direct payment in the amount of $7,200 to Bridges, Inc.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 25

Attachments: Text File K-1314-72 Bridges.pdf, SVSC Funding Requests 2013 2014.pdf, K-1314-72 Bridges.pdf, SVSC Minutes September 30.pdf, PO Bridges.pdf, Funding Request Bridges.pdf

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-72

Body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2013-2014 City of Norman budget adopted on June 11, 2013.

DISCUSSION: On September 23, 2013, the Social and Voluntary Services Commission (SVSC) heard presentations from 21 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 18 of the agencies would be

recommended for funding to the Norman City Council at the November 12, 2013 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (account 010-1087-411-4741).

SVSC Funding Request 2013/2014

Organization	Purpose of Request	Contract No.	Funded
NAIC	Health records, partnership with Norman Public Schools	K-1314-68	$13,200.00
Among Friends Activity Center, Inc.	Healthy Client meals	K-1314-69	$4,250.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1314-70	$5,000.00
Transition House	Housing Assistance, utilities and food	K-1314-71	$10,000.00
Bridges	Student's Utility Bills	K-1314-72	$7,200.00
Center for Children and Families	Program materials, updated curriculum and nutritious snacks	K-1314-73	$15,000.00
Food and Shelter for Friends	Utility, operational costs, case management & winter shelter	K-1314-74	$27,500.00
Aging Services	Special Assistance Program and Food Pantry	K-1314-75	$4,000.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1314-76	$4,200.00
Bethesda, Inc.	Therapist/Counselor - Support Staff	K-1314-77	$5,000.00
Mary Abbott Children's House	Training and travel	K-1314-78	$7,150.00
Full Circle Life Enrichment Center	Computers and OSBI background checks	K-1314-79	$3,500.00
Community Services Building	Upgrade to entry and restrooms in B wing	K-1314-80	$15,000.00
East Main Place	Large lawn mower and commercial weed eater	K-1314-81	$5,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1314-82	$4,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1314-83	$3,000.00
The Salvation Army	Utilities, Food, Supplies and Coursework for clients	K-1314-84	$7,000.00
Community After School Program	Tutoring Program	K-1314-85	$10,000.00
Total Amount			**$150,000.00**

K-1314-72

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 12th day of November, 2013, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Bridges**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$7,200.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Assistance with Student's Electric Bills.**

Board Secretary

Board President

Approved as to form and legality this 30 day of Oct, 2013.

City Attorney

Approved by the City Council of the City of Norman this 12th day of November, 2013.

ATTEST:

City Clerk

Mayor

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

September 30, 2013

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 30th day of September, 2013, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Teresa Capps, Diana Hartley, Denise Millar, Pam Normile and Chris Porter
ABSENT:	Commissioners Brian Burk and Cody Ponder
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE SEPTEMBER 30, 2013, MEETING.

Commissioner Normile moved that the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Hartley; and the question being upon approving the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 23, 2013.

Commissioner Normile moved that the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 23, 2013

and the question being upon approving the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

CONSIDERATION OF APPLICATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

NAIC	$13,200.00
Among Friends Activity Center, Inc.	$ 4,250.00
Meals on Wheels of Norman, Inc.	$ 5,000.00
Transition House, Inc.	$10,000.00
Center for Children and Families	$15,000.00
Food and Shelter for Friends	$27,500.00
Aging Services, Inc.	$ 4,000.00
Food for Thought Learning Institute	$ 4,200.00
Bethesda, Inc.	$ 5,000.00
Mary Abbott Children's House	$ 7,150.00
Full Circle Life Enrichment Center	$ 3,500.00
Community Services Building, Inc.	$15,000.00
East Main Place, Inc.	$ 5,000.00
Women's Resource Center, Inc.	$ 4,000.00
HeartLine, Inc.	$ 3000.00
The Salvation Army	$ 7,000.00
Community after School Program	$10,000.00

which motion was duly seconded by Commissioner Porter; and the question being upon recommending the selected agencies for funding, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the selected agencies will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

Commissioner Millar moved that Bridges, Inc. be recommended for funding in the amount of $7,200; which motion was duly seconded by Commissioner Normile; and the question being upon recommending Bridges, Inc. in the amount of $7,200.00 for funding, a vote was taken with the following result:

YEAS: Commissioners Capps, Millar, Normile and Porter

NAYES: None

ABSTAIN: Commissioner Hartley

The Chair declared the motion carried; and Bridges, Inc. will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

No discussion.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the September 30, 2013, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar;

and the question being upon adjourning the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the September 30, 2013, meeting of the Social and Voluntary Services Commission was adjourned at 8:30 p.m.

* * * * *

PURCHASE ORDER

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 238382
DATE: 10/02/13

VENDOR #
602

BRIDGES INC
1672 N STUBBLEMAN
NORMAN, OK 73069

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/30/13	BEST WAY	DESTINATION	NET

CONFIRM BY FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	224206	10/01/13

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE CONTRIBUTION	7200.0000	7200.00
				SUB-TOTAL	7200.00
				TOTAL	7200.00

City of Norman, OK

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

Master

File Number: K-1314-73

File ID:	K-1314-73	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 26	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$15,000.00	**File Created:**	10/18/2013
File Name:	SVSC Contract with CCFI			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $15,000 AND ENTER INTO CONTRACT NO. K-1314-73 WITH THE CENTER FOR CHILDREN AND FAMILIES, INC.

Notes: ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $15,000 from the Center for Children and Families, Inc., and Contract No. K-1314-73; and, if approved, authorize the execution thereof and direct payment in the amount of $15,000 to the Center for Children and Families, Inc.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 26

Attachments: Text File K-1314-73 CCFI.pdf, SVSC Funding Requests 2013 2014.pdf, K-1314-73 CCFI.pdf, SVSC Minutes September 30.pdf, PO CCFI.pdf, Funding Request CCFI.pdf

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-73

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2013-2014 City of Norman budget adopted on June 11, 2013.

DISCUSSION: On September 23, 2013, the Social and Voluntary Services Commission (SVSC) heard presentations from 21 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 18 of the agencies would be recommended for funding to the Norman City Council at the November 12, 2013 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (account 010-1087-411-4741).

SVSC Funding Request 2013/2014

Organization	Purpose of Request	Contract No.	Funded
NAIC	Health records, partnership with Norman Public Schools	K-1314-68	$13,200.00
Among Friends Activity Center, Inc.	Healthy Client meals	K-1314-69	$4,250.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1314-70	$5,000.00
Transition House	Housing Assistance, utilities and food	K-1314-71	$10,000.00
Bridges	Student's Utility Bills	K-1314-72	$7,200.00
Center for Children and Families	Program materials, updated curriculum and nutritious snacks	K-1314-73	$15,000.00
Food and Shelter for Friends	Utility, operational costs, case management & winter shelter	K-1314-74	$27,500.00
Aging Services	Special Assistance Program and Food Pantry	K-1314-75	$4,000.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1314-76	$4,200.00
Bethesda, Inc.	Therapist/Counselor - Support Staff	K-1314-77	$5,000.00
Mary Abbott Children's House	Training and travel	K-1314-78	$7,150.00
Full Circle Life Enrichment Center	Computers and OSBI background checks	K-1314-79	$3,500.00
Community Services Building	Upgrade to entry and restrooms in B wing	K-1314-80	$15,000.00
East Main Place	Large lawn mower and commercial weed eater	K-1314-81	$5,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1314-82	$4,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1314-83	$3,000.00
The Salvation Army	Utilities, Food, Supplies and Coursework for clients	K-1314-84	$7,000.00
Community After School Program	Tutoring Program	K-1314-85	$10,000.00
Total Amount			**$150,000.00**

K-1314-73

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 12th day of November, 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.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$15,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:

Funds will be used for **Program materials, updated curriculum and nutritious snacks.**

Jennifer Edwards
Board Secretary 10/15/13

Kathleen B Stanton
Board President 10/15/13

Approved as to form and legality this 30 day of Oct., 2013.

City Attorney

Approved by the City Council of the City of Norman this 12th day of November, 2013.

ATTEST:

City Clerk

Mayor

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

September 30, 2013

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 30th day of September, 2013, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Teresa Capps, Diana Hartley, Denise Millar, Pam Normile and Chris Porter
ABSENT:	Commissioners Brian Burk and Cody Ponder
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE SEPTEMBER 30, 2013, MEETING.

Commissioner Normile moved that the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Hartley; and the question being upon approving the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 23, 2013.

Commissioner Normile moved that the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 23, 2013

and the question being upon approving the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

CONSIDERATION OF APPLICATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

NAIC	$13,200.00
Among Friends Activity Center, Inc.	$ 4,250.00
Meals on Wheels of Norman, Inc.	$ 5,000.00
Transition House, Inc.	$10,000.00
Center for Children and Families	$15,000.00
Food and Shelter for Friends	$27,500.00
Aging Services, Inc.	$ 4,000.00
Food for Thought Learning Institute	$ 4,200.00
Bethesda, Inc.	$ 5,000.00
Mary Abbott Children's House	$ 7,150.00
Full Circle Life Enrichment Center	$ 3,500.00
Community Services Building, Inc.	$15,000.00
East Main Place, Inc.	$ 5,000.00
Women's Resource Center, Inc.	$ 4,000.00
HeartLine, Inc.	$ 3000.00
The Salvation Army	$ 7,000.00
Community after School Program	$10,000.00

which motion was duly seconded by Commissioner Porter; and the question being upon recommending the selected agencies for funding, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the selected agencies will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

Commissioner Millar moved that Bridges, Inc. be recommended for funding in the amount of $7,200; which motion was duly seconded by Commissioner Normile; and the question being upon recommending Bridges, Inc. in the amount of $7,200.00 for funding, a vote was taken with the following result:

YEAS:	Commissioners Capps, Millar, Normile and Porter
NAYES:	None
ABSTAIN:	Commissioner Hartley

The Chair declared the motion carried; and Bridges, Inc. will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

No discussion.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the September 30, 2013, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar;

and the question being upon adjourning the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the September 30, 2013, meeting of the Social and Voluntary Services Commission was adjourned at 8:30 p.m.

* * * * *

PURCHASE ORDER

PAGE: 1

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 238383
DATE: 10/02/13

VENDOR #
1335

CENTER FOR CHILDREN & FAMILIES
1151 EAST MAIN STREET
NORMAN, OK 73071

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/30/13	BEST WAY	DESTINATION	NET

CONFIRM BY
LINDA

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	224207	10/01/13

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE CONTRIBUTION	15000.0000	15000.00
				SUB-TOTAL	15000.00
				TOTAL	15000.00

City of Norman, OK

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

Master

File Number: K-1314-74

File ID:	K-1314-74	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 27	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$27,500.00	**File Created:**	10/18/2013
File Name:	SVSC Contract with FSFF			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $27,500 AND ENTER INTO CONTRACT NO. K-1314-74 WITH FOOD AND SHELTER, INC.

Notes: ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $27,500 from Food and Shelter, Inc., and Contract No. K-1314-74; and, if approved, authorize the execution thereof and direct payment in the amount of $27,500 to Food and Shelter, Inc.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 27

Attachments: Text File K-1314-74 FSFF.pdf, SVSC Funding Requests 2013 2014.pdf, K-1314-74 FSFF.pdf, SVSC Minutes September 30.pdf, PO FSFF.pdf, Funding Request Food and Shelter.pdf

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-74

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2013-2014 City of Norman budget adopted on June 11, 2013.

DISCUSSION: On September 23, 2013, the Social and Voluntary Services Commission (SVSC) heard presentations from 21 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 18 of the agencies would be recommended for funding to the Norman City Council at the November 12, 2013 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (account 010-1087-411-4741).

SVSC Funding Request 2013/2014

Organization	Purpose of Request	Contract No.	Funded
NAIC	Health records, partnership with Norman Public Schools	K-1314-68	$13,200.00
Among Friends Activity Center, Inc.	Healthy Client meals	K-1314-69	$4,250.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1314-70	$5,000.00
Transition House	Housing Assistance, utilities and food	K-1314-71	$10,000.00
Bridges	Student's Utility Bills	K-1314-72	$7,200.00
Center for Children and Families	Program materials, updated curriculum and nutritious snacks	K-1314-73	$15,000.00
Food and Shelter for Friends	Utility, operational costs, case management & winter shelter	K-1314-74	$27,500.00
Aging Services	Special Assistance Program and Food Pantry	K-1314-75	$4,000.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1314-76	$4,200.00
Bethesda, Inc.	Therapist/Counselor - Support Staff	K-1314-77	$5,000.00
Mary Abbott Children's House	Training and travel	K-1314-78	$7,150.00
Full Circle Life Enrichment Center	Computers and OSBI background checks	K-1314-79	$3,500.00
Community Services Building	Upgrade to entry and restrooms in B wing	K-1314-80	$15,000.00
East Main Place	Large lawn mower and commercial weed eater	K-1314-81	$5,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1314-82	$4,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1314-83	$3,000.00
The Salvation Army	Utilities, Food, Supplies and Coursework for clients	K-1314-84	$7,000.00
Community After School Program	Tutoring Program	K-1314-85	$10,000.00
Total Amount			**$150,000.00**

K-1314-74

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 12th day of November, 2013, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Food and Shelter for Friends**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$27,500.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Utility, operational costs, case management and winter shelter.**

Board Secretary

Board President

Approved as to form and legality this 30 day of Oct., 2013.

City Attorney

Approved by the City Council of the City of Norman this 12th day of November, 2013.

ATTEST:

City Clerk

Mayor

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

September 30, 2013

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 30th day of September, 2013, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Teresa Capps, Diana Hartley, Denise Millar, Pam Normile and Chris Porter
ABSENT:	Commissioners Brian Burk and Cody Ponder
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE SEPTEMBER 30, 2013, MEETING.

Commissioner Normile moved that the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Hartley; and the question being upon approving the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 23, 2013.

Commissioner Normile moved that the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 23, 2013

and the question being upon approving the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

CONSIDERATION OF APPLICATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

NAIC	$13,200.00
Among Friends Activity Center, Inc.	$ 4,250.00
Meals on Wheels of Norman, Inc.	$ 5,000.00
Transition House, Inc.	$10,000.00
Center for Children and Families	$15,000.00
Food and Shelter for Friends	$27,500.00
Aging Services, Inc.	$ 4,000.00
Food for Thought Learning Institute	$ 4,200.00
Bethesda, Inc.	$ 5,000.00
Mary Abbott Children's House	$ 7,150.00
Full Circle Life Enrichment Center	$ 3,500.00
Community Services Building, Inc.	$15,000.00
East Main Place, Inc.	$ 5,000.00
Women's Resource Center, Inc.	$ 4,000.00
HeartLine, Inc.	$ 3000.00
The Salvation Army	$ 7,000.00
Community after School Program	$10,000.00

which motion was duly seconded by Commissioner Porter; and the question being upon recommending the selected agencies for funding, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the selected agencies will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

Commissioner Millar moved that Bridges, Inc. be recommended for funding in the amount of $7,200; which motion was duly seconded by Commissioner Normile; and the question being upon recommending Bridges, Inc. in the amount of $7,200.00 for funding, a vote was taken with the following result:

YEAS:	Commissioners Capps, Millar, Normile and Porter
NAYES:	None
ABSTAIN:	Commissioner Hartley

The Chair declared the motion carried; and Bridges, Inc. will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

No discussion.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the September 30, 2013, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar;

and the question being upon adjourning the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the September 30, 2013, meeting of the Social and Voluntary Services Commission was adjourned at 8:30 p.m.

* * * * *

PURCHASE ORDER

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 238384
DATE: 10/02/13

VENDOR #
751

FOOD AND SHELTER FOR FRIENDS
P O BOX 5537
NORMAN, OK 73069

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/30/13	BEST WAY	DESTINATION	NET/30

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	224209	10/01/13

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE CONTRIBUTION	27500.0000	27500.00
				SUB-TOTAL	27500.00
				TOTAL	27500.00

City of Norman, OK

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

Master

File Number: K-1314-75

File ID: K-1314-75	**Type:** Contract	**Status:** Consent Item
Version: 1	**Reference:** Item No. 28	**In Control:** City Council
Department: City Manager Department	**Cost:** $4,000.00	**File Created:** 10/18/2013
File Name: SVSC Contract with Aging Services		**Final Action:**

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $4,000 AND ENTER INTO CONTRACT NO. K-1314-75 WITH AGING SERVICES, INC.

Notes: ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $4,000 from Aging Services, Inc., and Contract No. K-1314-75; and, if approved, authorize the execution thereof and direct payment in the amount of $4,000 to Aging Services, Inc.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 28

Attachments: Text File K-1314-85 Aging Services.pdf, SVSC Funding Requests 2013 2014.pdf, K-1314-75 Aging Services.pdf, SVSC Minutes September 30.pdf, PO Aging Services.pdf, Funding Request Aging Services.pdf

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-75

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2013-2014 City of Norman budget adopted on June 11, 2013.

DISCUSSION: On September 23, 2013, the Social and Voluntary Services Commission (SVSC) heard presentations from 21 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 18 of the agencies would be recommended for funding to the Norman City Council at the November 12, 2013 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (account 010-1087-411-4741).

SVSC Funding Request 2013/2014

Organization	Purpose of Request	Contract No.	Funded
NAIC	Health records, partnership with Norman Public Schools	K-1314-68	$13,200.00
Among Friends Activity Center, Inc.	Healthy Client meals	K-1314-69	$4,250.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1314-70	$5,000.00
Transition House	Housing Assistance, utilities and food	K-1314-71	$10,000.00
Bridges	Student's Utility Bills	K-1314-72	$7,200.00
Center for Children and Families	Program materials, updated curriculum and nutritious snacks	K-1314-73	$15,000.00
Food and Shelter for Friends	Utility, operational costs, case management & winter shelter	K-1314-74	$27,500.00
Aging Services	Special Assistance Program and Food Pantry	K-1314-75	$4,000.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1314-76	$4,200.00
Bethesda, Inc.	Therapist/Counselor - Support Staff	K-1314-77	$5,000.00
Mary Abbott Children's House	Training and travel	K-1314-78	$7,150.00
Full Circle Life Enrichment Center	Computers and OSBI background checks	K-1314-79	$3,500.00
Community Services Building	Upgrade to entry and restrooms in B wing	K-1314-80	$15,000.00
East Main Place	Large lawn mower and commercial weed eater	K-1314-81	$5,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1314-82	$4,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1314-83	$3,000.00
The Salvation Army	Utilities, Food, Supplies and Coursework for clients	K-1314-84	$7,000.00
Community After School Program	Tutoring Program	K-1314-85	$10,000.00
Total Amount			**$150,000.00**

K-1314-75

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 12th day of November, 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.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$4,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Special Assistance Program and food Pantry.**

Board Secretary

Board President

Approved as to form and legality this 30 day of Oct. 2013.

City Attorney

Approved by the City Council of the City of Norman this 12th day of November, 2013.

ATTEST:

City Clerk

Mayor

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

September 30, 2013

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 30th day of September, 2013, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Teresa Capps, Diana Hartley, Denise Millar, Pam Normile and Chris Porter
ABSENT:	Commissioners Brian Burk and Cody Ponder
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE SEPTEMBER 30, 2013, MEETING.

Commissioner Normile moved that the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Hartley; and the question being upon approving the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 23, 2013.

Commissioner Normile moved that the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 23, 2013

and the question being upon approving the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

CONSIDERATION OF APPLICATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

NAIC	$13,200.00
Among Friends Activity Center, Inc.	$ 4,250.00
Meals on Wheels of Norman, Inc.	$ 5,000.00
Transition House, Inc.	$10,000.00
Center for Children and Families	$15,000.00
Food and Shelter for Friends	$27,500.00
Aging Services, Inc.	$ 4,000.00
Food for Thought Learning Institute	$ 4,200.00
Bethesda, Inc.	$ 5,000.00
Mary Abbott Children's House	$ 7,150.00
Full Circle Life Enrichment Center	$ 3,500.00
Community Services Building, Inc.	$15,000.00
East Main Place, Inc.	$ 5,000.00
Women's Resource Center, Inc.	$ 4,000.00
HeartLine, Inc.	$ 3000.00
The Salvation Army	$ 7,000.00
Community after School Program	$10,000.00

which motion was duly seconded by Commissioner Porter; and the question being upon recommending the selected agencies for funding, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the selected agencies will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

Commissioner Millar moved that Bridges, Inc. be recommended for funding in the amount of $7,200; which motion was duly seconded by Commissioner Normile; and the question being upon recommending Bridges, Inc. in the amount of $7,200.00 for funding, a vote was taken with the following result:

YEAS: Commissioners Capps, Millar, Normile and Porter

NAYES: None

ABSTAIN: Commissioner Hartley

The Chair declared the motion carried; and Bridges, Inc. will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

No discussion.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the September 30, 2013, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar;

and the question being upon adjourning the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the September 30, 2013, meeting of the Social and Voluntary Services Commission was adjourned at 8:30 p.m.

* * * * *

P U R C H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 238385
DATE: 10/02/13

VENDOR #
435

AGING SERVICES INC
1179 EAST MAIN
NORMAN, OK 73071

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/30/13	BEST WAY	DESTINATION	NET

CONFIRM BY
PAM MCINTOSH

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	224210	10/01/13

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE CONTRIBUTION	4000.0000	4000.00
				SUB-TOTAL	4000.00
				TOTAL	4000.00

City of Norman, OK

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

Master

File Number: K-1314-76

File ID:	K-1314-76	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 29	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$4,200.00	**File Created:**	10/18/2013
File Name:	SVSC Contract with Food for Thought			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $4,200 AND ENTER INTO CONTRACT NO. K-1314-76 WITH FOOD FOR THOUGHT LEARNING INSTITUTE, INC.

Notes: ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $4,200 from Food for Thought Learning Institute, Inc., and Contract No. K-1314-76; and, if approved, authorize the execution thereof and direct payment in the amount of $4,200 from Food for Thought Learning Institute, Inc.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 29

Attachments: Text File K-1314-76 Food for Thought.pdf, SVSC Funding Requests 2013 2014.pdf, K-1314-76 food for Thought.pdf, SVSC Minutes September 30.pdf, PO Food for Thought.pdf, Funding Request Food for Thought.pdf

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-76

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2013-2014 City of Norman budget adopted on June 11, 2013.

DISCUSSION: On September 23, 2013, the Social and Voluntary Services Commission (SVSC) heard presentations from 21 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and

staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 18 of the agencies would be recommended for funding to the Norman City Council at the November 12, 2013 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (account 010-1087-411-4741).

SVSC Funding Request 2013/2014

Organization	Purpose of Request	Contract No.	Funded
NAIC	Health records, partnership with Norman Public Schools	K-1314-68	$13,200.00
Among Friends Activity Center, Inc.	Healthy Client meals	K-1314-69	$4,250.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1314-70	$5,000.00
Transition House	Housing Assistance, utilities and food	K-1314-71	$10,000.00
Bridges	Student's Utility Bills	K-1314-72	$7,200.00
Center for Children and Families	Program materials, updated curriculum and nutritious snacks	K-1314-73	$15,000.00
Food and Shelter for Friends	Utility, operational costs, case management & winter shelter	K-1314-74	$27,500.00
Aging Services	Special Assistance Program and Food Pantry	K-1314-75	$4,000.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1314-76	$4,200.00
Bethesda, Inc.	Therapist/Counselor - Support Staff	K-1314-77	$5,000.00
Mary Abbott Children's House	Training and travel	K-1314-78	$7,150.00
Full Circle Life Enrichment Center	Computers and OSBI background checks	K-1314-79	$3,500.00
Community Services Building	Upgrade to entry and restrooms in B wing	K-1314-80	$15,000.00
East Main Place	Large lawn mower and commercial weed eater	K-1314-81	$5,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1314-82	$4,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1314-83	$3,000.00
The Salvation Army	Utilities, Food, Supplies and Coursework for clients	K-1314-84	$7,000.00
Community After School Program	Tutoring Program	K-1314-85	$10,000.00
Total Amount			**$150,000.00**

K-1314-76

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 12th day of November, 2013, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Food for Thought Learning Institute**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$4,200.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Fund food service classes with partnering agencies.**

Board Secretary

Board President

Approved as to form and legality this 30 day of Oct., 2013.

City Attorney

Approved by the City Council of the City of Norman this 12th day of November, 2013.

ATTEST:

City Clerk

Mayor

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

September 30, 2013

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 30th day of September, 2013, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Teresa Capps, Diana Hartley, Denise Millar, Pam Normile and Chris Porter
ABSENT:	Commissioners Brian Burk and Cody Ponder
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE SEPTEMBER 30, 2013, MEETING.

Commissioner Normile moved that the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Hartley; and the question being upon approving the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 23, 2013.

Commissioner Normile moved that the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 23, 2013

and the question being upon approving the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

CONSIDERATION OF APPLICATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

NAIC	$13,200.00
Among Friends Activity Center, Inc.	$ 4,250.00
Meals on Wheels of Norman, Inc.	$ 5,000.00
Transition House, Inc.	$10,000.00
Center for Children and Families	$15,000.00
Food and Shelter for Friends	$27,500.00
Aging Services, Inc.	$ 4,000.00
Food for Thought Learning Institute	$ 4,200.00
Bethesda, Inc.	$ 5,000.00
Mary Abbott Children's House	$ 7,150.00
Full Circle Life Enrichment Center	$ 3,500.00
Community Services Building, Inc.	$15,000.00
East Main Place, Inc.	$ 5,000.00
Women's Resource Center, Inc.	$ 4,000.00
HeartLine, Inc.	$ 3000.00
The Salvation Army	$ 7,000.00
Community after School Program	$10,000.00

which motion was duly seconded by Commissioner Porter; and the question being upon recommending the selected agencies for funding, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the selected agencies will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

Commissioner Millar moved that Bridges, Inc. be recommended for funding in the amount of $7,200; which motion was duly seconded by Commissioner Normile; and the question being upon recommending Bridges, Inc. in the amount of $7,200.00 for funding, a vote was taken with the following result:

YEAS: Commissioners Capps, Millar, Normile and Porter

NAYES: None

ABSTAIN: Commissioner Hartley

The Chair declared the motion carried; and Bridges, Inc. will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

No discussion.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the September 30, 2013, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar;

and the question being upon adjourning the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the September 30, 2013, meeting of the Social and Voluntary Services Commission was adjourned at 8:30 p.m.

* * * * *

PURCHASE ORDER

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 238386
DATE: 10/02/13

VENDOR #
11519

FOOD FOR THOUGHT LEARNING INST
PO BOX 159
NORMAN, OK 73070

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/30/13	BEST WAY	DESTINATION	NET

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	224211	10/01/13

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE CONTRIBUTION	4200.0000	4200.00
				SUB-TOTAL	4200.00
				TOTAL	4200.00

City of Norman, OK

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

Master

File Number: K-1314-77

File ID:	K-1314-77	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 30	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$5,000.00	**File Created:**	10/18/2013
File Name:	SVSC Contract with Bethesda			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $5,000 AND ENTER INTO CONTRACT NO. K-1314-77 WITH BETHESDA, INC.

Notes: ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,000 from Bethesda, Inc., and Contract No. K-1314-77; and, if approved, authorize the execution thereof and direct payment in the amount of $5,000 to Bethesda, Inc.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 30

Attachments: Text File K-1314-77 Bethesda.pdf, SVSC Funding Requests 2013 2014.pdf, K-1314-77 Bethesda.pdf, SVSC Minutes September 30.pdf, PO Bethesda.pdf, Funding Request Bethesda.pdf

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-77

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2013-2014 City of Norman budget adopted on June 11, 2013.

DISCUSSION: On September 23, 2013, the Social and Voluntary Services Commission (SVSC) heard presentations from 21 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 18 of the agencies would be

recommended for funding to the Norman City Council at the November 12, 2013 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (account 010-1087-411-4741).

SVSC Funding Request 2013/2014

Organization	Purpose of Request	Contract No.	Funded
NAIC	Health records, partnership with Norman Public Schools	K-1314-68	$13,200.00
Among Friends Activity Center, Inc.	Healthy Client meals	K-1314-69	$4,250.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1314-70	$5,000.00
Transition House	Housing Assistance, utilities and food	K-1314-71	$10,000.00
Bridges	Student's Utility Bills	K-1314-72	$7,200.00
Center for Children and Families	Program materials, updated curriculum and nutritious snacks	K-1314-73	$15,000.00
Food and Shelter for Friends	Utility, operational costs, case management & winter shelter	K-1314-74	$27,500.00
Aging Services	Special Assistance Program and Food Pantry	K-1314-75	$4,000.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1314-76	$4,200.00
Bethesda, Inc.	Therapist/Counselor - Support Staff	K-1314-77	$5,000.00
Mary Abbott Children's House	Training and travel	K-1314-78	$7,150.00
Full Circle Life Enrichment Center	Computers and OSBI background checks	K-1314-79	$3,500.00
Community Services Building	Upgrade to entry and restrooms in B wing	K-1314-80	$15,000.00
East Main Place	Large lawn mower and commercial weed eater	K-1314-81	$5,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1314-82	$4,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1314-83	$3,000.00
The Salvation Army	Utilities, Food, Supplies and Coursework for clients	K-1314-84	$7,000.00
Community After School Program	Tutoring Program	K-1314-85	$10,000.00
Total Amount			**$150,000.00**

K-1314-77

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 12th day of November, 2013, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Bethesda, Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$5,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Support staff.**

Board Secretary

Board President

Approved as to form and legality this 30 day of Oct., 2013.

City Attorney

Approved by the City Council of the City of Norman this 12th day of November, 2013.

ATTEST:

City Clerk

Mayor

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

September 30, 2013

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 30th day of September, 2013, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Teresa Capps, Diana Hartley, Denise Millar, Pam Normile and Chris Porter
ABSENT:	Commissioners Brian Burk and Cody Ponder
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE SEPTEMBER 30, 2013, MEETING.

Commissioner Normile moved that the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Hartley; and the question being upon approving the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 23, 2013.

Commissioner Normile moved that the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 23, 2013

and the question being upon approving the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

CONSIDERATION OF APPLICATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

NAIC	$13,200.00
Among Friends Activity Center, Inc.	$ 4,250.00
Meals on Wheels of Norman, Inc.	$ 5,000.00
Transition House, Inc.	$10,000.00
Center for Children and Families	$15,000.00
Food and Shelter for Friends	$27,500.00
Aging Services, Inc.	$ 4,000.00
Food for Thought Learning Institute	$ 4,200.00
Bethesda, Inc.	$ 5,000.00
Mary Abbott Children's House	$ 7,150.00
Full Circle Life Enrichment Center	$ 3,500.00
Community Services Building, Inc.	$15,000.00
East Main Place, Inc.	$ 5,000.00
Women's Resource Center, Inc.	$ 4,000.00
HeartLine, Inc.	$ 3000.00
The Salvation Army	$ 7,000.00
Community after School Program	$10,000.00

which motion was duly seconded by Commissioner Porter; and the question being upon recommending the selected agencies for funding, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the selected agencies will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

Commissioner Millar moved that Bridges, Inc. be recommended for funding in the amount of $7,200; which motion was duly seconded by Commissioner Normile; and the question being upon recommending Bridges, Inc. in the amount of $7,200.00 for funding, a vote was taken with the following result:

YEAS: Commissioners Capps, Millar, Normile and Porter

NAYES: None

ABSTAIN: Commissioner Hartley

The Chair declared the motion carried; and Bridges, Inc. will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

No discussion.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the September 30, 2013, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar;

and the question being upon adjourning the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the September 30, 2013, meeting of the Social and Voluntary Services Commission was adjourned at 8:30 p.m.

* * * * *

P U R C H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 238387
DATE: 10/02/13

VENDOR #
4929

BETHESDA INC
1181 EAST MAIN STREET
NORMAN, OK 73071

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/30/13	BEST WAY	DESTINAION	NET/30

CONFIRM BY
JUDY RINGER

FREIGHT

ACCOUNT NO.
01010874114741

REQUISITIONED BY
COLES,C

REQ. NO.
224212

REQ. DATE
10/01/13

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE CONTRIBUTION	5000.0000	5000.00
				SUB-TOTAL	5000.00
				TOTAL	5000.00

City of Norman, OK

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

Master

File Number: K-1314-78

File ID:	K-1314-78	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 31	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$7,150.00	**File Created:**	10/18/2013
File Name:	SVSC Contract with Mary Abbott			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $7,150 AND ENTER INTO CONTRACT NO. K-1314-78 WITH MARY ABBOTT CHILDREN'S HOUSE, INC.

Notes: ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $7,150 from Mary Abbott Children's House, Inc., and Contract No. K-1314-78; and, if approved, authorize the execution thereof and direct payment in the amount of $7,150 to Mary Abbott Children's House, Inc.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 31

Attachments: Text File K-1314-78 Mary Abbott.pdf, SVSC Funding Requests 2013 2014.pdf, K-1314-78 Mary Abbott.pdf, SVSC Minutes September 30.pdf, PO Mary Abbott.pdf, Funding Request Mary Abbott.pdf

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-78

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2013-2014 City of Norman budget adopted on June 11, 2013.

DISCUSSION: On September 23, 2013, the Social and Voluntary Services Commission (SVSC) heard presentations from 21 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 18 of the agencies would be recommended for funding to the Norman City Council at the November 12, 2013 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (account 010-1087-411-4741).

SVSC Funding Request 2013/2014

Organization	Purpose of Request	Contract No.	Funded
NAIC	Health records, partnership with Norman Public Schools	K-1314-68	$13,200.00
Among Friends Activity Center, Inc.	Healthy Client meals	K-1314-69	$4,250.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1314-70	$5,000.00
Transition House	Housing Assistance, utilities and food	K-1314-71	$10,000.00
Bridges	Student's Utility Bills	K-1314-72	$7,200.00
Center for Children and Families	Program materials, updated curriculum and nutritious snacks	K-1314-73	$15,000.00
Food and Shelter for Friends	Utility, operational costs, case management & winter shelter	K-1314-74	$27,500.00
Aging Services	Special Assistance Program and Food Pantry	K-1314-75	$4,000.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1314-76	$4,200.00
Bethesda, Inc.	Therapist/Counselor - Support Staff	K-1314-77	$5,000.00
Mary Abbott Children's House	Training and travel	K-1314-78	$7,150.00
Full Circle Life Enrichment Center	Computers and OSBI background checks	K-1314-79	$3,500.00
Community Services Building	Upgrade to entry and restrooms in B wing	K-1314-80	$15,000.00
East Main Place	Large lawn mower and commercial weed eater	K-1314-81	$5,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1314-82	$4,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1314-83	$3,000.00
The Salvation Army	Utilities, Food, Supplies and Coursework for clients	K-1314-84	$7,000.00
Community After School Program	Tutoring Program	K-1314-85	$10,000.00
Total Amount			**$150,000.00**

K-1314-78

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 12th day of November, 2013, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Mary Abbott Children's House**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$7,150.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Training and travel.**

Board Secretary

Board President

Approved as to form and legality this 30 day of Oct 2013.

City Attorney

Approved by the City Council of the City of Norman this 12th day of November, 2013.

ATTEST:

City Clerk

Mayor

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

September 30, 2013

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 30th day of September, 2013, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Teresa Capps, Diana Hartley, Denise Millar, Pam Normile and Chris Porter
ABSENT:	Commissioners Brian Burk and Cody Ponder
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE SEPTEMBER 30, 2013, MEETING.

Commissioner Normile moved that the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Hartley; and the question being upon approving the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 23, 2013.

Commissioner Normile moved that the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 23, 2013

and the question being upon approving the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

CONSIDERATION OF APPLICATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

NAIC	$13,200.00
Among Friends Activity Center, Inc.	$ 4,250.00
Meals on Wheels of Norman, Inc.	$ 5,000.00
Transition House, Inc.	$10,000.00
Center for Children and Families	$15,000.00
Food and Shelter for Friends	$27,500.00
Aging Services, Inc.	$ 4,000.00
Food for Thought Learning Institute	$ 4,200.00
Bethesda, Inc.	$ 5,000.00
Mary Abbott Children's House	$ 7,150.00
Full Circle Life Enrichment Center	$ 3,500.00
Community Services Building, Inc.	$15,000.00
East Main Place, Inc.	$ 5,000.00
Women's Resource Center, Inc.	$ 4,000.00
HeartLine, Inc.	$ 3000.00
The Salvation Army	$ 7,000.00
Community after School Program	$10,000.00

which motion was duly seconded by Commissioner Porter; and the question being upon recommending the selected agencies for funding, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the selected agencies will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

Commissioner Millar moved that Bridges, Inc. be recommended for funding in the amount of $7,200; which motion was duly seconded by Commissioner Normile; and the question being upon recommending Bridges, Inc. in the amount of $7,200.00 for funding, a vote was taken with the following result:

YEAS:	Commissioners Capps, Millar, Normile and Porter
NAYES:	None
ABSTAIN:	Commissioner Hartley

The Chair declared the motion carried; and Bridges, Inc. will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

No discussion.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the September 30, 2013, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar;

and the question being upon adjourning the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the September 30, 2013, meeting of the Social and Voluntary Services Commission was adjourned at 8:30 p.m.

* * * * *

P U R C H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 238388
DATE: 10/02/13

VENDOR #
1016

MARY ABBOTT CHILDREN'S HOUSE
PO BOX 6316
NORMAN, OK 73070

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/30/13	BEST WAY	DESTINATION	NET/30

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	224213	10/01/13

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE CONTRIBUTION	7150.0000	7150.00
				SUB-TOTAL	7150.00
				TOTAL	7150.00

City of Norman, OK

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

Master

File Number: K-1314-79

File ID:	K-1314-79	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 32	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$3,500.00	**File Created:**	10/18/2013
File Name:	SVSC Contract Full Circle			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $3,500 AND ENTER INTO CONTRACT NO. K-1314-79 WITH FULL CIRCLE SENIOR ADULT DAY CENTER, INC.

Notes: ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $3,500 from Full Circle Senior Adult Day Center, Inc., and Contract No. K-1314-79; and, if approved, authorize the execution thereof and direct payment in the amount of $3,500 to Full Circle Senior Adult Day Center, Inc.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 32

Attachments: Text File K-1314-79 Full circle.pdf, SVSC Funding Requests 2013 2014.pdf, K-1314-79 Full Circle.pdf, SVSC Minutes September 30.pdf, PO Full circle.pdf, Funding Request Full Circle.pdf

Project Manager: Carol Coles, Admnistrative Assistant

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-79

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2013-2014 City of Norman budget adopted on June 11, 2013.

DISCUSSION: On September 23, 2013, the Social and Voluntary Services Commission (SVSC) heard presentations from 21 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and

staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 18 of the agencies would be recommended for funding to the Norman City Council at the November 12, 2013 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (account 010-1087-411-4741).

SVSC Funding Request 2013/2014

Organization	Purpose of Request	Contract No.	Funded
NAIC	Health records, partnership with Norman Public Schools	K-1314-68	$13,200.00
Among Friends Activity Center, Inc.	Healthy Client meals	K-1314-69	$4,250.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1314-70	$5,000.00
Transition House	Housing Assistance, utilities and food	K-1314-71	$10,000.00
Bridges	Student's Utility Bills	K-1314-72	$7,200.00
Center for Children and Families	Program materials, updated curriculum and nutritious snacks	K-1314-73	$15,000.00
Food and Shelter for Friends	Utility, operational costs, case management & winter shelter	K-1314-74	$27,500.00
Aging Services	Special Assistance Program and Food Pantry	K-1314-75	$4,000.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1314-76	$4,200.00
Bethesda, Inc.	Therapist/Counselor - Support Staff	K-1314-77	$5,000.00
Mary Abbott Children's House	Training and travel	K-1314-78	$7,150.00
Full Circle Life Enrichment Center	Computers and OSBI background checks	K-1314-79	$3,500.00
Community Services Building	Upgrade to entry and restrooms in B wing	K-1314-80	$15,000.00
East Main Place	Large lawn mower and commercial weed eater	K-1314-81	$5,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1314-82	$4,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1314-83	$3,000.00
The Salvation Army	Utilities, Food, Supplies and Coursework for clients	K-1314-84	$7,000.00
Community After School Program	Tutoring Program	K-1314-85	$10,000.00
Total Amount			**$150,000.00**

K-1314-79

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 12th day of November, 2013, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Full Circle Senior Adult Day Center**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$3,500.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **computers and OSBI background checks.**

Mary S. Buell
Board Secretary

Board President

Approved as to form and legality this 30 day of Oct. 2013.

City Attorney

Approved by the City Council of the City of Norman this 12th day of November, 2013.

ATTEST:

City Clerk

Mayor

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

September 30, 2013

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 30th day of September, 2013, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Teresa Capps, Diana Hartley, Denise Millar, Pam Normile and Chris Porter
ABSENT:	Commissioners Brian Burk and Cody Ponder
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE SEPTEMBER 30, 2013, MEETING.

Commissioner Normile moved that the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Hartley; and the question being upon approving the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 23, 2013.

Commissioner Normile moved that the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 23, 2013

and the question being upon approving the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

CONSIDERATION OF APPLICATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

NAIC	$13,200.00
Among Friends Activity Center, Inc.	$ 4,250.00
Meals on Wheels of Norman, Inc.	$ 5,000.00
Transition House, Inc.	$10,000.00
Center for Children and Families	$15,000.00
Food and Shelter for Friends	$27,500.00
Aging Services, Inc.	$ 4,000.00
Food for Thought Learning Institute	$ 4,200.00
Bethesda, Inc.	$ 5,000.00
Mary Abbott Children's House	$ 7,150.00
Full Circle Life Enrichment Center	$ 3,500.00
Community Services Building, Inc.	$15,000.00
East Main Place, Inc.	$ 5,000.00
Women's Resource Center, Inc.	$ 4,000.00
HeartLine, Inc.	$ 3000.00
The Salvation Army	$ 7,000.00
Community after School Program	$10,000.00

which motion was duly seconded by Commissioner Porter; and the question being upon recommending the selected agencies for funding, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the selected agencies will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

Commissioner Millar moved that Bridges, Inc. be recommended for funding in the amount of $7,200; which motion was duly seconded by Commissioner Normile; and the question being upon recommending Bridges, Inc. in the amount of $7,200.00 for funding, a vote was taken with the following result:

YEAS:	Commissioners Capps, Millar, Normile and Porter
NAYES:	None
ABSTAIN:	Commissioner Hartley

The Chair declared the motion carried; and Bridges, Inc. will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

No discussion.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the September 30, 2013, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar;

and the question being upon adjourning the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the September 30, 2013, meeting of the Social and Voluntary Services Commission was adjourned at 8:30 p.m.

* * * * *

P U R C.H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 238389
DATE: 10/02/13

VENDOR #
6324

FULL CIRCLE SENIOR ADULT DAY CENTER
1304 E LINDSAY PLAZA DR
NORMAN, OK 73071

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/30/13	BEST WAY	DESTINATION	NET/30

CONFIRM BY
JUDY ADM ASST

FREIGHT

ACCOUNT NO.
01010874114741

REQUISITIONED BY
COLES,C

REQ. NO.
224214

REQ. DATE
10/01/13

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE CONTRIBUTION	3500.0000	3500.00
				SUB-TOTAL	3500.00
				TOTAL	3500.00

City of Norman, OK

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

Master

File Number: K-1314-80

File ID:	K-1314-80	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 33	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$15,000.00	**File Created:**	10/18/2013
File Name:	SVSC Contract with CSBI			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $15,000 AND ENTER INTO CONTRACT NO. K-1314-80 WITH COMMUNITY SERVICES BUILDING, INC.

Notes: ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $15,000 from Community Services Building, Inc.,and Contract No. K-1314-80; and, if approved, authorize the execution thereof and direct payment in the amount of $15,000 to Community Services Building, Inc.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 33

Attachments: Text File K-1314-80 CSBI.pdf, SVSC Funding Requests 2013 2014.pdf, K-1314-80 CSBI.pdf, SVSC Minutes September 30.pdf, PO CSBI.pdf, Funding Request CSBI.pdf

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-80

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2013-2014 City of Norman budget adopted on June 11, 2013.

DISCUSSION: On September 23, 2013, the Social and Voluntary Services Commission (SVSC) heard presentations from 21 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 18 of the agencies would be recommended for funding to the Norman City Council at the November 12, 2013 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (account 010-1087-411-4741).

SVSC Funding Request 2013/2014

Organization	Purpose of Request	Contract No.	Funded
NAIC	Health records, partnership with Norman Public Schools	K-1314-68	$13,200.00
Among Friends Activity Center, Inc.	Healthy Client meals	K-1314-69	$4,250.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1314-70	$5,000.00
Transition House	Housing Assistance, utilities and food	K-1314-71	$10,000.00
Bridges	Student's Utility Bills	K-1314-72	$7,200.00
Center for Children and Families	Program materials, updated curriculum and nutritious snacks	K-1314-73	$15,000.00
Food and Shelter for Friends	Utility, operational costs, case management & winter shelter	K-1314-74	$27,500.00
Aging Services	Special Assistance Program and Food Pantry	K-1314-75	$4,000.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1314-76	$4,200.00
Bethesda, Inc.	Therapist/Counselor - Support Staff	K-1314-77	$5,000.00
Mary Abbott Children's House	Training and travel	K-1314-78	$7,150.00
Full Circle Life Enrichment Center	Computers and OSBI background checks	K-1314-79	$3,500.00
Community Services Building	Upgrade to entry and restrooms in B wing	K-1314-80	$15,000.00
East Main Place	Large lawn mower and commercial weed eater	K-1314-81	$5,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1314-82	$4,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1314-83	$3,000.00
The Salvation Army	Utilities, Food, Supplies and Coursework for clients	K-1314-84	$7,000.00
Community After School Program	Tutoring Program	K-1314-85	$10,000.00
Total Amount			**$150,000.00**

K-1314-80

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 12th day of November, 2013, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Community Services Building, Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$15,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Upgrade to entry and restrooms in B wing.**

Board Secretary

Board President

Approved as to form and legality this 30 day of Oct, 2013.

City Attorney

Approved by the City Council of the City of Norman this 12th day of November, 2013.

ATTEST:

City Clerk

Mayor

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

September 30, 2013

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 30th day of September, 2013, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Teresa Capps, Diana Hartley, Denise Millar, Pam Normile and Chris Porter
ABSENT:	Commissioners Brian Burk and Cody Ponder
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE SEPTEMBER 30, 2013, MEETING.

Commissioner Normile moved that the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Hartley; and the question being upon approving the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 23, 2013.

Commissioner Normile moved that the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 23, 2013

and the question being upon approving the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

CONSIDERATION OF APPLICATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

NAIC	$13,200.00
Among Friends Activity Center, Inc.	$ 4,250.00
Meals on Wheels of Norman, Inc.	$ 5,000.00
Transition House, Inc.	$10,000.00
Center for Children and Families	$15,000.00
Food and Shelter for Friends	$27,500.00
Aging Services, Inc.	$ 4,000.00
Food for Thought Learning Institute	$ 4,200.00
Bethesda, Inc.	$ 5,000.00
Mary Abbott Children's House	$ 7,150.00
Full Circle Life Enrichment Center	$ 3,500.00
Community Services Building, Inc.	$15,000.00
East Main Place, Inc.	$ 5,000.00
Women's Resource Center, Inc.	$ 4,000.00
HeartLine, Inc.	$ 3000.00
The Salvation Army	$ 7,000.00
Community after School Program	$10,000.00

which motion was duly seconded by Commissioner Porter; and the question being upon recommending the selected agencies for funding, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the selected agencies will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

Commissioner Millar moved that Bridges, Inc. be recommended for funding in the amount of $7,200; which motion was duly seconded by Commissioner Normile; and the question being upon recommending Bridges, Inc. in the amount of $7,200.00 for funding, a vote was taken with the following result:

YEAS:	Commissioners Capps, Millar, Normile and Porter
NAYES:	None
ABSTAIN:	Commissioner Hartley

The Chair declared the motion carried; and Bridges, Inc. will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

No discussion.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the September 30, 2013, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar;

and the question being upon adjourning the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the September 30, 2013, meeting of the Social and Voluntary Services Commission was adjourned at 8:30 p.m.

* * * * *

P U R C.H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 238390
DATE: 10/02/13

VENDOR #
6323

COMMUNITY SERVICES BUILIDNG IN
1183 EAST MAIN
NORMAN, OK 73071

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/30/13	BEST WAY	DESTINATION	NET

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	224215	10/01/13

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE CONTRIBUTION	15000.0000	15000.00
				SUB-TOTAL	15000.00
				TOTAL	15000.00

City of Norman, OK

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

Master

File Number: K-1314-81

File ID:	K-1314-81	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 34	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$5,000.00	**File Created:**	10/18/2013
File Name:	SVSC Contract with East Main Place			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $5,000 AND ENTER INTO CONTRACT NO. K-1314-81 WITH EAST MAIN PLACE, INC..

Notes: ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,000 from East Main Place, Inc., and Contract No. K-1314-81; and, if approved, authorize the execution thereof and direct payment in the amount of $5,000 to East Main Place, Inc.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 34

Attachments: Text File K-1314-81 EMP.pdf, SVSC Funding Requests 2013 2014.pdf, K-1314-81.pdf, SVSC Minutes September 30.pdf, PO East Main Place.pdf, Funding Request Full Circle.pdf

Project Manager: Carol Coles, Adminstrative Assistant

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-81

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2013-2014 City of Norman budget adopted on June 11, 2013.

DISCUSSION: On September 23, 2013, the Social and Voluntary Services Commission (SVSC) heard presentations from 21 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 18 of the agencies would be recommended for funding to the Norman City Council at the November 12, 2013 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (account 010-1087-411-4741).

SVSC Funding Request 2013/2014

Organization	Purpose of Request	Contract No.	Funded
NAIC	Health records, partnership with Norman Public Schools	K-1314-68	$13,200.00
Among Friends Activity Center, Inc.	Healthy Client meals	K-1314-69	$4,250.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1314-70	$5,000.00
Transition House	Housing Assistance, utilities and food	K-1314-71	$10,000.00
Bridges	Student's Utility Bills	K-1314-72	$7,200.00
Center for Children and Families	Program materials, updated curriculum and nutritious snacks	K-1314-73	$15,000.00
Food and Shelter for Friends	Utility, operational costs, case management & winter shelter	K-1314-74	$27,500.00
Aging Services	Special Assistance Program and Food Pantry	K-1314-75	$4,000.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1314-76	$4,200.00
Bethesda, Inc.	Therapist/Counselor - Support Staff	K-1314-77	$5,000.00
Mary Abbott Children's House	Training and travel	K-1314-78	$7,150.00
Full Circle Life Enrichment Center	Computers and OSBI background checks	K-1314-79	$3,500.00
Community Services Building	Upgrade to entry and restrooms in B wing	K-1314-80	$15,000.00
East Main Place	Large lawn mower and commercial weed eater	K-1314-81	$5,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1314-82	$4,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1314-83	$3,000.00
The Salvation Army	Utilities, Food, Supplies and Coursework for clients	K-1314-84	$7,000.00
Community After School Program	Tutoring Program	K-1314-85	$10,000.00
Total Amount			**$150,000.00**

K-1314-81

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 12th day of November, 2013, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **East Main Place, Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$5,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Large lawn mower and commercial weed eater.**

Board Secretary

Board President

Approved as to form and legality this 30 day of Oct, 2013.

City Attorney

Approved by the City Council of the City of Norman this 12th day of November, 2013.

ATTEST:

City Clerk

Mayor

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

September 30, 2013

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 30th day of September, 2013, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Teresa Capps, Diana Hartley, Denise Millar, Pam Normile and Chris Porter
ABSENT:	Commissioners Brian Burk and Cody Ponder
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE SEPTEMBER 30, 2013, MEETING.

Commissioner Normile moved that the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Hartley; and the question being upon approving the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 23, 2013.

Commissioner Normile moved that the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 23, 2013

and the question being upon approving the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

CONSIDERATION OF APPLICATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

NAIC	$13,200.00
Among Friends Activity Center, Inc.	$ 4,250.00
Meals on Wheels of Norman, Inc.	$ 5,000.00
Transition House, Inc.	$10,000.00
Center for Children and Families	$15,000.00
Food and Shelter for Friends	$27,500.00
Aging Services, Inc.	$ 4,000.00
Food for Thought Learning Institute	$ 4,200.00
Bethesda, Inc.	$ 5,000.00
Mary Abbott Children's House	$ 7,150.00
Full Circle Life Enrichment Center	$ 3,500.00
Community Services Building, Inc.	$15,000.00
East Main Place, Inc.	$ 5,000.00
Women's Resource Center, Inc.	$ 4,000.00
HeartLine, Inc.	$ 3000.00
The Salvation Army	$ 7,000.00
Community after School Program	$10,000.00

which motion was duly seconded by Commissioner Porter; and the question being upon recommending the selected agencies for funding, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the selected agencies will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

Commissioner Millar moved that Bridges, Inc. be recommended for funding in the amount of $7,200; which motion was duly seconded by Commissioner Normile; and the question being upon recommending Bridges, Inc. in the amount of $7,200.00 for funding, a vote was taken with the following result:

YEAS:	Commissioners Capps, Millar, Normile and Porter
NAYES:	None
ABSTAIN:	Commissioner Hartley

The Chair declared the motion carried; and Bridges, Inc. will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

No discussion.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the September 30, 2013, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar;

and the question being upon adjourning the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the September 30, 2013, meeting of the Social and Voluntary Services Commission was adjourned at 8:30 p.m.

* * * * *

P U R C.H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 238391
DATE: 10/02/13

VENDOR #
3410

EAST MAIN PLACE
1100 EAST MAIN STREET
NORMAN, OK 73071

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/30/13	BEST WAY	DESTINATION	NET/30

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	224216	10/01/13

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE CONTRIBUTION	5000.0000	5000.00
				SUB-TOTAL	5000.00
				TOTAL	5000.00

City of Norman, OK

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

Master

File Number: K-1314-82

File ID:	K-1314-82	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 35	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$4,000.00	**File Created:**	10/18/2013
File Name:	SVSC to Women's Resource Center			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $4,000 AND ENTER INTO CONTRACT NO. K-1314-82 WITH THE WOMEN'S RESOURCE CENTER, INC.

Notes: ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $4,000 from the Women's Resource Center, Inc., and Contract No. K-1314-82; and, if approved, authorize the execution thereof and direct payment in the amount of $4,000 to the Women's Resource Center, Inc.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 35

Attachments: Text File K-1314-82 WRC.pdf, SVSC Funding Requests 2013 2014.pdf, K-1314-82 WRC.pdf, SVSC Minutes September 30.pdf, PO WRC.pdf, Funding Request WRC.pdf

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-82

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2013-2014 City of Norman budget adopted on June 11, 2013.

DISCUSSION: On September 23, 2013, the Social and Voluntary Services Commission (SVSC) heard presentations from 21 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 18 of the agencies would be recommended for funding to the Norman City Council at the November 12, 2013 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (account 010-1087-411-4741).

SVSC Funding Request 2013/2014

Organization	Purpose of Request	Contract No.	Funded
NAIC	Health records, partnership with Norman Public Schools	K-1314-68	$13,200.00
Among Friends Activity Center, Inc.	Healthy Client meals	K-1314-69	$4,250.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1314-70	$5,000.00
Transition House	Housing Assistance, utilities and food	K-1314-71	$10,000.00
Bridges	Student's Utility Bills	K-1314-72	$7,200.00
Center for Children and Families	Program materials, updated curriculum and nutritious snacks	K-1314-73	$15,000.00
Food and Shelter for Friends	Utility, operational costs, case management & winter shelter	K-1314-74	$27,500.00
Aging Services	Special Assistance Program and Food Pantry	K-1314-75	$4,000.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1314-76	$4,200.00
Bethesda, Inc.	Therapist/Counselor - Support Staff	K-1314-77	$5,000.00
Mary Abbott Children's House	Training and travel	K-1314-78	$7,150.00
Full Circle Life Enrichment Center	Computers and OSBI background checks	K-1314-79	$3,500.00
Community Services Building	Upgrade to entry and restrooms in B wing	K-1314-80	$15,000.00
East Main Place	Large lawn mower and commercial weed eater	K-1314-81	$5,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1314-82	$4,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1314-83	$3,000.00
The Salvation Army	Utilities, Food, Supplies and Coursework for clients	K-1314-84	$7,000.00
Community After School Program	Tutoring Program	K-1314-85	$10,000.00
Total Amount			**$150,000.00**

K-1314-82

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 12th day of November, 2013, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Women's Resource Center, Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$4,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Assistance with groceries.**

Board Secretary

Board President

Approved as to form and legality this 30 day of Oct, 2013.

City Attorney

Approved by the City Council of the City of Norman this 12th day of November, 2013.

ATTEST:

City Clerk

Mayor

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

September 30, 2013

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 30th day of September, 2013, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Teresa Capps, Diana Hartley, Denise Millar, Pam Normile and Chris Porter
ABSENT:	Commissioners Brian Burk and Cody Ponder
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE SEPTEMBER 30, 2013, MEETING.

Commissioner Normile moved that the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Hartley; and the question being upon approving the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 23, 2013.

Commissioner Normile moved that the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 23, 2013

and the question being upon approving the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

CONSIDERATION OF APPLICATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

NAIC	$13,200.00
Among Friends Activity Center, Inc.	$ 4,250.00
Meals on Wheels of Norman, Inc.	$ 5,000.00
Transition House, Inc.	$10,000.00
Center for Children and Families	$15,000.00
Food and Shelter for Friends	$27,500.00
Aging Services, Inc.	$ 4,000.00
Food for Thought Learning Institute	$ 4,200.00
Bethesda, Inc.	$ 5,000.00
Mary Abbott Children's House	$ 7,150.00
Full Circle Life Enrichment Center	$ 3,500.00
Community Services Building, Inc.	$15,000.00
East Main Place, Inc.	$ 5,000.00
Women's Resource Center, Inc.	$ 4,000.00
HeartLine, Inc.	$ 3000.00
The Salvation Army	$ 7,000.00
Community after School Program	$10,000.00

which motion was duly seconded by Commissioner Porter; and the question being upon recommending the selected agencies for funding, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the selected agencies will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

Commissioner Millar moved that Bridges, Inc. be recommended for funding in the amount of $7,200; which motion was duly seconded by Commissioner Normile; and the question being upon recommending Bridges, Inc. in the amount of $7,200.00 for funding, a vote was taken with the following result:

YEAS: Commissioners Capps, Millar, Normile and Porter

NAYES: None

ABSTAIN: Commissioner Hartley

The Chair declared the motion carried; and Bridges, Inc. will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

No discussion.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the September 30, 2013, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar;

and the question being upon adjourning the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the September 30, 2013, meeting of the Social and Voluntary Services Commission was adjourned at 8:30 p.m.

* * * * *

P U R C.H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 238392
DATE: 10/02/13

VENDOR #
2257

WOMEN'S RESOURCE CENTER INC
PO BOX 5089
NORMAN, OK 73070

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/30/13	BEST WAY	DESTINATION	NET/30

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	224217	10/01/13

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE CONTRIBUTION	4000.0000	4000.00
				SUB-TOTAL	4000.00
				TOTAL	4000.00

City of Norman, OK

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

Master

File Number: K-1314-83

File ID:	K-1314-83	**Type:**	Contract	**Status:**	ATS Paused
Version:	1	**Reference:**	Item No. 36	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$3,000.00	**File Created:**	10/18/2013
File Name:	SVSC Contract with HeartLine			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $3,000 AND ENTER INTO CONTRACT NO. K-1314-83 WITH HEARTLINE, INC.

Notes: ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $3,000 from HeartLine, Inc., and Contract No. K-1314-83; and, if approved, authorize the execution thereof and direct payment in the amount of $3,000 to HeartLine, Inc.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 36

Attachments: Text File K-1314-83 HeartLine.pdf, SVSC Funding Requests 2013 2014.pdf, K-1314-83 HeartLine.pdf, SVSC Minutes September 30.pdf, PO HeartLine.pdf, Funding Request HeartLine.pdf

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-83

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2013-2014 City of Norman budget adopted on June 11, 2013.

DISCUSSION: On September 23, 2013, the Social and Voluntary Services Commission (SVSC) heard presentations from 21 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 18 of the agencies would be

recommended for funding to the Norman City Council at the November 12, 2013 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (Account 010-1087-411-4741).

SVSC Funding Request 2013/2014

Organization	Purpose of Request	Contract No.	Funded
NAIC	Health records, partnership with Norman Public Schools	K-1314-68	$13,200.00
Among Friends Activity Center, Inc.	Healthy Client meals	K-1314-69	$4,250.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1314-70	$5,000.00
Transition House	Housing Assistance, utilities and food	K-1314-71	$10,000.00
Bridges	Student's Utility Bills	K-1314-72	$7,200.00
Center for Children and Families	Program materials, updated curriculum and nutritious snacks	K-1314-73	$15,000.00
Food and Shelter for Friends	Utility, operational costs, case management & winter shelter	K-1314-74	$27,500.00
Aging Services	Special Assistance Program and Food Pantry	K-1314-75	$4,000.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1314-76	$4,200.00
Bethesda, Inc.	Therapist/Counselor - Support Staff	K-1314-77	$5,000.00
Mary Abbott Children's House	Training and travel	K-1314-78	$7,150.00
Full Circle Life Enrichment Center	Computers and OSBI background checks	K-1314-79	$3,500.00
Community Services Building	Upgrade to entry and restrooms in B wing	K-1314-80	$15,000.00
East Main Place	Large lawn mower and commercial weed eater	K-1314-81	$5,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1314-82	$4,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1314-83	$3,000.00
The Salvation Army	Utilities, Food, Supplies and Coursework for clients	K-1314-84	$7,000.00
Community After School Program	Tutoring Program	K-1314-85	$10,000.00
Total Amount			**$150,000.00**

K-1314-83

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 12th day of November, 2013, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **HeartLine, Inc.**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$3,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Support increased staffing costs due to call volume.**

Board Secretary

Board President

Approved as to form and legality this 30 day of Oct, 2013.

City Attorney

Approved by the City Council of the City of Norman this 12th day of November, 2013.

ATTEST:

City Clerk

Mayor

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

September 30, 2013

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 30th day of September, 2013, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Teresa Capps, Diana Hartley, Denise Millar, Pam Normile and Chris Porter
ABSENT:	Commissioners Brian Burk and Cody Ponder
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE SEPTEMBER 30, 2013, MEETING.

Commissioner Normile moved that the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Hartley; and the question being upon approving the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 23, 2013.

Commissioner Normile moved that the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 23, 2013

and the question being upon approving the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

CONSIDERATION OF APPLICATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

NAIC	$13,200.00
Among Friends Activity Center, Inc.	$ 4,250.00
Meals on Wheels of Norman, Inc.	$ 5,000.00
Transition House, Inc.	$10,000.00
Center for Children and Families	$15,000.00
Food and Shelter for Friends	$27,500.00
Aging Services, Inc.	$ 4,000.00
Food for Thought Learning Institute	$ 4,200.00
Bethesda, Inc.	$ 5,000.00
Mary Abbott Children's House	$ 7,150.00
Full Circle Life Enrichment Center	$ 3,500.00
Community Services Building, Inc.	$15,000.00
East Main Place, Inc.	$ 5,000.00
Women's Resource Center, Inc.	$ 4,000.00
HeartLine, Inc.	$ 3000.00
The Salvation Army	$ 7,000.00
Community after School Program	$10,000.00

which motion was duly seconded by Commissioner Porter; and the question being upon recommending the selected agencies for funding, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the selected agencies will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

Commissioner Millar moved that Bridges, Inc. be recommended for funding in the amount of $7,200; which motion was duly seconded by Commissioner Normile; and the question being upon recommending Bridges, Inc. in the amount of $7,200.00 for funding, a vote was taken with the following result:

YEAS: Commissioners Capps, Millar, Normile and Porter

NAYES: None

ABSTAIN: Commissioner Hartley

The Chair declared the motion carried; and Bridges, Inc. will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

No discussion.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the September 30, 2013, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar;

and the question being upon adjourning the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the September 30, 2013, meeting of the Social and Voluntary Services Commission was adjourned at 8:30 p.m.

* * * * *

P U R C H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 238393
DATE: 10/02/13

VENDOR #
10398

HEARTLINE INC
P O BOX 12832
OKLAHOMA CITY, OK 73157

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/30/13	BEST WAY	DESTINATION	NET

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	224218	10/01/13

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVCIE CONTRIBUTION	3000.0000	3000.00
				SUB-TOTAL	3000.00
				TOTAL	3000.00

City of Norman, OK

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

Master

File Number: K-1314-84

File ID:	K-1314-84	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 37	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$7,000.00	**File Created:**	10/18/2013
File Name:	SVSC Contract with Salvation Army			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $7,000 AND ENTER INTO CONTRACT NO. K-1314-84 WITH THE SALVATION ARMY, A GEORGIA CORPORATION.

Notes: ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $7,000 from the Salvation Army, a Georgia Corporation, and Contract No. K-1314-84; and, if approved, authorize the execution thereof and direct payment in the amount of $7,000 to the Salvation Army, a Georgia Corporation.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 37

Attachments: Text File K-1314-84 Salvation Army.pdf, SVSC Funding Requests 2013 2014.pdf, K-1314-84 Salvation Army.pdf, SVSC Minutes September 30.pdf, PO Salvation Army.pdf, Funding Request Salvation Army.pdf

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-84

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2013-2014 City of Norman budget adopted on June 11, 2013.

DISCUSSION: On September 23, 2013, the Social and Voluntary Services Commission (SVSC) heard presentations from 21 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and

staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 18 of the agencies would be recommended for funding to the Norman City Council at the November 12, 2013 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (account 010-1087-411-4741).

SVSC Funding Request 2013/2014

Organization	Purpose of Request	Contract No.	Funded
NAIC	Health records, partnership with Norman Public Schools	K-1314-68	$13,200.00
Among Friends Activity Center, Inc.	Healthy Client meals	K-1314-69	$4,250.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1314-70	$5,000.00
Transition House	Housing Assistance, utilities and food	K-1314-71	$10,000.00
Bridges	Student's Utility Bills	K-1314-72	$7,200.00
Center for Children and Families	Program materials, updated curriculum and nutritious snacks	K-1314-73	$15,000.00
Food and Shelter for Friends	Utility, operational costs, case management & winter shelter	K-1314-74	$27,500.00
Aging Services	Special Assistance Program and Food Pantry	K-1314-75	$4,000.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1314-76	$4,200.00
Bethesda, Inc.	Therapist/Counselor - Support Staff	K-1314-77	$5,000.00
Mary Abbott Children's House	Training and travel	K-1314-78	$7,150.00
Full Circle Life Enrichment Center	Computers and OSBI background checks	K-1314-79	$3,500.00
Community Services Building	Upgrade to entry and restrooms in B wing	K-1314-80	$15,000.00
East Main Place	Large lawn mower and commercial weed eater	K-1314-81	$5,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1314-82	$4,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1314-83	$3,000.00
The Salvation Army	Utilities, Food, Supplies and Coursework for clients	K-1314-84	$7,000.00
Community After School Program	Tutoring Program	K-1314-85	$10,000.00
Total Amount			**$150,000.00**

K-1314-84

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 12th day of November, 2013, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **The Salvation Army**, a Georgia Corporation, for Norman, Okla., party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$7,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Utilities, food, supplies and coursework for clients.**

THE SALVATION ARMY, A GEORGIA CORPORATION

Board Secretary
LARRY W. BROOME

Board President
TREASURER
SAM HENRY

Approved as to form and legality this 4th day of November, 2013.

City Attorney

Approved by the City Council of the City of Norman this 12th day of November, 2013.

ATTEST:

City Clerk

Mayor

THE SALVATION ARMY POLICY STATEMENT
ON RELATIONSHIPS WITH OTHER GROUPS AND ORGANIZATIONS

The Salvation Army in the United States works cooperatively with many groups — governmental, social service, civic, religious, business, humanitarian, educational, health, character building, and other groups — in the pursuit of its mission to preach the Christian Gospel and meet human need.

Any agency, governmental or private, which enters into a contractual or cooperative relationship with The Salvation Army should be advised that:

1. The Salvation Army is an international religious and charitable movement, organized and operated on a quasi-military pattern, and is a branch of the Christian church.

2. All programs of The Salvation Army are administered by Salvation Army Officers, who are ministers of the Gospel.

3. The motivation of the organization is love of God and a practical concern for the needs of humanity.

4. The Salvation Army's provision of food, shelter, health services, counseling, and other physical, social, emotional, psychological and spiritual aid, is given on the basis of need, available resources and established program policies.

Organizations contracting and/or cooperating with The Salvation Army may be assured that because The Salvation Army is rooted in Christian compassion and is governed by Judeo-Christian ethics, The Salvation Army will strictly observe all provisions of its contracts and agreements.

Commissioners Conference:
May 1996

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

September 30, 2013

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 30th day of September, 2013, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Teresa Capps, Diana Hartley, Denise Millar, Pam Normile and Chris Porter
ABSENT:	Commissioners Brian Burk and Cody Ponder
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE SEPTEMBER 30, 2013, MEETING.

Commissioner Normile moved that the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Hartley; and the question being upon approving the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 23, 2013.

Commissioner Normile moved that the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 23, 2013

and the question being upon approving the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

CONSIDERATION OF APPLICATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

NAIC	$13,200.00
Among Friends Activity Center, Inc.	$ 4,250.00
Meals on Wheels of Norman, Inc.	$ 5,000.00
Transition House, Inc.	$10,000.00
Center for Children and Families	$15,000.00
Food and Shelter for Friends	$27,500.00
Aging Services, Inc.	$ 4,000.00
Food for Thought Learning Institute	$ 4,200.00
Bethesda, Inc.	$ 5,000.00
Mary Abbott Children's House	$ 7,150.00
Full Circle Life Enrichment Center	$ 3,500.00
Community Services Building, Inc.	$15,000.00
East Main Place, Inc.	$ 5,000.00
Women's Resource Center, Inc.	$ 4,000.00
HeartLine, Inc.	$ 3000.00
The Salvation Army	$ 7,000.00
Community after School Program	$10,000.00

which motion was duly seconded by Commissioner Porter; and the question being upon recommending the selected agencies for funding, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the selected agencies will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

Commissioner Millar moved that Bridges, Inc. be recommended for funding in the amount of $7,200; which motion was duly seconded by Commissioner Normile; and the question being upon recommending Bridges, Inc. in the amount of $7,200.00 for funding, a vote was taken with the following result:

YEAS: Commissioners Capps, Millar, Normile and Porter

NAYES: None

ABSTAIN: Commissioner Hartley

The Chair declared the motion carried; and Bridges, Inc. will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

No discussion.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the September 30, 2013, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar;

and the question being upon adjourning the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the September 30, 2013, meeting of the Social and Voluntary Services Commission was adjourned at 8:30 p.m.

* * * * *

PURCHASE ORDER

PAGE: 1

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 238394
DATE: 10/02/13

VENDOR #
3459

SALVATION ARMY, THE
318 EAST HAYES
NORMAN, OK 73070

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/30/13	BEST WAY	DESTINATION	NET/30

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	224219	10/01/13

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE CONTRIBUTION	7000.0000	7000.00
				SUB-TOTAL	7000.00
				TOTAL	7000.00

City of Norman, OK

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

Master

File Number: K-1314-85

File ID:	K-1314-85	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 38	**In Control:**	City Council
Department:	City Manager Department	**Cost:**	$10,000.00	**File Created:**	10/18/2013
File Name:	SVSC Contract with Community After School Program			**Final Action:**	

Title: CONSIDERATION OF A RECOMMENDATION FROM THE SOCIAL AND VOLUNTARY SERVICES COMMISSION TO APPROVE A REQUEST FOR FUNDING IN THE AMOUNT OF $10,000 AND ENTER INTO CONTRACT NO. K-1314-85 WITH THE COMMUNITY AFTER SCHOOL PROGRAM.

Notes: ACTION TAKEN: Motion to approve or reject the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $10,000 from the Community After School Program and Contract No. K-1314-85; and, if approved, authorize the execution thereof and direct payment in the amount of $10,000 to the Community After School Program.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 38

Attachments: Text File K-1314-85 Comm After School.pdf, SVSC Funding Requests 2013 2014.pdf, K-1314-85 Community After School.pdf, SVSC Minutes September 30.pdf, PO Community After School.pdf, Funding Request Community After School.pdf

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-85

body

BACKGROUND: Funding for social service agencies of $150,000 was established in the Fiscal Year 2013-2014 City of Norman budget adopted on June 11, 2013.

DISCUSSION: On September 23, 2013, the Social and Voluntary Services Commission (SVSC) heard presentations from 21 social service agencies who had submitted applications for funding. The application requires information regarding the overall mission of the agency, specific project for which funding is being requested, financial information including budget summary and projected budget, copy of most recent audit and copy of IRS tax exempt status letter. The application also requires a list of the current board members and

staff members of the agency.

After consideration of the applicants, the SVSC Commission determined that 18 of the agencies would be recommended for funding to the Norman City Council at the November 12, 2013 meeting (see attached spreadsheet). Each of these agencies, if funded, will be visited a minimum of once during the fiscal year by Commission members. The members will visit each workplace and meet with agency staff. They inquire about future trends, what special challenges are ahead for the organization and how partnerships with others doing work in this field can be established. They evaluate and form an overall impression of the organization as well as determine contract compliance.

Teresa Capps, Social and Voluntary Services Commission Chair, will be in attendance at the City Council meeting to address any questions.

RECOMMENDATION: The Social and Voluntary Services Commission recommends approval of the proposed contracts. Funds are available in Contributions (account 010-1087-411-4741).

SVSC Funding Request 2013/2014

Organization	Purpose of Request	Contract No.	Funded
NAIC	Health records, partnership with Norman Public Schools	K-1314-68	$13,200.00
Among Friends Activity Center, Inc.	Healthy Client meals	K-1314-69	$4,250.00
Meals on Wheels of Norman, Inc.	Free Meal Program	K-1314-70	$5,000.00
Transition House	Housing Assistance, utilities and food	K-1314-71	$10,000.00
Bridges	Student's Utility Bills	K-1314-72	$7,200.00
Center for Children and Families	Program materials, updated curriculum and nutritious snacks	K-1314-73	$15,000.00
Food and Shelter for Friends	Utility, operational costs, case management & winter shelter	K-1314-74	$27,500.00
Aging Services	Special Assistance Program and Food Pantry	K-1314-75	$4,000.00
Food for Thought Learning Institute	Fund Food Service Classes with Partnering Agencies	K-1314-76	$4,200.00
Bethesda, Inc.	Therapist/Counselor - Support Staff	K-1314-77	$5,000.00
Mary Abbott Children's House	Training and travel	K-1314-78	$7,150.00
Full Circle Life Enrichment Center	Computers and OSBI background checks	K-1314-79	$3,500.00
Community Services Building	Upgrade to entry and restrooms in B wing	K-1314-80	$15,000.00
East Main Place	Large lawn mower and commercial weed eater	K-1314-81	$5,000.00
Women's Resource Center	Groceries/Utilities/Telephone for Women's Shelter	K-1314-82	$4,000.00
HeartLine, Inc.	Support Increased Staffing Costs Due to Call Volume	K-1314-83	$3,000.00
The Salvation Army	Utilities, Food, Supplies and Coursework for clients	K-1314-84	$7,000.00
Community After School Program	Tutoring Program	K-1314-85	$10,000.00
Total Amount			**$150,000.00**

K-1314-85

FUND DISBURSEMENT AGREEMENT

This Agreement is made and entered into this 12th day of November, 2013, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "CITY" and **Community After School Program**, party of the second part, and hereinafter referred to as "THE ORGANIZATION", witnesseth:

A. WHEREAS Resolution No. R-8384-39 of the Council of The City of Norman authorizes funding for certain social service organizations operating in the City of Norman, and said funding being for the purpose of encouraging the development and existence of such organizations to provide programs and services to improve and enhance the lives of the citizens of Norman;

B. THAT IN CONSIDERATION for the performance by The Organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse upon the request of The Organization the sum of **$10,000.00** dollars for the purpose of fulfilling the covenants and conditions made by the organization as stated herein;

2. To conduct a periodic review of the operations of The Organization;

(a) Such review will consist of one scheduled review, which shall be made, in writing from site visits, as the City deems necessary.

(b) The findings of the City from the review shall be in written form and submitted to the City Manager or his designate and a copy shall also be provided The Organization.

(c) In making such reviews, the City shall include:

(1) particular appraisals as to whether performance goals as stated in this contract are being satisfactorily attained. Findings relating to expenditures of The Organization to ensure funds are being expended in a reasonable and necessary manner toward the attainment of the performance goals. Any of funds not so expended shall be unsatisfactory.

C. THAT IN CONSIDERATION for the performance of the covenants and agreements of the City as stated herein, The Organization covenants and agrees:

1. To satisfactorily attain the performance goals as set forth in this contract;

2. To expend funds granted by City in a reasonable and necessary manner toward the attainment of such performance goals.

3. To actively seek other funding sources that, in subsequent years, will replace the amount of funding that is provided in this agreement.

D. IT IS FURTHER UNDERSTOOD and agreed by both parties:

1. That in the event The Organization is dissolved, then all such funds not yet expended on the date of dissolution shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

2. That in the event the performance of The Organization is unsatisfactory, as specified herein, either in attaining performance goals or mishandling of funds then such actions shall be considered a substantial and material breach of this agreement, and any unexpended funds, from the date of notice of such breach by the City to The Organization, shall immediately revert back to the City and The Organization shall immediately deliver such unexpended funds to the City;

3. That in the event the performance of The Organization is unsatisfactory, as specified herein, in attaining performance goals, the City shall have the option to waive the minimum requirement necessary to be satisfactory. It is understood that SUCH A WAIVER BY THE CITY SHALL ONLY APPLY TO THE PARTICULAR UNSATISFACTORY REVIEW AND THAT THE MINIMUM REQUIREMENTS WILL NOT BE FOREVER WAIVED AND SUCH REQUIREMENTS SHALL APPLY IN ALL SUBSEQUENT REVIEWS.

4. That funding pursuant to this agreement by the City is for the purpose of providing funding for the time specified by this agreement WITH THE UNDERSTANDING THAT THE ORGANIZATION WILL ACTIVELY SEEK FUNDING FROM OTHER SOURCES TO BE USED IN SUBSEQUENT YEARS TO DISPLACE THE FUNDING PROVIDED IN THIS AGREEMENT.

E. IT IS FURTHER UNDERSTOOD and agreed by both parties that The Organization is a separate entity from the City and The Organization is solely responsible for its actions and that The Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, actions, loss, and expense from liability

of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with The Organization's management, operation and services.

F. THERE are no other terms, either express or implied, than those expressly stated herein, and those expressly stated in the "Performance Goals".

G. IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day first above written.

H. It is further understood and agreed that in consideration for the funds granted by the City to The Organization that they will attain the following performance goals:
Funds will be used for **Tutoring Program.**

Board Secretary

Board President

Approved as to form and legality this 30 day of Oct, 2013.

City Attorney

Approved by the City Council of the City of Norman this 12th day of November, 2013.

ATTEST:

City Clerk

Mayor

SOCIAL AND VOLUNTARY SERVICES COMMISSION MINUTES

September 30, 2013

The Social and Voluntary Services Commission met in the Study Session Room of the Municipal Building located at 201 W. Gray on the 30th day of September, 2013, at 5:30 p.m., and notice and agenda of the meeting were duly posted 24 hours prior to the beginning of the meeting.

PRESENT:	Commissioners Teresa Capps, Diana Hartley, Denise Millar, Pam Normile and Chris Porter
ABSENT:	Commissioners Brian Burk and Cody Ponder
OTHERS PRESENT:	Carol Coles, Staff

* * * * *

Item 2, being:

APPROVAL OF THE AGENDA OF THE SEPTEMBER 30, 2013, MEETING.

Commissioner Normile moved that the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Hartley; and the question being upon approving the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS:	Commissioners Capps, Hartley, Millar, Normile and Porter
NAYES:	None

The Chair declared the motion carried; and the agenda of the September 30, 2013, meeting of the Social and Voluntary Services Commission was approved.

* * * * *

Item 3, being:

APPROVAL OF THE MINUTES OF THE MEETING OF SEPTEMBER 23, 2013.

Commissioner Normile moved that the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission be approved, which motion was duly seconded by Commissioner Millar;

Item 3, continued:

Items submitted for the record:

1. Social and Voluntary Services minutes of September 23, 2013

and the question being upon approving the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the minutes of the September 23, 2013, meeting of the Social and Voluntary Services Commission were approved.

* * * *

Item 4, being:

CONSIDERATION OF APPLICATIONS FOR FUNDING.

Commissioner Normile moved that the following agencies be recommended for funding:

NAIC	$13,200.00
Among Friends Activity Center, Inc.	$ 4,250.00
Meals on Wheels of Norman, Inc.	$ 5,000.00
Transition House, Inc.	$10,000.00
Center for Children and Families	$15,000.00
Food and Shelter for Friends	$27,500.00
Aging Services, Inc.	$ 4,000.00
Food for Thought Learning Institute	$ 4,200.00
Bethesda, Inc.	$ 5,000.00
Mary Abbott Children's House	$ 7,150.00
Full Circle Life Enrichment Center	$ 3,500.00
Community Services Building, Inc.	$15,000.00
East Main Place, Inc.	$ 5,000.00
Women's Resource Center, Inc.	$ 4,000.00
HeartLine, Inc.	$ 3000.00
The Salvation Army	$ 7,000.00
Community after School Program	$10,000.00

which motion was duly seconded by Commissioner Porter; and the question being upon recommending the selected agencies for funding, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the selected agencies will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

Commissioner Millar moved that Bridges, Inc. be recommended for funding in the amount of $7,200; which motion was duly seconded by Commissioner Normile; and the question being upon recommending Bridges, Inc. in the amount of $7,200.00 for funding, a vote was taken with the following result:

YEAS: Commissioners Capps, Millar, Normile and Porter

NAYES: None

ABSTAIN: Commissioner Hartley

The Chair declared the motion carried; and Bridges, Inc. will be forwarded to City Council on November 12, 2013 with a recommendation for funding.

* * * * *

Item 5, being:

MISCELLANEOUS DISCUSSION.

No discussion.

* * * * *

Item 6, being:

ADJOURNMENT.

Commissioner Normile moved that the September 30, 2013, meeting of the Social and Voluntary Services Commission be adjourned, which motion was duly seconded by Commissioner Millar;

and the question being upon adjourning the September 30, 2013, meeting of the Social and Voluntary Services Commission, a vote was taken with the following result:

YEAS: Commissioners Capps, Hartley, Millar, Normile and Porter

NAYES: None

The Chair declared the motion carried; and the September 30, 2013, meeting of the Social and Voluntary Services Commission was adjourned at 8:30 p.m.

* * * * *

P U R C H A S E O R D E R

The City of NORMAN

INVOICE TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

P.O. #: 238395
DATE: 10/02/13

VENDOR #
471

COMMUNITY AFTER SCHOOL PROGRAM
1023 N FLOOD
NORMAN, OK 73069

SHIP TO:
City of Norman
CITY MANAGER OFFICE
201 WEST GRAY STREET
NORMAN, OK 73069

DELIVER BY:	SHIP VIA:	F.O.B.	TERMS
11/30/13	BEST WAY	DESTINATION	NET

CONFIRM BY

FREIGHT

ACCOUNT NO.	REQUISITIONED BY	REQ. NO.	REQ. DATE
01010874114741	COLES,C	224220	10/01/13

LINE#	QUANTITY	UOM	ITEM NO. AND DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00	EA	SOCIAL SERVICE CONTRIBUTION	10000.0000	10000.00
				SUB-TOTAL	10000.00
				TOTAL	10000.00

City of Norman, OK

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

Master

File Number: K-1314-88

File ID:	K-1314-88	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 39	**In Control:**	City Council
Department:	Legal Department	**Cost:**		**File Created:**	10/18/2013
File Name:	PLS Agreement			**Final Action:**	

Title: CONTRACT NO. K-1314-88: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND PIONEER LIBRARY SYSTEM FOR THE OPERATION OF NORMAN PUBLIC LIBRARY AT 225 NORTH WEBSTER AVENUE AND SATELLITE LOCATIONS AT 300 NORMAN CENTER COURT AND 125 VICKSBURG AVENUE.

Notes: ACTION NEEDED: Motion to approve or reject Contract No. K-1314-88 with Pioneer Library System; and, if approved, authorize the execution thereof.

ACTION TAKEN:_____

Agenda Date: 11/12/2013

Agenda Number: 39

Attachments: Text File K-1314-88.pdf, K-1314-88.pdf, K-1112-120.pdf, K-1213-48.pdf

Project Manager: Leah Messner, Assistant City Attorney

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-88

body

BACKGROUND: The Pioneer Library System (PLS) is the multi-county library system serving Cleveland, McClain, and Pottawatomie counties. In July 1962, the City of Norman and PLS entered into an agreement for operation of the Norman Library at 225 N. Webster. Under the terms of this agreement, PLS agreed to utilize the Norman Public Library as the headquarters library for the library system; provide a library staff, book stock, and other materials; a local telephone line and pay for all long-distance calls; book-mobile services; to appoint an administrative librarian; and to provide an annual audit of all expenditures. The City of Norman agreed to provide the City's public library building; one local telephone line; adequate heating, lighting, air conditioning and janitorial service; keep and maintain the Norman Public Library in good repair; and provide insurance on any property owned by the City of Norman.

In addition to the above responsibilities of both parties, title to the building remains with the City of Norman; all furniture, fixtures, books, and materials owned by the City of Norman at the time of execution of the agreement remain City property; and the agreement shall be for an initial term of one year and then renew automatically for successive one year terms unless either party gives thirty days written notice of termination in writing.

Due to space constraints with the current administrative offices, PLS purchased the former Borders Bookstore building at 300 Norman Center Court. City Council approved Contract No. K-1112-120, a lease agreement with PLS, to provide satellite services at that location. PLS has relocated the administrative offices to Norman Public Library West and the building project is nearing completion. PLS had a soft opening of the Norman Public Library West on November 1, 2013.

In addition, City Council approved Contract No. K-1213-48 on August 14, 2012, for a new 24-Hour Library Service Machine to be installed at Irving Middle School to serve residents in that area. The 24-Hour Library Service Machine allows library members to pick-up library books, return library books, browse the PLS library catalog, and apply for a library card. The 24-Hour Library Service Center at Irving Middle School opened for service on October 29, 2013.

Due to the addition of Norman Public Library West and the 24-Hour Library Service Center at Irving Middle School, PLS has proposed that the City of Norman and PLS enter into a new Library Services Agreement. The Library Services Agreement will replace the 1962 Agreement, and it incorporates Contract Nos. K-1112-20 and K-1213-48 (regarding the Norman Public Library West and the 24- Hour Library Service Machine respectively) by reference.

DISCUSSION: Under the proposed Library Services Agreement, PLS will provide: local and administrative staff to deliver library services and programs and a collection of materials including fiction, nonfiction, newspapers, magazines, audio, video, and electronic materials. PLS will establish the hours of operation for the Main Library and Norman Public Library West.

The City of Norman will appoint one member to the PLS Board of Trustees. The City of Norman will provide suitable buildings in which to provide library services. This includes: easily accessible locations; adequate parking; central heat and air; electricity; public restrooms; and necessary furniture and equipment. In addition, the City of Norman will continue to provide utility and custodial services for the Main Library. The City of Norman has been providing all of the above items under the terms of the 1962 Agreement for the Main Library, and this is the arrangement that PLS has with all of its member cities.

Under the terms of the Library Services Agreement, PLS will provide the City of Norman with a copy of PLS' annual audit performed by a certified public accountant. The term of this Agreement shall begin upon the City Council's approval of the Agreement and continue until June 30, 2014. It will be renewed automatically for one year periods thereafter so long as City Council appropriates funding for such purpose. The Library Services Agreement reflects all the terms between PLS and the City of Norman regarding library services with the exception of Contract Nos. K-1112-20 and K-1213-48, which are incorporated by reference. The terms in the proposed Library Services Agreement are very similar to the terms in 1962 Agreement, but reflect upgrades in technology and the expansion of the PLS system to the Norman Public Library West and the 24-Hour Library Service Machine.

RECOMMENDATION: The terms of the new Library Services Agreement recognize that PLS will continue to provide library services, staff, and materials to the City of Norman at the Main Library, the Norman Public Library West, and the 24-Hour Library Service Machine. In exchange, the City of Norman will continue to provide suitable buildings for these services. This new Agreement formalizes and continues the relationship between the City of Norman and PLS for library services. If Council wishes to continue that relationship under the terms of the proposed Library Services Agreement, staff recommends approval of this Agreement.

Library Services Agreement

This Library Services Agreement made and entered into as of the Effective Date by and between the Pioneer Library System ("**Pioneer**") and the City of Norman ("**Norman**").

Recitals:

The parties acknowledge the following:

A. Pioneer is a multi-county library system organized under 65 O.S. 4-101 et seq. operating public libraries in Cleveland, McClain and Pottawatomie Counties.

B. Norman is a municipality and is a member of the library system operated by Pioneer.

C. Pioneer's policy for branch library facilities requires the municipality in which a branch library is located to provide funds for the building, furniture, utilities, maintenance of the physical facility and grounds, custodial service and building safety and security for the facilities in which the branch library services are provided.

Terms and conditions

In consideration of the mutual promises contained herein, and upon the conditions and under the terms stated herein, the parties agree as follows:

1. The "**Effective Date**" shall mean the later of the dates on which the governing board of each of the parties approves this Library Services Agreement.

2. Pioneer will provide a collection of materials and programming services at the current branch location at 225 N. Webster, Norman, Oklahoma, (the "**Main Library**"); the Norman Public Library West at 300 Norman Center Court Drive, Norman, OK, (the "**NPL West**"); and at the 24-Hour Library Service Machine located at 125 Vicksburg Avenue, Norman, OK (the "**Service Machine**") to meet the information and recreational reading needs of the residents of Norman and Cleveland, McClain and Pottawatomie Counties. Service at the NPL West will begin on November 1, 2013. Service through the Service Machine will begin on October 29, 2013.

3. Pioneer will provide local and administrative staff to plan and implement library services in accordance with standards promulgated by the Oklahoma Department of Libraries.

4. Pioneer will provide trained library staff to implement library services, including reference services, technology and training, reading guidance, library programs and administrative services.

5. The collection of materials provided by Pioneer will include both fiction and non-fiction and be presented in a variety of formats, including paperback, hardback, newspapers, magazines, audio, video, on-line data bases and other electronic materials and related electronic equipment, to be determined by Pioneer. The collection will include materials for customers of all ages, including children, teens and adults.

6. Library services provided by Pioneer will include programming determined by library floor space, staff availability and community need. The services provided at the NPL West will be less comprehensive than the services provided at the Main Library. The services provided at the Service Machine will be automated and no library staff will provide services on site.

7. Library services provided by Pioneer will include sharing of materials among Pioneer, the Norman Public Library and the other branch libraries within the Pioneer system and libraries outside the Pioneer system and regularly scheduled delivery of library materials and business communications among the Pioneer administrative and branch locations.

8. Pioneer will provide regular, continuous staff training in the areas of library automation systems, reading guidance, reference services, programming and customer services.

9. Pioneer will provide electronic systems for circulation and cataloguing of materials and for communication among the branch libraries and administrative staff.

10. Hours of operation at the Main Library and the NPL West will be determined by Pioneer.

11. Norman will appoint at least one member of the Pioneer board of trustees as provided by Oklahoma law.

12. Norman will provide suitable buildings in which the library services may be provided in an appropriate, easily accessible location or locations, with sufficient paved parking adjacent to the library buildings, central heat and air conditioning with temperature control, electricity to meet lighting, climate control and technology needs, carpeting and appropriate hard surface flooring, public restrooms, exterior signage and lighting, furniture and equipment appropriate to building design and library function, telephone service and security of the facility and patrons. Access to the building will comply with state and federal guidelines for handicapped accessibility and safety.

13. The Main Library is currently located at 225 N. Webster, Norman, OK. For the Main Library, Norman will provide utility and custodial service for the library building and will maintain the interior and exterior of the building, the furniture located within the building and the grounds on which the building is located and the adjoining grounds, including the paved parking areas.

14. The NPL West will be located at 300 Norman Center Court Drive, Norman, OK in a building owned by Pioneer and the facility will be provided under the terms of a lease agreement between Norman and Pioneer dated March 27, 2012, Norman Contract K-1112-120 (the "**NPL West Lease Agreement**").

15. The Service Machine will be located at 125 Vicksburg Avenue, Norman, OK and operated by Pioneer under the terms of a lease and operating agreement among Norman, Pioneer and the Norman Public School System dated August 14, 2012, Norman Contract K-1213-48 (the "**Service Machine Lease and Operating Agreement**").

16. Pioneer will communicate with Norman regarding building, furniture and fixture requirements for provision of library services to residents of Norman.

17. Subject to the provisions of the NPL West Lease Agreement, the land, materials and equipment purchased by Pioneer shall remain the property of Pioneer and Pioneer shall insure the property it owns in such amounts and on such terms as determined by Pioneer.

18. Subject to the provisions of the NPL West Lease Agreement, the land, building, furniture and fixtures purchased by Norman shall remain the property of Norman and Norman shall insure property it owns in such amounts and on such terms as determined by the governing board of Norman.

19. Employees of Pioneer shall not be considered to be employees of Norman and employees of Norman shall not be considered to be employees of Pioneer. Pioneer will, in its sole discretion, employ and hire such staff as it deems advisable for the operation of the Main Library and the NPL West. All decisions regarding the supervision, compensation, promotion and discharge of such employees shall be made solely by Pioneer.

20. Pioneer shall provide Norman with a copy of Pioneer's annual audit of its financial condition performed by a certified public accountant.

21. This Library Service Agreement shall extend through June 30, 2014 and will be renewed for one year periods thereafter beginning July 1, 2014. Each party may terminate this Library Service Agreement by notifying the other party by April 1 if it will terminate the agreement for the upcoming one year period. Each party's obligation under this Library Service Agreement is subject to Oklahoma law restrictions on a public entity's entry into contracts beyond a single fiscal year.

22. For the purpose of notice given under this agreement, the parties may be notified as follows:

Norman:

Steve Lewis, City Manager
City of Norman
P.O. Box 270
Norman, OK 73070
steve.lewis@normanok.gov

and

Brenda Hall, City Clerk
City of Norman
P.O. Box 270
Norman, OK 73070
brenda.hall@normanok.gov

Pioneer: Anne Masters, Director
300 Norman Center Court Dr.
Norman, OK 73072
amasters@pls.lib.ok.us

23. This Library Service Agreement reflects all terms of the agreements between the parties regarding library services, with the exception of the NPL West Lease Agreement and the Service Machine Lease and Operating Agreement, which are all incorporated by reference. It may not be amended or modified in any way except by an instrument in writing signed by all parties.

City of Norman

City Clerk

By: _____
Mayor

Approved:

11/5/13
City Attorney

Pioneer Library System

By: _____
~~President, Board of Trustees~~
Vice Chair Paula Nagode signed in the chair's absence.

Lease Agreement

This agreement made and entered into as of the Effective Date by and between the Pioneer Library System ("Pioneer") and the City of Norman ("Norman").

Recitals:

The parties acknowledge the following:

A. Pioneer is a multi-county library system organized under 65 O.S. 4-101 et seq. operating public libraries in Cleveland, McClain and Pottawatomie Counties.

B. Norman is municipality and is a member of the library system operated by Pioneer.

C. Pioneer's policy for branch library facilities requires the municipality in which a branch library is located to provide funds for the building, furniture, utilities, maintenance of the physical facility and grounds, custodial service and building safety and security for the facilities in which the branch library services are provided.

D. Norman owns and maintains the building and furnishings in which the main branch of the Norman Public Library is located and Pioneer provides materials and services to operate the Norman Public Library.

E. Pioneer and Norman wish to provide library services at satellite facilities within the city of Norman.

F. Pioneer owns a building located at 300 Norman Center Court Dr. in Norman, OK, (the "Property") in which there is sufficient space to provide satellite services for the Norman branch library, and Pioneer is willing to lease such space to Norman to allow Norman to meet its obligation to provide facilities for local libraries.

Terms and conditions

In consideration of the mutual promises contained herein, and upon the conditions and under the terms stated herein, the parties agree as follows:

1. Definitions. Terms used in this lease agreement shall have the meanings set forth as follows:

(a) **"Property"** shall mean up to 7000 square feet of space within the building located at 300 Norman Center Court Drive, Norman, OK, together with a proportionate share of the spaces in the in the adjoining parking lot. The precise location and size of the Property will be determined during the design phase of the Improvements and Furnishings.

(b) **"Effective Date"** shall mean the later of the dates on which the governing board of each of the parties approves this lease agreement.

(c) **"Shell Condition"** shall mean an open space comprising the interior area of the Property, separated from other areas of the building by walls, concrete floor, stub-in for connection to electrical and mechanical systems and two existing restrooms.

(d) **"Improvements"** shall mean the improvements for the interior space of the Property to facilitate its use for library services, including, without limitation, partitions between areas within the interior space of the Property, ceiling, flooring, wall finishes, electrical outlets and fixtures, heating, ventilation and air conditioning service, restroom renovation and signage and the services to design and construct such improvements.

(e) **"Furnishings"** shall mean the furnishings for the interior space of the Property to facilitate its use for library services, including, without limitation, shelving, counters, service and study stations, seating, signage, coordination of electrical and data service and the services to design and install such furnishings.

2. Lease. Pioneer shall lease the Property to Norman and Norman shall make the Property available to Pioneer to provide

library services for the term of the lease under the provisions of a separate agreement for library services.

3. Term. The terms of the lease shall be the period from the Effective Date until the following June 30 and ten twelve month periods thereafter, with the option to renew the lease for two additional five-year periods. Each party's obligation under this agreement is subject to Oklahoma law restrictions on a public entity's entry into contracts beyond one fiscal year.

4. Termination. Each party may terminate the agreement if sufficient funds are not available to carry out its obligations under the agreement. Notice of termination under this provision shall be given to the other party by April 1 if it will terminate the lease for the fiscal year beginning the following July 1.

5. Improvements and Furnishings. Pioneer will, at its expense, place the Property in Shell Condition. Pioneer shall engage design services to develop plans for and shall make appropriate improvements to the Property and provide furnishings for the Property to facilitate its use for library services, for which Norman shall pay Pioneer over a ten year period, with interest at three and 75/100ths percent (3.75%) per annum as part of the base rent. If Norman chooses to satisfy more than the required annual payment for the Improvements and Furnishings in any year, the interest payable by Norman in future years will be based on the outstanding balance of the cost of the Improvements and Furnishings. For the design, construction and installation of the Improvements and Furnishings, a project team will be comprised of the architect engaged by Pioneer, two members designated by the Pioneer Director and two members designated by the Norman City Manager. The current estimate of the cost of the design, construction and installation of the Improvements and Furnishings is $500,000. At the conclusion of the construction and installation of the Improvements and Furnishings, the cost of design, construction and installation of the Improvements and Furnishings will be determined for the purpose of the base rent. For the purpose of base rent under this agreement, the cost of the design, construction and installation of the Improvements and Furnishings shall not exceed $500,000.

However, Norman retains the option to pay for all or any part of the costs the Improvements and Furnishings through available City funds or alternative financing package if more favorable financing terms are available. If Norman chooses to pay in this manner, Norman will pay Pioneer for the costs of the improvements and furnishings upon issuance of a Certificate of Occupancy for the Property.

The items of the Furnishings provided under this agreement that are fixtures shall belong to Pioneer during and after the termination of this lease agreement. The moveable items of the Furnishings shall belong to Norman during the term of this lease agreement and may be removed by Norman at the conclusion of the lease agreement. Pioneer shall advise Norman regarding the needs for Furnishings annually and Norman shall provide for the replacement of the Furnishings during the term of the agreement, subject to budgetary appropriation by the Norman City Council.

6. Base rent. Upon the issuance of a certificate of occupancy for the Property, Norman shall pay to Pioneer, monthly, base rent at the following rate:

(a) $7.00 per square foot annually for use of the Property,

(b) $2.00 per square foot annually for maintenance of the Property and the Improvements,

(c) one-tenth of the cost of the Improvements and Furnishings annually for ten years, and

(d) interest on the outstanding amount of the Improvements and Furnishings at the rate of 3.75% per annum.

(e) At the end of the fifth fiscal year of this lease and at the end of each five year period thereafter, the base rent payable under subparagraphs (a) and (b) shall be adjusted by 10% over the previous amount paid per square foot.

(f) Rent, as outlined above, shall be calculated not to exceed the amounts stated on the following chart:

YEAR	Square Footage	Rent Per Square Foot	Custodial and Maintenance Per Square Foot	Total Price Per Square Foot	Rent per sq. ft.	10 Yr. Amortized Amount	3.75% Interest	Total Rent
1	7,000	$7.00	$2.00	$9.00	$63,000	$50,000	$18,750	$131,750
2	7,000	$7.00	$2.00	$9.00	$63,000	$50,000	$16,875	$129,875
3	7,000	$7.00	$2.00	$9.00	$63,000	$50,000	$15,000	$128,000
4	7,000	$7.00	$2.00	$9.00	$63,000	$50,000	$13,125	$126,125
5	7,000	$7.00	$2.00	$9.00	$63,000	$50,000	$11,250	$124,250
6	7,000	$7.70	$2.20	$9.90	$69,300	$50,000	$9,375	$128,675
7	7,000	$7.70	$2.20	$9.90	$69,300	$50,000	$7,500	$126,800
8	7,000	$7.70	$2.20	$9.90	$69,300	$50,000	$5,625	$124,925
9	7,000	$7.70	$2.20	$9.90	$69,300	$50,000	$3,750	$123,050
10	7,000	$7.70	$2.20	$10.80	$69,300	$50,000	$1,875	$121,175
11	7,000	$8.40	$2.40	$10.80	$75,600	$0.0	$0.0	$75,600
12	7,000	$8.40	$2.40	$10.80	$75,600	$0.0	$0.0	$75,600
13	7,000	$8.40	$2.40	$10.80	$75,600	$0.0	$0.0	$75,600
14	7,000	$8.40	$2.40	$10.80	$75,600	$0.0	$0.0	$75,600
15	7,000	$8.40	$2.40	$10.80	$75,600	$0.0	$0.0	$75,600
16	7,000	$9.10	$2.60	$11.70	$81,900	$0.0	$0.0	$81,900
17	7,000	$9.10	$2.60	$11.70	$81,900	$0.0	$0.0	$81,900
18	7,000	$9.10	$2.60	$11.70	$81,900	$0.0	$0.0	$81,900
19	7,000	$9.10	$2.60	$11.70	$81,900	$0.0	$0.0	$81,900
20	7,000	$9.10	$2.60	$11.70	$81,900	$0.0	$0.0	$81,900

7. Early termination. If the lease is terminated by Norman within the initial ten year term, Norman shall pay to Pioneer the following sum as an early termination charge:

termination during year	10 year amortization
2	450,000
3	400,000
4	350,000
5	300,000
6	250,000
7	200,000
8	150,000
9	100,000

8. Maintenance. Pioneer shall, at its expense, keep and maintain all portions of the Property and Improvements in good and safe order, condition and repair and make replacements thereof, as the same may be necessary, and pay all costs incurred for the maintenance, repair or replacement of the Property and the Improvements unless such maintenance, repair or replacements are required by reason of Norman's negligence, willful misconduct or breach of any provision of this lease. Without limiting the scope of Pioneer's obligation, Pioneer shall maintain, repair and replace as necessary the foundation, interior and exterior walls, doors, glass, flooring, roof, heat, air conditioning and ventilation system, lighting and other electrical systems, lawn and landscape, sidewalk, signage, security system, parking area and the private road 34th Street.

9. Operating expenses. Norman shall pay all expenses incurred for operation of the Property and Improvements, including water, sewer, trash removal, electricity, gas, and for custodial service and supplies, security system and signage (including lighting). When feasible, usage of the services to the Property will be separately metered; otherwise, Norman shall pay its proportionate share of such expenses incurred by Pioneer with respect to the entire building. Pioneer shall pay for telephone and network services for the Property.

10. Insurance. Pioneer shall provide liability and all-risk property and casualty insurance for the Property, the Improvements and the Furnishings and Norman shall pay to Pioneer its proportionate share of such insurance and Norman shall insure the items of the Furnishings owned by Norman.

11. Assignment or sublease. Norman shall not assign or sublease the Property or any portion thereof without Pioneer's written consent. No such assignment or sublease shall release Norman from its obligations hereunder.

12. Notices. Notices required to be given under this agreement shall be in writing and may be delivered personally, or by certified mail or electronically to the persons and by the methods shown below or to such other person and by such other method for which notice is provided by the party:

Norman: Steve Lewis, City Manager
201 W. Grey
Norman, OK 73069
steve.lewis@normanok.gov

and

Brenda Hall, City Clerk
201 W. Grey
Norman, OK 73069
Brenda.hall@normanok.gov

Pioneer: Anne Masters, Director
225 N. Webster
Norman, OK 73069
amasters@pls.lib.ok.us

12. Entire agreement. With the exception of the separate agreement for library services, this lease agreement represents the entire agreement between the parties relating to the Property. This lease agreement may not be altered, waived or amended except by a written agreement signed by both parties.

CITY OF NORMAN, OKLAHOMA

By _____
Mayor

ATTEST:

_____
City Clerk

CITY OF NORMAN CORPORATE SEAL OKLAHOMA

Approved as to form and legality
this 27th day of March, 2012.

_____
City Attorney

Pioneer Library System

By _____
President, Board of Trustees

ATTEST:

_____
Secretary

Approved as to form and legality
this ____ day of _____, 2012.

_____
Attorney for Pioneer

Pioneer lib\city agrmts\norman-lease center ct-final-rev

LEASE AND OPERATING AGREEMENT

BETWEEN NORMAN PUBLIC SCHOOLS, PIONEER LIBRARY SYSTEM, AND

THE CITY OF NORMAN

This Lease and Operating Agreement ("Agreement") is between the Independent School District No. 29 of Cleveland County, Oklahoma ("NPS"), the Pioneer Library System ("PLS"), and the City of Norman, Oklahoma ("City").

WHEREAS, NPS is the owner of a tract of land at 125 Vicksburg Avenue, Norman, Oklahoma, upon which is located Irving Middle School. A portion of the tract is suitable for housing a 24-hour library service machine ("machine"); and

WHEREAS, the machine operates to allow students and the general public to pick-up library books, return library books, browse the PLS library catalog, and apply for a library card; and

WHEREAS, NPS, PLS, and the City have jointly considered and studied the needs of the school district and the general public and believe that installation of the machine at Irving Middle School will serve students, surrounding neighborhoods, and residents of East Norman; and

WHEREAS, NPS, PLS, and the City desire to enter into this Agreement to provide the land for the machine for use by all parties; and

NOW, THEREFORE, IN CONSIDERATION of One Dollar ($1.00) and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, to effectuate the purposes stated above, and the mutual covenants and agreements contained herein, the parties agree as follows:

PURCHASE AND INSTALLATION OF MACHINE BY THE CITY AND PLS

1. PLS agrees to purchase the machine. This purchase shall be made on or before July 15, 2012.

2. PLS agrees to install the machine on land occupied by Irving Middle School and owned by Norman Public Schools and more particularly described on the document attached hereto as Exhibit "A" (the "Property"). Prior to installation by PLS, the City shall be responsible for pouring a concrete pad on which to locate the machine. Subsequent to installation of the machine, the City shall be responsible for purchase and installation of a canopy that will cover the machine and provide shade to users.

a) If necessary, PLS shall cause plans and specifications for the installation of the machine to be prepared. If necessary, the City shall cause plans and specifications for the installation of the concrete pad and/or the canopy to be prepared.

b) Installation of the machine shall be undertaken, inspected and supervised by PLS. This may include execution of a contract between PLS and a contractor selected by PLS.

c) Construction of the concrete pad and canopy shall be undertaken, inspected and supervised by the City. This may include execution of a construction contract between the City and a contractor selected by the City.

d) The City reserves the right to perform parts or all of the construction of the concrete pad and/or installation of the canopy with the City workforce.

e) The time within which the City and PLS are obligated to install the concrete pad and canopy and install the machine, respectively, shall extend for a reasonable period of time, and performance delays shall be excused on account of and for and during the period of, any delay caused by strikes, threats of strikes, lockouts, war, threats of war, insurrection, invasion, acts of God, calamities, violent action of the elements, fire, action or regulation of any governmental agency, law or ordinance, impossibility of obtaining materials, or other things beyond the reasonable control of the City and PLS. PLS and the City shall use their best efforts to complete the installation at the earliest possible date in accordance with the construction contract(s). Provided, however, the parties agree to temporarily stop any activity which disrupts important educational activities, such as testing, upon request by the NPS Superintendent, or his designee.

f) The City and PLS shall require every contractor to furnish insurance protecting the City and NPS, and PLS, their respective officers, agents and employees, as their respective interests may appear, against any claims for personal injuries, death claims, and property damage that may be asserted because of said construction and equipping, said insurance to be of such character and in such amounts as may reasonably be determined by the City and PLS.

g) NPS agrees to give full access to its facilities and cooperate with the City and PLS during the time of installation and shall permit the City, PLS, and their employees and agents, at all reasonable times, to enter and inspect such installation. Notwithstanding the foregoing, the City and PLS shall use every reasonable effort to minimize the disruption of school activities in connection with installation.

h) PLS shall retain primary management, maintenance, and operations authority for the machine placed on the Property subject to the terms and conditions of the Agreement. The City shall retain primary management and maintenance authority for the concrete pad and canopy.

LEASE OF PROPERTY

3. NPS agrees to lease the Property to the City together with all easements, rights, and appurtenances in connection therewith for the shared use by the City as further described herein. This Agreement shall become effective upon approval of the parties and continue for a period of ten (10) years with an option to renew for subsequent additional ten (10) year terms with the mutual consent of the parties which consent shall not be unreasonably withheld from the completion of the project and shall not be revocable at will by NPS during the term of the lease.

4. The City and PLS agree to use the Property exclusively for operation of the machine and to keep and maintain the machine and improvements to the property in a safe and sightly condition. The City and PLS agree to neither sublet the Property nor assign the lease.

5. This agreement may be terminated or extended with the agreement of the parties or terminated upon completion of a branch library located in east Norman at PLS's election. Should the agreement be terminated, the City and PLS shall have the option to remove the machine and any and all of the improvements made by the City within a ninety day period after termination of the agreement. If the machine is removed, PLS will retain ownership of the machine.

6. NPS agrees to share the use of the Irving Middle School parking provided; however, the Irving Middle School faculty, staff, parents, and patrons have priority for the parking.

7. All the covenants and agreements of the City, PLS, and NPS herein contained shall be binding upon the heirs, legal representatives, successors and assigns of the City, PLS, and NPS.

OPERATION OF MACHINE

8. PLS shall be responsible for installation of data services serving the machine as well as for payment of data use costs.

9. The City shall be responsible for installation of electrical service to the machine as well as for payment of electrical use costs.

SIGNS

10. The City and/or PLS shall have the right to erect and maintain all signs necessary and appropriate to direct citizens to the machine; provided, however, that no sign shall be erected without the consent of NPS or if it would be in violation of any rule or regulation of the State Board of Education.

CHANGES, ADDITIONS, OR ALTERATIONS TO FACILITY

11. Significant changes, alterations or additions to the machine shall be submitted to all parties for reasonable evaluation and joint approval.

LIABILITY

12. Each of the parties agrees to release, hold harmless, and not institute any suit or action at law and equity or file any claim of any nature whatsoever against each other, their agents, assigns or employees or officers by reason of the party's own use of the proposed machine to be located at Irving Middle School.

13. The City agrees to indemnify PLS and NPS in suits at equity and at law, arising from the City's installation of the improvements; but in no way shall this agreement be considered a waiver of the City's defenses under 50 O.S. § 151 et seq.

14. PLS agrees to indemnify the City and NPS in suits at equity and at law, arising from PLS's operation of the machine; but in no way shall this agreement be considered a waiver of the PLS's defenses under 50 O.S. § 151 et seq.

Executed this 14th day of August, 2012.

CITY OF NORMAN, OKLAHOMA

CITY OF NORMAN CORPORATE SEAL OKLAHOMA

By Cindy S Rosenthal
Mayor

ATTEST:
Brenda Hall
City Clerk

Approved as to form and legality this 2nd day of August, 2012.

City Attorney

INDEPENDENT SCHOOL DISTRICT No. 29 of CLEVELAND COUNTY, OKLAHOMA

By _____
President

ATTEST:

_____
Clerk

Approved as to form and legality this 16 day of July, 2012.

_____
Attorney for Norman Public Schools

PIONEER LIBRARY SYSTEM

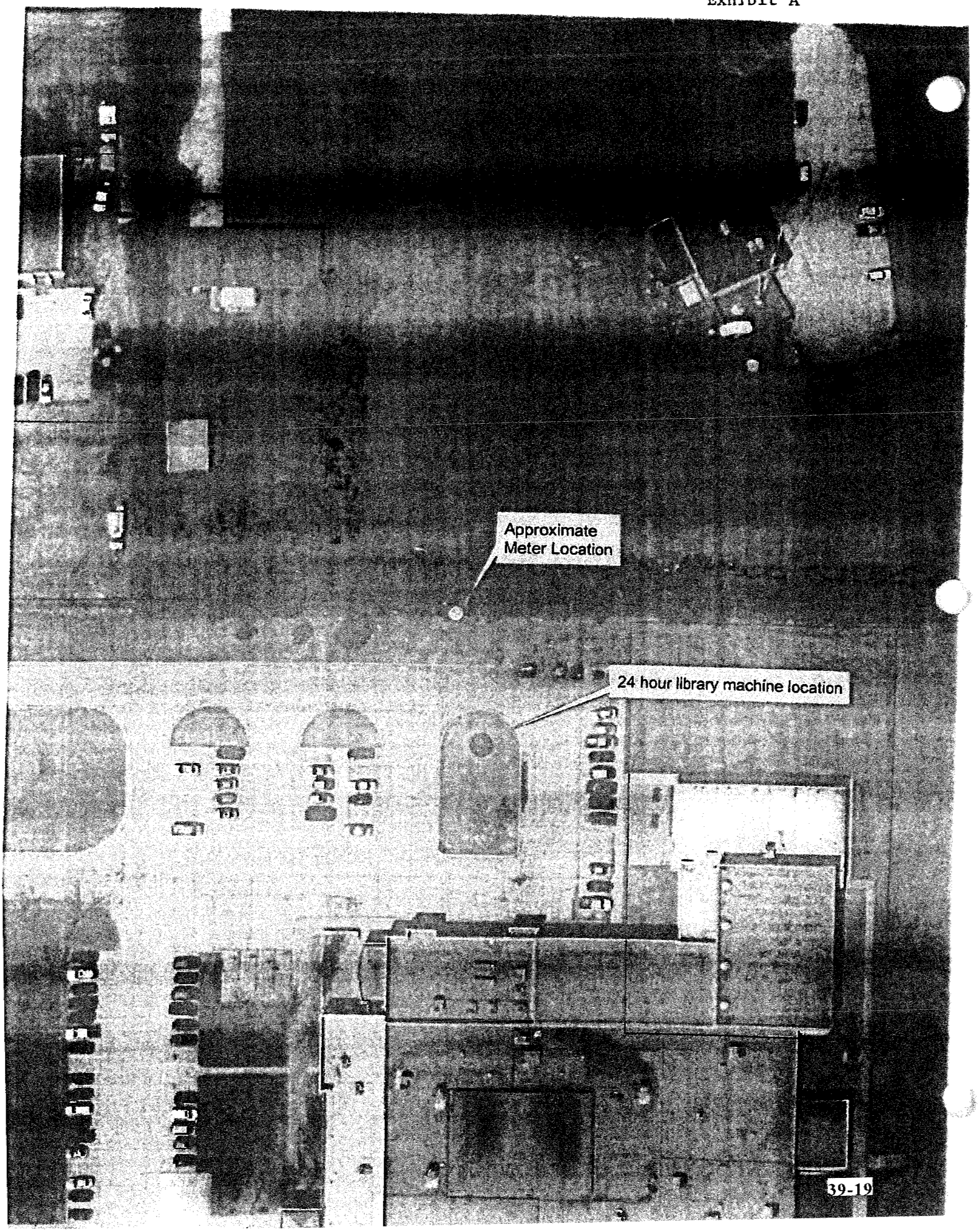
By _____
President, Board of Trustees

ATTEST:

_____
Secretary

Approved as to form and legality this 31 day of July, 2012.

_____
Attorney for Pioneer


Approximate
Meter Location
24 hour library machine location

City of Norman, OK

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

Master

File Number: K-1314-91

File ID:	K-1314-91	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 40	**In Control:**	City Council
Department:	Finance Department	**Cost:**	$49,686.20	**File Created:**	10/30/2013
File Name:	Contract for security camera system at Invest. Facility			**Final Action:**	

Title: CONTRACT NO. K-1314-91: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CONVERGINT TECHNOLOGIES, INC., IN THE AMOUNT OF $49,686.20, FOR THE PURCHASE AND INSTALLATION OF A SECURITY CAMERA SYSTEM AND SOFTWARE FOR THE CITY OF NORMAN INVESTIGATIONS CENTER LOCATED AT 1507 WEST LINDSEY STREET AND ADOPTION OF PROJECT AGENT RESOLUTION NO. R-1314-65.

Notes: ACTION NEEDED: Motion to approve or reject Contract No. K-1314-91 with Convergint Technologies, Inc., in the amount of $49,686.20; and, if approved, authorize the execution thereo and adopt Resolution No. R-1314-66.

ACTION TAKEN:_____

Agenda Date: 11/12/2013

Agenda Number: 40

Attachments: Text File K-1314-91.pdf, K-1314-91 Convergint.pdf, R-1314-65.pdf

Project Manager: Kari Madden, Network Manager

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-91

Body

BACKGROUND: The fiscal year 2012-2013 (FYE 2013) Public Safety Sales Tax Fund budget included funding to renovate the Joe Smalley Center for City of Norman use as the Police/Fire Investigations Facility. On July 9, 2013, the City Council awarded a construction contract (K-1213-195) for the renovations to Downey Contracting, L.L.C. The renovation project anticipated the need for a camera security camera system throughout the building and its perimeter.

DESCRIPTION: Funds for this purchase are available in the Smalley Center Renovations Project, Construction (account 050-9540-419.61-01; project EF1001). Staff of the Information Technology Division solicited quotes for a networked security camera system, necessary software, and installation. Responses were received from three qualified vendors:

Convergint Technologies, of Oklahoma City, Oklahoma ($49,686.20)
RFIP Security, of Oklahoma City, Oklahoma ($49,922.27)
Johnson Controls, of Oklahoma City, Oklahoma ($59,997.00)

Convergint Technologies was selected as the lowest and best quote. The total cost of the Convergint Technologies contract is $49,686.20.

RECOMMENDATION: It is recommended that City Council approve the contract and adopt the Resolution granting tax-exempt status for the system purchase.

AGREEMENT

This Agreement ("Agreement") is entered into as of the ____ day of _____, 2013, between the City of Norman, Oklahoma, a municipal corporation ("CITY") and Convergint Technologies, Inc. ("CONVERGINT").

WITNESSETH:

WHEREAS, CITY desires to install a security camera system for the City of Norman Investigation Facility (the "Project") and requested quotes from at least three vendors for the same;

WHEREAS, CONVERGINT submitted the lowest quote for the Security Camera System; and

WHEREAS, CITY desires to enter into this Agreement with CONVERGINT to accomplish the installation of the Security Camera System.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

I. **Contract Documents.** The following documents shall be referred to as the "Contract Documents", all of which shall be taken together as a whole as the contract between the parties as if they were set verbatim and in full herein:

A. This Agreement.

B. CONVERGINT'S Proposal for the City of Norman Investigation Facility Security Camera System (Quotation No. 2154730370), attached hereto as Exhibit A.

C. In the event of a conflict among the provisions of the Contract Documents, the order in which they are listed above shall control in resolving any such conflicts with Contract Document "A" have the first priority and Contract Document "B" having the last priority.

II. **Amendment to Terms Contained in CONVERGINT'S proposal (Exhibit A)**

A. Exhibit A, Terms and Conditions, Section 3 shall be modified to read as follows:

Section 3. Invoice Remittance and Payment

CITY agrees to pay CONVERGINT for all supplies, materials and equipment for the Project as follows: If the work is performed over more than one month, CONVERGINT will invoice CITY each month for materials, equipment, and supplies purchased during the previous month. If the work is completed in less than one month, CITY agrees to pay CONVERGINT in full after the work has been performed within thirty (30) days of being invoiced. For costs related to installation, CITY agrees to pay CONVERGINT within thirty (30) days of being invoiced, provided such invoice shall only be issued upon CITY'S final acceptance of the Project.

[Remainder of Page Left Blank Intentionally]

IN WITNESS WHEREOF, this Agreement is entered into the ____ day of _____, 2013.

CONVERGINT TECHNOLOGIES, INC.

By: _____

Name: _____

Title: _____

Attest: _____

(Corporate Seal)

CITY OF NORMAN, OKLAHOMA

By: _____
Name: Cindy S. Rosenthal
Title: Mayor

Attest: _____
City Clerk

(Seal)

Approved as to form and legality this ____ day of _____, 2013.

_____
City Attorney

Convergint TECHNOLOGIES
Making a Daily Difference

Security Proposal

Date: October 2, 2013

Quotation: 2154730370

To: City of Norman
201 West Gray, Building C
Norman, OK 73069

Project: Police & Fire Security-Video

FOB Shipping Point

Attn: Robert Gruver

From: Convergint Technologies

Richard Faught
richard.faught@convergint.com
Mobile: (405) 990-3888
Direct: (405) 470-1850
Fax: (405) 792-7901

Oklahoma State License LIC-006369

Convergint Technologies is pleased to provide this proposal for your consideration. This quotation shall remain firm for a period of forty-five (45) days from the proposal date, and price is based upon delivery of equipment within three (3) months. Convergint Technologies payment terms are net 30.

Security System Scope of Work

Genetec Access Control & Video Software
Convergint will provide and install (1) Genetec Security Center software package with access control & video integration. Convergint will install Security Center software on customer provided (1) server and (10) client PC's. Convergint will install (10) Omnicast clients for video connections and (5) Synergis clients for access control connections. Convergint will setup card format for existing HID Prox cards. Convergint will provide and install licensing for access control, video integration, active directory, and setup (1) cardholder import for employees cards.Convergint will provide (4) hours of Genetec end user training for access control & video integration. Customer will provide 120VAC connection for owner provided servers & clients as well as CAT6 connection for servers & clients communication.

Genetec Video Storage
Customer will provide Genetec Archiver storage for the IP cameras. Customer will provide and install server in the new rack equipment provided in construction. Customer will provide sufficient storage to allow recording cameras at 15 fps, 10% compression for 60 days. Convergint will provide licensing for the (39) new cameras. Customer will provide 120VAC & network connections for Storage Server.

Axis IP Cameras

Convergint will provide (8) Axis Exterior PTZ IP Cameras, (1) Axis Exterior Fixed IP Camera, & (30) Axis Interior Dome Cameras as specified. Contractor will provide proper CAT6 wire to each camera from customer provided POE Network Switch. Convergint will run a patch cable from the provided network biscuit to the new IP camera location. Convergint will provide, install, and terminate all specified cameras. Convergint will drill hole in the wall in order to connect to the provided network biscuit for the exterior cameras. Customer will provide all switch equipment, static IP addresses and all other network information needed for camera programming.

Clarifications and Exclusions

- All work proposed herein, shall be performed during normal business hours Monday through Friday 8:00 am - 5:00 pm.
- Low voltage wiring shall be installed in open cable.
- Provision or installation of conduit, wire, boxes, fittings or other electrical installation materials unless specifically listed under Inclusions or Bill of Materials.
- Permits or associated fees are not included.
- Customer to provide static IP addresses and network connections at panel locations.
- Pricing assumes that electronic Auto CAD files are available from customer for our use in creating submittal drawings.
- Anything in the Contract Documents notwithstanding, in no event shall either Contractor or Subcontractor be liable for special, indirect, incidental or consequential damages, including commercial loss, loss of use, or lost profits, even if either party has been advised of the possibility of such damages.
- Convergint Technologies reserves the right to negotiate mutually acceptable contract terms and conditions with customer by making mutually agreeable changes to the formal contract included in the Bid Documents.

Performance Items

Yes	No	Description
✓		Material (listed on the BOM)
✓		Freight (prepaid)
✓		Applicable Taxes
✓		One-Year Warranty on Parts
✓		One-Year Warranty on Labor
	✓	Low Voltage Permits
	✓	Electrical Installation Permit
	✓	Engineering and Drawings
	✓	Record Documentation (As-Built)
✓		System Programming
✓		Project Management
✓		Mounting/Termination of Proposed Devices
✓		Testing of all Proposed Devices
	✓	Operations & Maintenance Manuals
✓		Owner Training
✓		System Meets Plans/Drawings
	✓	System is Design-Build
	✓	Payment & Performance Bonds
✓		Installation of Wire and Cable
	✓	Installation of Conduit and Boxes
✓		Installation of Wire Hangers
	✓	Specialty Back Boxes

Yes	No	Description
	✓	Installation of Specialty Back Boxes
	✓	Connection to Building Fire Alarm Panel
✓		Installation & Power of Control Panels
✓		Installation & Power of CCTV Cameras
	✓	Installation & Power of Intrusion Panels
	✓	Installation & Power of Intercom System
	✓	Installation & Power of Video Recorders (DVR/NVR)
	✓	120 VAC Power Receptacles
	✓	Lifts and Hoists
	✓	Floor Coverings for Lifts and Hoists
	✓	Fire Stopping (Excludes Existing Penetrations)
	✓	Patching and Painting
✓		Electrified Door Locking Hardware
	✓	Additional Lighting Requirements for Cameras
	✓	Ceiling Tiles and Ceiling Grid Repairs
	✓	On-Site Lockable Storage Facility
	✓	Vertical Core Drilling
	✓	Horizontal Core Drilling
	✓	Servers by Convergint
✓		Servers by Others
	✓	Workstations by Convergint
✓		Workstations by Others

Convergint Technologies
6125 West Reno
Suite 700
Oklahoma City, OK 73127
(405) 470-1850 Fax (405) 792-7901

Police & Fire Security-Video 2154730370

No	Qty	Part	Description	Manufacturer
			Genetec Head End Software	
1	1	GSC-BASE-5.2	Genetec Security Center (GSC) Base Package - Version 5.2 which includes: 1 Directory, 5 Security Desk client connections, Plan Manager Basic for 3 maps and 30 entities, Alarm Management, Advanced Reporting, System Partitioning, Zone Monitoring, Email Support, Macros Support (actual macros sold separately), all supported languages. Must purchase a Synergis, Omnicast, or AutoVu base package to enable access control, video, or LPR content respectively.	Genetec
2	5	GSC-1U	1 Genetec Security Desk client connection	Genetec
3	1	GSC-OM-E	GSC Omnicast Enterprise Package which includes: Archiving support, Media Router, Audio, Camera Sequences, Time Zone, Edge recording and trickling, 1 Keyboard connection, Max. 300 cameras per Archiver / 100 cameras on the Directory machine	Genetec
4	39	GSC-OM-E-1C	1 camera connection	Genetec
5	0.50	SMA-BASE-1Y	SMA Base Package – 1 year	Genetec
6	39	SMA-CAM-E-1Y	SMA for 1 Omnicast Enterprise Camera – 1 year	Genetec
			Axis IP Cameras	
7	3	AXIS P3364-LV 12MM	Light-sensitive, day/night fixed dome in a discreet, vandal-resistant indoor casing. Built-in, automatically or manually adjustable IR illumination. Varifocal 3.3-12 mm P-Iris lens, remote focus and zoom. Multiple, individually configurable H.264 and Motion JPEG streams; max HDTV 720p or 1 MP resolution at 30 fps. WDR – dynamic contrast. Video motion detection and active tampering alarm. Two-way audio and audio detection. I/O for alarm/event handling. SD/SDHC memory card slot for optional local video storage. Power over Ethernet. Midspan not included.	Axis

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Police & Fire Security-Video 2154730370

No	Qty	Part	Description	Manufacturer
8	1	AXIS P3384-V	Day/night fixed dome with support for WDR – dynamic capture in a discreet, vandal-resistant indoor casing. Varifocal 3-9 mm P-Iris lens, remote focus and zoom. Multiple, individually configurable H.264 and Motion JPEG streams; max HDTV 720p or 1 MP resolution at 30 fps. Light sensitivity with Lightfinder. Video motion detection and active tampering alarm. Two-way audio and audio detection. I/O for alarm/event handling. SD/SDHC memory card slot for optional local video storage. Power over Ethernet. Midspan not included. Includes smoked and clear transparent covers.	Axis
9	2	AXIS M3006-V	Compact, indoor fixed mini dome with dust- and vandal-resistant casing. Easy mounting on wall or ceiling. Fixed, 134° lens, and digital PTZ can be used as digital varifocal to set the angle of view. Multiple, individually configurable H.264 and Motion JPEG streams; max HDTV 1080p at 30 fps or 3 MP resolution at 20 fps. MicroSD/microSDHC memory card slot for optional local video storage. Video motion detection and active tampering alarm. Comes with a 2 m (6.6 ft.) network cable and is powered using Power over Ethernet. Midspan not included.	Axis
10	23	AXIS M3004-V	Ultra-compact, indoor fixed mini dome with dust- and vandal-resistant casing for easy mounting on wall or ceiling. Fixed lens. Multiple, individually configurable H.264 and Motion JPEG streams; max HDTV 720p or 1 MP resolution at 30 fps. MicroSD/microSDHC memory card slot for optional local video storage. Video motion detection and active tampering alarm. Comes with a 2 m (6.6 ft.) network cable and is powered using Power over Ethernet. Midspan not included.	Axis
11	2	AXIS P3354 6MM	Light-sensitive, day/night fixed dome with Lightfinder in a discreet, tamper-resistant indoor casing. Varifocal 2.5-6 mm P-Iris lens, remote focus and zoom. Multiple, individually configurable H.264 and Motion JPEG streams; max HDTV 720p or 1 MP resolution at 30 fps. WDR – dynamic contrast. Video motion detection and active tampering alarm. SD/SDHC memory card slot for optional local video storage. Power over Ethernet. Midspan not included. Includes smoked and clear transparent covers.	Axis

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(405) 470-1850 Fax (405) 792-7901

Police & Fire Security-Video 2154730370

No	Qty	Part	Description	Manufacturer
12	8	AXIS P5534-E NETWO	HDTV 720p compliant outdoor-ready, PTZ camera with 18x optical zoom. HDTV 720p @ 30fps (1280x720) in H.264 and Motion JPEG, Day & Night, IP66 and NEMA 4X classification. Advanced Gatekeeper. Includes High PoE 30 W midspan, smoked and clear dome. Mounting brackets are not included.	Axis
			Total System Price $49,686.20	

Project Investment

Total Project Investment: **$49,686.20**

Thank you for considering Convergint Technologies for your Security needs. If you have any questions or would like additional information, please don't hesitate to contact me immediately. If you would like to proceed with the scope of work as outlined in this proposal, please sign below and fax directly to our office.

Sincerely,

Convergint Technologies
Richard Faught

By signing below, I accept this proposal and agree to the Terms and Conditions contained herein

Customer Name (Printed)	Date
Authorized Signature	Printed Name/Title

Convergint TECHNOLOGIES

Terms and Conditions

Throughout this Installation Proposal, the term, "Convergint" refers to the Convergint Technologies' affiliate operating in the state/province in which the work is being performed, specifically, "Convergint Technologies LLC", "Convergint Technologies LP" or "Convergint Technologies LTD".

SECTION 1. THE WORK

This Installation Proposal takes precedence over and supersedes any and all prior proposals, correspondence, and oral agreements or representations relating to the work set forth in the attached scope of work ("Work"). This Installation Proposal commences on the Start Date as specified in the attached scope of work, and represents the entire agreement between Convergint and Customer (the "Agreement") and it may only be amended by a written document signed by both Convergint and Customer. In the event any provision of this Agreement is held to be invalid or unenforceable, the remaining provisions of this Agreement shall remain in full force.

Convergint agrees in accordance with the mutually agreed project schedule:

a. To submit shop drawings, product data, samples and similar submittals if required in performing the Work:
b. To pay for all labor, materials, equipment, tools, supervision, programming, testing, startup and documentation required to perform the Work in accordance with the Agreement;
c. Secure and pay for permits and governmental fees, licenses and inspections necessary for proper execution and completion of the Work; and
d. Hire subcontractors and order material to perform part of the Work, if necessary, while remaining responsible for the completion of the Work.

Customer agrees in accordance with the mutually agreed project schedule, and at no cost to Convergint

a. To promptly approve submittals provided by Convergint;
b. To provide access to all areas of the facility which are necessary to complete the Work;
c. To supply suitable electrical service as required by Convergint; and
d. That in the event of any emergency or systems failure, reasonable safety precautions will be taken by Customer to protect life and property during the period of time from when Convergint is first notified of the emergency or failure and until such time that Convergint notifies the Customer that the systems are operational or that the emergency has cleared.

SECTION 2. PRICING

Pricing and amounts proposed shall remain valid for 30 days unless otherwise specified. Price includes only the material listed based on Convergint's interpretation of plans and specifications unless noted otherwise. Additional equipment, unless negotiated prior to order placement, will be billed accordingly. Sales taxes, (and in Canada GST/PST) and any other taxes assessed on Customer shall be added to the price upon invoice to Customer.

SECTION 3. INVOICE REMITTANCE AND PAYMENT

Customer agrees to pay Convergint twenty-five (25%) percent of the total price as a mobilization fee at the time of executing this Agreement.

If the Work is performed over more than a month, Convergint will invoice Customer each month for the Work performed during the previous month. Customer agrees to pay the amount due to Convergint as invoiced, within thirty (30) days of the date of such invoice. If the Work is completed in less than one month, Customer agrees to pay Convergint in full after the Work has been performed within thirty (30) days of the date of being invoiced. Invoices shall not include or be subject to a project retention percentage. If Customer is overdue in any payment to Convergint, Convergint shall be entitled to suspend the Work until paid, and charge Customer an interest rate 1 and 1/2% percent per month, (or the maximum rate permitted by law), and may avail itself of any other legal or equitable remedy. Customer shall reimburse Convergint costs incurred in collecting any amounts that become overdue, including attorney fees, court costs and any other reasonable expenditure

SECTION 4. WARRANTY

Convergint provides the following warranty to the Customer:

For the period of one (1) year, commencing at the earlier of substantial completion of the Work, or first beneficial use, ("Warranty Period"):

a. That Work performed under this Agreement will be of good quality;
b. That all equipment will be new unless otherwise required or permitted by this Agreement;
c. That the Work will be free from defects not inherent in the quality required or permitted; and
d. That the Work will conform to the requirements of this Agreement.

The Customer's sole remedy for any breach of this warranty is that Convergint shall remove, replace and/or repair at its own expense any defective or improper Work, discovered within the Warranty Period, provided Convergint is notified in writing of any defect within the Warranty Period.

Any equipment or products installed by Convergint in the course of performing the Work hereunder shall only carry such warranty as is provided by the manufacturer thereof, which Convergint hereby assigns to Customer without recourse to Convergint. Upon request of Customer, Convergint will use all reasonable efforts to assist Customer in enforcing any such third party warranties. This warranty excludes remedy for damage or defect caused by abuse, modifications not executed by Convergint, improper or insufficient maintenance, improper operation, or normal wear and tear under normal usage. NO FURTHER WARRANTIES OR GUARANTIES, EXPRESS OR IMPLIED, ARE MADE WITH RESPECT TO ANY GOODS OR SERVICES PROVIDED UNDER THIS AGREEMENT, AND ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE ARE EXPRESSLY DISCLAIMED

SECTION 5. CHANGES

Without invalidating this Agreement or any bond given hereunder, Customer or Convergint may request changes in the Work. Any changes to the Work and any adjustment to the Agreement Price or the time for completion of the Work shall be in writing signed by both Customer and Convergint. If Customer orders any additional work or causes any material interference with Convergint's performance of the Work, Convergint shall be entitled to an equitable adjustment in the time for performance and in the Agreement Price, including a reasonable allowance for overhead and profit

SECTION 6. FORCE MAJEURE

Neither Customer nor Convergint shall be responsible or liable for, shall incur expense for, or be deemed to be in breach of this Agreement because of any delay in the performance of their respective obligations pursuant to this Agreement due solely to circumstances beyond their reasonable control ("Force Majeure") and without the fault or negligence of the party experiencing such delay, provided that the party experiencing the delay shall promptly give written notification to the other party within five (5) days after such party has learned of the Force Majeure. A Force Majeure event shall include, but not be limited to: accident, fire, storm, water, flooding, negligence, vandalism, power failure, installation of incompatible equipment, improper operating procedures, source current fluctuations or lighting. If performance by either party is delayed due to Force Majeure, the time for that performance shall be extended for a period of time reasonably necessary to overcome the effect of the delay. Any Services required by Convergint due to reasons set forth in this Force Majeure Section shall be charged to Customer in addition to any amounts due under this Agreement.

Convergint TECHNOLOGIES

Terms and Conditions Continued

SECTION 7. INSURANCE

Convergint shall have the following insurance coverage during the term of this Agreement, and shall provide certificates of insurance to the Customer prior to beginning work hereunder.

Worker's Compensation	Statutory Limits
Employer's Liability	$1,000,000 per occurrence /aggregate
Commercial General Liability	$1,000,000 per occurrence/aggregate
	$2,000,000 general aggregate
Automobile Liability	$1,000,000 per occurrence/aggregate
Excess/Umbrella Liability	$4,000,000 per occurrence/aggregate

All insurance policies carried by Convergint hereunder shall be primary to and noncontributory with the insurance afforded to Customer, and shall name the Customer as "additional insured", with respect to liability arising out of work performed by Convergint, as applicable, but only to the extent of liabilities falling within the indemnity obligations of Convergint, pursuant to the terms of this Agreement. Convergint shall provide to the Customer no less than thirty (30) days notice prior to the termination or cancellation of any such insurance policy.

SECTION 8. INDEMNIFICATION

Convergint shall indemnify and hold Customer harmless from and against claims, damages, losses and expenses, (including, but not limited to, reasonable attorney's fees), attributable to bodily injury, sickness, disease or death, or to destruction of tangible property, but only to the extent caused by a) the negligent or willful acts or omissions of Convergint or Convergint's employees or subcontractors while on Customer's site, or b) the malfunction of the equipment supplied by Convergint, or c) Convergint's breach of this Agreement.

IN NO EVENT SHALL EITHER CONVERGINT OR CUSTOMER BE LIABLE TO THE OTHER PARTY HERETO FOR SPECIAL, INDIRECT, INCIDENTAL OR CONSEQUENTIAL DAMAGES, INCLUDING COMMERCIAL LOSS, LOSS OF USE OR LOST PROFITS, EVEN IF THAT PARTY HAS BEEN ADVISED OF THE POSSIBILTY OF SUCH DAMAGES. IN NO EVENT WILL CONVERGINT BE LIABLE TO CUSTOMER FOR ANY AMOUNTS IN EXCESS OF THE AMOUNTS PAID BY CUSTOMER TO CONVERGINT.

It is understood and agreed by the parties hereto that Convergint is or may be providing monitoring and or intrusion products which are designed to provide notification of certain events but are not intended to be guarantees or insurers against any acts for which they are supposed to monitor or inform. As required by the monitoring and intrusion industry and the manufacturers thereof, Convergint's indemnification obligation pursuant to Section 8 herein, does not apply to the extent the loss indemnified against is caused by any monitoring or intrusion product or software provided by but not manufactured by Convergint. Convergint shall have **no** liability to Customer for any losses to the extent such losses are caused by the monitoring or intrusion product or software. Customer shall indemnify, defend, and hold harmless Convergint, from and against all claims, lawsuits, damages, losses and expenses by persons not a party to this Agreement, but only to the extent caused by such monitoring or intrusion product or software provided by but not manufactured by Convergint.

SECTION 9. COMPLIANCE WITH LAW, EEO & SAFETY

This Agreement shall be governed and construed in accordance with the laws of the state/province in which the Work is being performed. Convergint agrees to comply with all laws and regulations relating to or governing the Work. Convergint agrees to comply with all reporting requirements imposed by law or this Agreement. Convergint shall comply with all safety related laws and regulations and with the safety program of the Customer, provided such program is supplied to Convergint prior to beginning work.

In the event that Convergint discovers or suspects the presence of hazardous materials, or unsafe working conditions at Customer's facility where the Work is to be performed, Convergint is entitled to stop the Work at that facility if such hazardous materials, or unsafe working conditions were not provided by or caused by Convergint. Convergint in its sole discretion shall determine when it is "safe" to return to perform the Work at Customer's facility. Convergint shall have no responsibility for the discovery, presence, handling, removing or disposal of or exposure of persons to hazardous materials in any form at the Customer's facility. Customer shall indemnify and hold harmless Convergint from and against claims, damages, losses and expenses, including but not limited to, reasonable attorney's fees, arising out of or resulting from undisclosed hazardous materials, or unsafe working conditions at Customer's facility.

SECTION 10. DISPUTES

In the event of any dispute between Convergint and Customer, Convergint and Customer shall first attempt to resolve the dispute in the field, but if that is not successful, then in a meeting between authorized officers of each company. If settlement attempts are not successful, then the dispute shall be subject to and decided by mediation or arbitration. Such mediation or arbitration shall be conducted in accordance with the Construction Industry Mediation or Arbitration Rules of the American Arbitration Association currently in effect and shall be a final binding resolution of the issues presented between the parties.

SECTION 11. MISCELLANEOUS

Neither party to this Agreement shall assign this Agreement without the prior written consent of the other party hereto. Convergint may assign this Agreement to any of its parents, subsidiary or affiliated companies or any entity majority owned by Convergint.

Notices shall be in writing and addressed to the other party, in accordance with the names and addresses of the parties as shown above. All notices shall be effective upon receipt by the party to whom the notice was sent.

A waiver of the terms hereunder by one party to the other party shall not be effective unless in writing and signed by a person with authority to commit the Customer or Convergint and delivered to the non-waiving party according to the notice provision herein. No waiver by Customer or Convergint shall operate as a continuous waiver, unless the written waiver specifically states that it is a continuous waiver of the terms stated in that waiver. The Sections regarding invoicing, warranty and indemnity shall survive the termination of this Agreement.

Resolution

R-1314-65

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING AND APPOINTING CONVERGINT TECHNOLOGIES, INC., AS PROJECT AGENT FOR THE PURCHASE AND INSTALLATION OF A SECURITY CAMERA SYSTEM AND SOFTWARE FOR THE CITY OF NORMAN INVESTIGATIONS CENTER LOCATED AT 1507 WEST LINDSEY STREET.

§ 1. WHEREAS, the City of Norman, Oklahoma, does hereby acknowledge that the tax-exempt status of this political subdivision is a significant factor in determining the agreed contract price bid by Convergint Technologies, Inc., for the purchase and installation of a security camera system and software for the City of Norman Investigations Center located at 1507 West Lindsey Street; and

§ 2. WHEREAS, the City of Norman, Oklahoma, in compliance with State law, desires to confer on Convergint Technologies, Inc., its special State and Federal sales tax exemptions and in order to achieve such end, finds it necessary to appoint as its direct purchasing agent, Convergint Technologies, Inc., to purchase materials which are in fact used for the purchase and installation of a security camera system and software for the City of Norman Investigations Center located at 1507 West Lindsey Street; and

§ 3. WHEREAS, this limited agent status is conferred with the express understanding that Convergint Technologies, Inc., shall appoint employees and subcontractors as subagents who shall be authorized to make purchases on their behalf.

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

§ 4. That the City of Norman, Oklahoma, on the 12th day of November, 2013, did appoint Convergint Technologies, Inc., who is involved with the purchase and installation of a security camera system and software for the City of Norman Investigations Center located at 1507 West Lindsey Street, an agent of the City of Norman, Oklahoma, solely for the purpose of purchasing, on a tax-exempt basis, materials and tangible personal property to be used exclusively for the purchase and installation of a security camera system and software for the City of Norman Investigations Center located at 1507 West Lindsey Street.

PASSED AND ADOPTED THIS 12th day November, 2013.

ATTEST: _____ Mayor

_____
City Clerk

City of Norman, OK

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

Master

File Number: K-1314-92

File ID:	K-1314-92	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 41	**In Control:**	City Council
Department:	Finance Department	**Cost:**	$27,088.64	**File Created:**	10/30/2013
File Name:	Contract for Security Access Control System			**Final Action:**	

Title: CONTRACT NO. K-1314-92: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND RFIP SECURITY, INC., IN THE AMOUNT OF $27,088.64, FOR THE PURCHASE AND INSTALLATION OF A SECURITY ACCESS CONTROL SYSTEM AND SOFTWARE FOR THE CITY OF NORMAN INVESTIGATIONS CENTER LOCATED AT 1507 WEST LINDSEY STREET AND ADOPTION OF PROJECT AGENT RESOLUTION NO. R-1314-66.

Notes: ACTION NEEDED: Motion to approve or reject Contract No. K-1314-92 with RFIP Security, Inc., in the amount of $27,088.64; and, if approved, authorize the execution thereof.

ACTION TAKEN:_____

Agenda Date: 11/12/2013

Agenda Number: 41

Attachments: Text file K-1314-92.pdf, K-1314-92.pdf, R-1314-66.pdf

Project Manager: Kari Madden, Network Manager

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-92

Body

BACKGROUND: The fiscal year 2012-2013 (FYE 2013) Public Safety Sales Tax Fund budget included funding to renovate the Joe Smalley Center for City of Norman use as the Police/Fire Investigations Facility. On July 9, 2013, the City Council awarded a construction contract (K-1213-195) for the renovations to Downey Contracting, L.L.C. The renovation project anticipated the need for a building access control system for managing external access to the building and internal access control within the building.

DESCRIPTION: Funds for this purchase are available in the Smalley Center Renovations Project, Construction (account 050-9540-419.61-01; project EF1001). Staff of the Information Technology Division solicited quotes for a networked building access control system, necessary software, and installation. Responses were received from three qualified vendors:

RFIP Security, of Oklahoma City, Oklahoma ($27,088.64)

Johnson Controls, of Oklahoma City, Oklahoma ($30,492.00)
Convergint Technologies, of Oklahoma City, Oklahoma ($33,514.17)

RFIP Security was selected as the lowest and best quote. The total cost of the RFIP Security contract is $27,088.64.

RECOMMENDATION: It is recommended that City Council approve the contract and adopt the resolution granting tax-exempt status for the system purchase.

K-1314-92

AGREEMENT

This Agreement ("Agreement") is entered into as of the 6th day of November, 2013, between the City of Norman, Oklahoma, a municipal corporation ("CITY") and RFIP SECURITY, Inc. ("RFIP").

WITNESSETH:

WHEREAS, CITY desires to install a networked building access control system for the City of Norman Investigation Facility (the "Project") and requested quotes from at least three vendors for the same;

WHEREAS, RFIP submitted the lowest quote for the Project; and

WHEREAS, CITY desires to enter into this Agreement with RFIP to accomplish the installation of the Project.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

I. **Contract Documents.** The following documents shall be referred to as the "Contract Documents", all of which shall be taken together as a whole as the contract between the parties as if they were set verbatim and in full herein:

A. This Agreement.

B. RFIP'S Proposal for the City of Norman Investigation Facility Genetec Access Control (Quotation No. AAAQ4259), attached hereto as Exhibit A.

C. In the event of a conflict among the provisions of the Contract Documents, the order in which they are listed above shall control in resolving any such conflicts with Contract Document "A" have the first priority and Contract Document "B" having the last priority.

II. **Scope of Work.**

A. Provide and install City of Norman Investigation Center with the following software: Genetec Security Center Base Package with the Active Directory Integration, Genetec Synergis Professional Package, and the Import Tool.

B. Install and program access control on fourteen (14) total doors within the facility, seven (7) mag-lock doors, and seven (7) additional doors. Seven (70) of the allotted access control doors will have mag-locks with the required push-to-exit devices. This includes door contacts, REX PIR

devices, and cable to all fourteen (14) doors. This also includes fourteen (14) RP40 multiclass readings and fourteen (14) HID EVO EH400-K standard door controllers needed for each door.

C. RFIP will provide, install, terminate, and program all equipment provided by RFIP for a complete and functional system.

D. RFIP will coordinate a full project plan with CITY upon completion of the Project.

E. All work will be done in accordance with project specifications unless changes are approved in writing in advance by the Project Manager for the CITY.

III. Payment Terms.

CITY agrees to pay RFIP for all necessary supplies, materials and equipment in accordance with Quotation No. AAAQ4259 attached as Exhibit A and necessary for the Project as follows: If the work is performed over more than one month, RFIP will invoice CITY each month for materials, equipment, and supplies purchased during the previous month. If the work is completed in less than one month, CITY agrees to pay RFIP in full after the work has been performed within thirty (30) days of being invoiced. For costs related to installation, CITY agrees to pay RFIP within thirty (30) days of being invoiced, provided such invoice shall only be issued upon CITY'S final acceptance of the Project.

IV. Warranty.

A. For a period of one (1) year commencing at the earlier of substantial completion of the Project, or first beneficial use ("Warranty Period"):

i. That the work performed under this Agreement will be of good quality;
ii. That all equipment will be new unless otherwise required or permitted by this Agreement;
iii. That the Project will be free from defects not inherent in the quality required or permitted; and
iv. That the Project will conform to the requirements of this Agreement.

B. In the event the warranty provided herein is breached by RFIP, RFIP shall remove, replace, and/or repair at its own expense any defective or improper work discovered within the Warranty Period.

C. Any equipment or products installed by RFIP in the course of completing the Project shall carry such warranty as is provided by the manufacturer thereof, which RFIP hereby assigns to CITY. Upon request of CITY, RFIP shall use all reasonable efforts to assist CITY in enforcing any such third party warranties.

V. **Force Majeure.** Neither CITY nor RFIP shall be responsible or liable for, shall incur expense for, or be deemed to be in breach of this Agreement because of any delay in the performance of their respective obligations pursuant to this Agreement due solely to circumstances beyond their reasonable control ("Force Majeure") and without the fault or negligence of the party experiencing such delay, provided that the party experiencing the delay shall promptly give written notification to the other party within five (5) days after such party has learned of the Force Majeure. A Force Majeure event shall include, but not be limited to: accident, fire, storm, water, flooding, power failure, installation of incompatible equipment, lightening or source current fluctuations. If performance by either party is delayed due to Force Majeure, the time for that performance shall be extended for a period of time reasonable necessary to overcome the effect of the delay.

VI. **Indemnification and Liability.** The RFIP agrees to defend, indemnify, and hold harmless the CITY, its officers, servants, and employees, from and against any and all liability, loss, damage, cost, and expense (including attorneys' fees and accountants' fees) caused by an error, omission, or negligent act of the RFIP in the performance of services under this Agreement. CITY agrees to defend, indemnify, and hold harmless the RFIP, its officers, servants, and employees, from and against any and all liability, loss, damage, cost, and expense (including attorneys' fees and accountants' fees) caused by an error, omission, or negligent act of the CITY in the performance of services under this Agreement, provided such indemnification shall be applicable only to the extent sovereign immunity has been waived pursuant to Oklahoma law. The RFIP and the CITY each agree to promptly service notice on the other party of any claims arising hereunder, and shall cooperate in the defense of such claims. The acceptance by CITY or its representatives of any certification of insurance providing for coverage other than as required in this Agreement to be furnished by the RFIP shall in no event be deemed a waiver of any of the provisions of this indemnity provision. None of the foregoing provisions shall deprive the CITY of any action, right, or remedy otherwise available to CITY at common law.

VII. **Insurance.** Proof of the following insurance shall be provided by RFIP prior to commencing work under this Agreement:

A. Public liability insurance with a limit of not less than $100,000 per person and $300,000 per occurrence.

B. Property damage insurance with a limit of not less than $50,000 per person and $100,000 per occurrence.

C. Workers' Compensation insurance as required by Oklahoma law.

[Remainder of Page Left Blank Intentionally]

EXHIBIT A
RFIP QUOTE # AAAQ4259

RFIP, Inc.
100 W. Wilshire Blvd - Suite C4 - Oklahoma City, OK 73116
Phone: (405) 286-0928 - Fax: (405) 286-0656

QUOTE

Date	Quote #
09/17/13	AAAQ4259

Bill To: City of Norman
Robert Gruver
United States

Phone: (405)217-7746
Fax:

Ship To: City of Norman
Robert Gruver
United States

Phone: (405)217-7746
Fax:

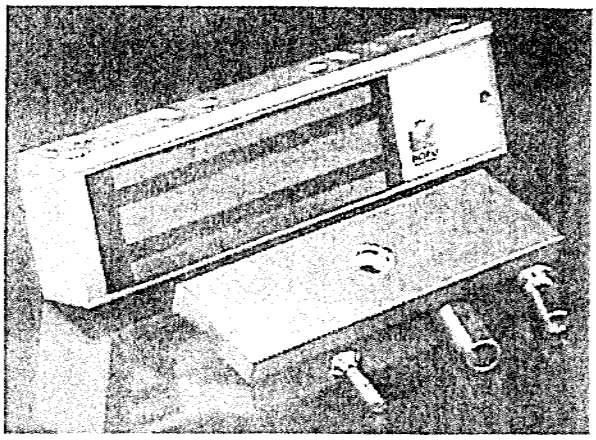
Terms	Rep	P.O. Number	Ship Via
Net 30	bcottle		Ground

Qty	Part #	Description	Unit Price	Ext. Price
		City of Norman Police Department - Genetec Access Control		
		Genetec Security Center Software		
1	GSC-Base-5.2	Genetec Security Center (GSC) Base Package - Version 5.2 which includes: 1 Directory, 5 Security Desk client connections, Plan Manager Basic for 3 maps and 30 entities, Alarm Management, Advanced Reporting, System Partitioning, Zone Monitoring, Email Support, Macros Support (actual macros sold separately), all supported languages. Must purchase a Synergis, Omnicast, or AutoVu base package to enable access control, video, or LPR content respectively.	$0.00	$0.00
1	GSC-1AD-USCH	Security Center Active Directory Integration (users and cardholders). Enables Windows user accounts to be linked to Security Center user and Synergis cardholder accounts. Only available with Professional or Enterprise packages (Synergis and/or Omnicast) or AutoVu Standard package. Includes 1 connection to an Active Directory server.	$2,692.31	$2,692.31
1	GSC-Sy-P	GSC Synergis Professional Package software which includes: 1 Access Manager. Max. 256 readers, Max. 2 Access Managers, Max. 10 clients, Badge Designer.	$2,692.31	$2,692.31
1	GSC-Sy-P-IMP	Import Tool (import cardholder and credential data)	$769.23	$769.23
14	SMA-RDR-P-1Y	SMA for 1 Synergis Pro Reader – 1 year [16 connections(s) x 1 year]	$17.69	$247.66
		Access Control Door Controllers and Readers		
14	Sy-82000CKE1A	E1A EDGE EVO EH400-K Standard Controller. Single door, IP-based controller for Host-based systems. Single physical package. Door inputs/outputs are 4 external inputs, 2 outputs; on-board optical tamper (standard mount). One Wiegand/Clock-and-Data reader interface. Hi-O compliant. For use indoor or outside in weatherproof enclosure. US singlegang, US double-gang or EU/APAC 60mm mount.	$365.38	$5,115.32

PRICES SUBJECT TO CHANGE - PRICES BASED UPON TOTAL PURCHASE - MINIMUM 15% RESTOCKING FEE WITH ORIGINAL PACKAGING.

Qty	Part #	Description	Unit Price	Ext. Price
14	920PTN	multiCLASS SE RP40 Contactless Smart Card Reader, Wall Switch, with Prox, Standard and SIO 13.56 Interpreter (standard iCLASS and SE credentials are supported), Wiegand	$175.58	$2,458.12
		Doors Requiring Mag-Locks - Doors 1006, 1028, 1050, 1121, 1071, 1116, 1020A - (7 Doors Total) - Note: Only securing the active leaf of Door 1050)		
7	8011LC20993	ROFU 1200 lb Maglock	$205.13	$1,435.91
7	5215-SPBXFT-XE1	Dortronics Request to Exit Button w/ 30 timer	$79.94	$559.58
7	1078W-N	UTC 1" diameter Recessed Steel Door	$8.15	$57.05
		Doors Requiring Electrified Strikes - Doors 1003, 1039, 1168A, 1068B, 1079(Corridor East Exit), 1100(Corridor Outside Door), 1102(Hallway into Property) - 7 Total Doors. **This equipment, as shown in the final hardware schedule, will be provided and installed by the GENERAL CONTRACTOR.**		
3	DS160	Bosch Request to Exit PIR - (These are only required on the doors that do not request to exit in the push pad.)	$69.68	$209.04
7	1078W-N	UTC 1" diameter Recessed Steel Door	$8.15	$57.05
1	/MISC	RFIP Security - MISC Door Hardware, Cable, Connectors, etc.	$2,251.46	$2,251.46
1	/INSTALL	RFIP Security Installation and Programming	$8,296.30	$8,296.30
			SubTotal	$26,841.34
			Sales Tax	$0.00
			Shipping	$247.30
			Total	$27,088.64

ROFU® MAGNETIC DOOR LOCKING DEVICE MODEL 8011-LC FOR SINGLE DOOR



STANDARD FEATURES

- Holding Force: 1500 lbs. (675 Kg.)
- Easy Installation: Versatile mounting bracket for new and existing doors and frames.
- Fail Safe: Releases instantly when power is disconnected. No residual magnetism.
- Fail Alarm: May be released upon activation of fire alarm.
- Housing: Attractive, heavy duty, anodized extruded aluminum
- Voltage: 12VDC or 24VDC
- Current Draw: 415 mA at 12 VDC
  215 mA at 24 VDC
- Mounting hardware included with unit for outswinging doors. Optional Z-Bracket required for inswinging doors.
- Limited Lifetime Warranty

SPECIFICATIONS

- Magnet Size: $10^1/_2$" x $2^5/_8$" x $1^5/_8$" (LxHxW)
  (268 x 68 x 42 mm)
- Armature Size: $7^1/_4$" x $2^3/_8$" x $^5/_8$" (LxHxW)
  (190 x 60 x16 mm)
- Finish: xUS28 or xUS40

OPTIONAL FEATURES

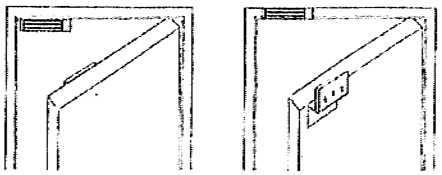
- Time Delay — A timing chip is added to the PC Board and a 0-30 second adjustable switch can be set with a screwdriver to get the desired "door open" time. Specify 8011-LC-TD.

OPTIONAL ACCESSORIES

- Accessories: Filler Plates, L-Brackets, Glass door mounting aids, Z-Brackets for inswinging doors & spacers.

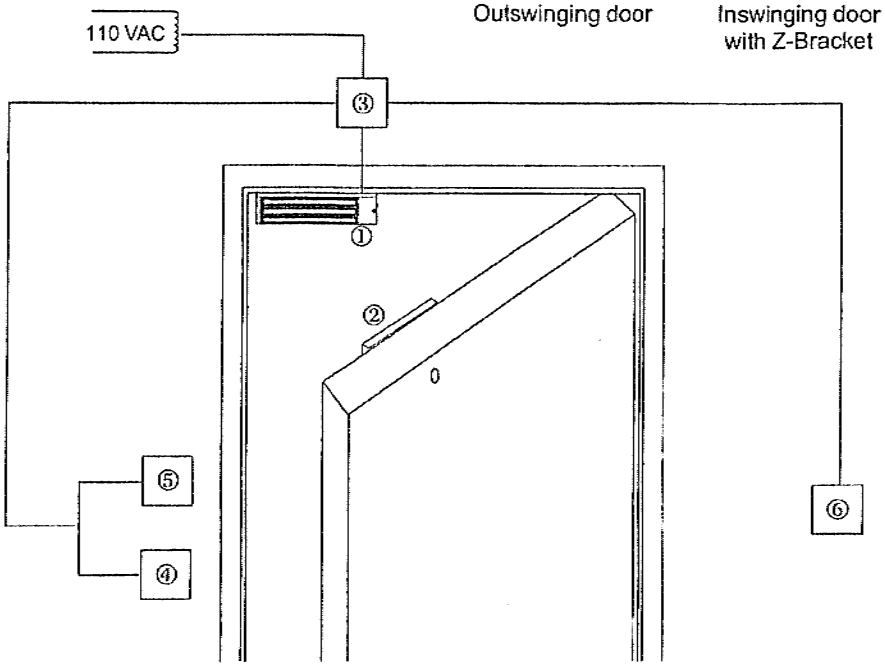
TECHNICAL DATA SUBJECT TO CHANGE WITHOUT NOTICE

Typical Installation ROFU® Model 8011-LC

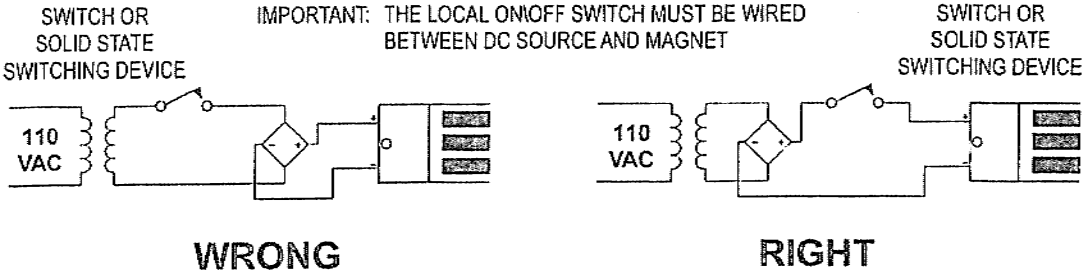


Outswinging door

Inswinging door with Z-Bracket



1 ROFU Magnet 8011-LC
2 Armature plate
3 DC power supply
4 Access Controls - key switch
5 Request to exit button
6 Remote release



NOT TO SCALE - TECHNICAL DATA SUBJECT TO CHANGE WITHOUT NOTICE

IN WITNESS WHEREOF, this Agreement is entered into the 14th day of November, 2013.

RFIP TECHNOLOGIES, INC.

By: _____

Name: Aaron Hallmark

Title: President

Attest: _____

(Corporate Seal)

CITY OF NORMAN, OKLAHOMA

By: _____

Name: Cindy S. Rosenthal

Title: Mayor

Attest: _____

City Clerk

(Seal)

Approved as to form and legality this ____ day of _____, 2013.

_____

City Attorney

Resolution

R-1314-66

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING AND APPOINTING RFIP SECURITY, INC., AS PROJECT AGENT FOR THE PURCHASE AND INSTALLATION OF A SECURITY ACCESS CONTROL SYSTEM AND SOFTWARE FOR THE CITY OF NORMAN INVESTIGATIONS CENTER LOCATED AT 1507 WEST LINDSEY STREET.

§ 1. WHEREAS, the City of Norman, Oklahoma, does hereby acknowledge that the tax-exempt status of this political subdivision is a significant factor in determining the agreed contract price bid by RFIP Security, Inc., for the purchase and installation of a security access control system and software for the City of Norman Investigations Center located at 1507 West Lindsey Street; and

§ 2. WHEREAS, the City of Norman, Oklahoma, in compliance with State law, desires to confer on RFIP Security, Inc., its special State and Federal sales tax exemptions and in order to achieve such end, finds it necessary to appoint as its direct purchasing agent, RFIP Security, Inc., to purchase materials which are in fact used for the purchase and installation of a security access control system and software for the City of Norman Investigations Center located at 1507 West Lindsey Street; and

§ 3. WHEREAS, this limited agent status is conferred with the express understanding that RFIP Security, Inc., shall appoint employees and subcontractors as subagents who shall be authorized to make purchases on their behalf.

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

§ 4. That the City of Norman, Oklahoma, on the 12th day of November, 2013, did appoint RFIP Security, Inc., who is involved with the purchase and installation of a security access control system and software for the City of Norman Investigations Center located at 1507 West Lindsey Street, an agent of the City of Norman, Oklahoma, solely for the purpose of purchasing, on a tax-exempt basis, materials and tangible personal property to be used exclusively for the purchase and installation of a security access control system and software for the City of Norman Investigations Center located at 1507 West Lindsey Street.

PASSED AND ADOPTED THIS 12th day of November, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: GID-1314-47

File ID:	GID-1314-47	**Type:**	Authorization for Purchase	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 42	**In Control:**	City Council
Department:	Finance Department	**Cost:**	$29,284.60	**File Created:**	10/30/2013
File Name:	Purchase of Network Switch Equipment			**Final Action:**	

Title: AUTHORIZATION FOR THE PURCHASE AND INSTALLATION OF CISCO SYSTEMS NETWORK SWITCH EQUIPMENT FROM CHICKASAW TELECOM, INC., IN THE AMOUNT OF $29,284.60 TO PROVIDE NETWORK ACCESS AT THE CITY OF NORMAN INVESTIGATIONS CENTER LOCATED AT 1507 WEST LINDSEY STREET AND ADOPTION OF RESOLUTON R-1314-67.

Notes: ACTION NEEDED: Motion to approve or reject authorization for the purchase and installation of Cisco Systems Network Switch Equipment form Chickasaw Telecom, Inc., in the amount of $28,284.60 to provide network access for each network device at the City of Norman Investigations Center located at 1507 West Lindsey Street; and, if approved, adopt Resolution No. R-1314-57.

ACTION TAKEN:_____

Agenda Date: 11/12/2013

Agenda Number: 42

Attachments: Text File Chickasaw Telecom.pdf, Chickasaw Telecom Invoice.pdf, R-1314-67.pdf

Project Manager: Kari Madden, Network Manager

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File GID-1314-47

Body

BACKGROUND: The fiscal year 2012-2013 (FYE 2013) Public Safety Sales Tax Fund budget included funding to renovate the Joe Smalley Center for City of Norman use as the Police/Fire Investigations Facility. On July 9, 2013, City Council awarded a construction contract (K-1213-195) for the renovations to Downey Contracting, L.L.C. The renovation project anticipated the requirement for networking hardware to provide network access to each networked device in the Investigations Facility back to the network resources located at the City of Norman Municipal Complex.

DESCRIPTION: Funds for this purchase are available in the Smalley Center Renovations Project Construction (account 050-9540-419.61-01; project EF1001). Staff of the Information Technology Division received pricing via the State Contract ITSW1006C for Cisco Systems hardware from Chickasaw Telecom, Inc., of Oklahoma City, Oklahoma in the amount of $29,284.60. This will be total cost of the contract.

RECOMMENDATION: It is recommended that City Council approve authorization for the purchase and installation of Cisco Systems Network Switch Equipment from Chickasaw Telecom, Inc., in the amount of $28,284.60 to provide network access at the City of Norman Investigations Center located at 1507 West Lindsey Street, and adopt the Resolution granting tax-exempt status for the equipment purchase.

Chickasaw
TELECOM, INC.
www.chickasawtel.com

Date: August 21, 2013
Quotation #: 13-10301134
Customer #:

5 N. McCormick Street
Oklahoma City, OK 73127
Telephone (405) 946-1200 Fax (405) 945-9599

Bill To Information:
Customer Name City of Norman
Contact Name Kari Madden
Street Address
City, State & Zip Code
Telephone Number
Fax Number
E-mail Address Kari Madden

Quotation valid until: September 20, 2013
Prepared by: Aaron McIntyre
Payment Terms: Due upon receipt of goods

Special Comments: Smarliey 4507R

Product #	Product Description	Qty.	Unit List Price	*Lead Time*	Customer Discount	Customer Unit Price	Customer Extended Price
	Equipment & Software				48.00%		
WS-C4507RE+96V+	WS-C4507R+E Chassis two WS-X4648-RJ45V+E Sup7L-E LAN Base	1	22000.00		10560.00	11440.00	11440.00
WS-X45-SUP7L-E	Catalyst 4500 E-Series Supervisor 7L-E 520Gbps	1	0.00		0.00	0.00	0.00
WS-X45-SUP7L-E/2	Catalyst 4500 E-Series Supervisor 7L-E 520Gbps redundant	1	11995.00		5757.60	6237.40	6237.40
WS-X4648-RJ45V+E	Catalyst 4500 E-Series 48-Port PoE+ Ready 10/100/1000(RJ45)	1	7495.00		3597.60	3897.40	3897.40
C4500E-S7L-DEFAULT	Default WS-X45-SUP7L-E with WS-X4648-RJ45V+E Bundle	1	0.00		0.00	0.00	0.00
S45EU-34-1512SG	CAT4500e SUP7-E/SUP7L-E Universal Image	1	0.00		0.00	0.00	0.00
PWR-C45-2800ACV	Catalyst 4500 2800W AC Power Supply (Data and PoE)	1	1995.00		957.60	1037.40	1037.40
CAB-AC-2800W-TWLK	U.S. Power Cord Twist Lock NEMA 6-20 Plug	2	0.00		0.00	0.00	0.00
PWR-C45-2800ACV/2	Catalyst 4500 2800W AC Power Supply (Data and PoE)	1	1995.00		957.60	1037.40	1037.40
WS-X4648-RJ45V+E	Catalyst 4500 E-Series 48-Port PoE+ Ready 10/100/1000(RJ45)	2	0.00		0.00	0.00	0.00
C4500E-IPB	Paper IP Base License	1	0.00		0.00	0.00	0.00
WS-C2960X-48FPS-L	Catalyst 2960-X 48 GigE PoE 740W 4 x 1G SFP LAN Base	1	6595.00		3165.60	3429.40	3429.40
CAB-16AWG-AC	AC Power cord 16AWG	1	0.00		0.00	0.00	0.00
PWR-CLP	Power Retainer Clip For Cisco 3560-C and 2960-C Compact Swit	1	0.00		0.00	0.00	0.00
			Sub Total Equipment		$ 24,996.00	$ 27,079.00	$ 27,079.00
	Smartnet Services				20%		
CON-SNT-C4507REV	SMARTNET 8X5XNBD WS-C4507R+E Chassis2 WS-X4648-RJ4	1	1,277.00		255.40	1,021.60	1,021.60
					0.00	0.00	0.00
					0.00	0.00	0.00
					0.00	0.00	0.00
					0.00	0.00	0.00
			Sub Total Smartnet		$ 255.40	$ 1,021.60	$ 1,021.60
	Peripherals				0.00%		
					0.00	0.00	0.00
					0.00	0.00	0.00
					0.00	0.00	0.00
					0.00	0.00	0.00
					0.00	0.00	0.00
			Sub Total Peripherals		$ -	$ -	$ -
	Freight, Shipping and Handling						$ -
CTI-INST-LBR	Installation, Configuration and Training	8	148.00			$ 148.00	$ 1,184.00
	THANK YOU FOR YOUR BUSINESS					TOTAL	$ 29,284.60

Ship To Information:
Customer Name City of Norman
Contact Name Kari Madden
Street Address -
City, State & Zip Code -
Telephone Number -
Fax Number -

E-mail Address Kari Madden

If you have a project deadline please let us know when you place the order.

Account Manager: Aaron McIntyre
Email: amcintyre@chickasawtel.com
Direct Telephone # : 1-405-946-1200
Fax # : 1-405-943-2341
Oklahoma State License # 1190
ONEnet Contract # C070015
OSF # ITSW1006
Federal Identification # : 73-1354410
Service Provider ID (SPIN) # : 143028698

** Lead time is a Cisco estimate in business days plus shipping.*
All Sales are final. No returns without Manufacturer's approval.

Resolution

R-1314-67

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING AND APPOINTING CHICKASAW TELECOM, INC., AS PROJECT AGENT FOR THE PURCHASE AND INSTALLATION OF CISCO SYSTEMS NETWORK SWITCH EQUIPMENT TO PROVIDE NETWORK ACCESS FOR EACH NETWORK DEVICE AT THE CITY OF NORMAN INVESTIGATIONS CENTER LOCATED AT 1507 WEST LINDSEY STREET.

§ 1. WHEREAS, the City of Norman, Oklahoma, does hereby acknowledge that the tax-exempt status of this political subdivision is a significant factor in determining the agreed price by Chickasaw Telecom, Inc., for the purchase and installation of Cisco Systems network switch equipment to provide network access for each network device at the City of Norman Investigations Center located at 1507 West Lindsey Street; and

§ 2. WHEREAS, the City of Norman, Oklahoma, in compliance with State law, desires to confer on Chickasaw Telecom, Inc., its special State and Federal sales tax exemptions and in order to achieve such end, finds it necessary to appoint as its direct purchasing agent, Chickasaw Telecom, Inc., to purchase materials which are in fact used for the purchase and installation of Cisco Systems network switch equipment to provide network access for each network device at the City of Norman Investigations Center located at 1507 West Lindsey Street; and

§ 3. WHEREAS, this limited agent status is conferred with the express understanding that Chickasaw Telecom, Inc., shall appoint employees and subcontractors as subagents who shall be authorized to make purchases on their behalf.

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

§ 4. That the City of Norman, Oklahoma, on the 12th day of November, 2013, did appoint Chickasaw Telecom, Inc., who is involved with the purchase and installation of Cisco Systems network switch equipment to provide network access for each network device at the City of Norman Investigations Center located at 1507 West Lindsey Street, an agent of the City of Norman, Oklahoma, solely for the purpose of purchasing, on a tax-exempt basis, materials and tangible personal property to be used exclusively for the purchase and installation of Cisco Systems network switch equipment to provide network access for each network device at the City of Norman Investigations Center located at 1507 West Lindsey Street.

PASSED AND ADOPTED THIS 12th day of November, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

City of Norman, OK

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

Master

File Number: K-1314-93

File ID:	K-1314-93	**Type:**	Contract	**Status:**	Consent Item
Version:	2	**Reference:**	Item No. 43	**In Control:**	City Council
Department:	Legal Department	**Cost:**		**File Created:**	11/06/2013
File Name:	Oil and Gas Lease with Baron Exploration			**Final Action:**	

Title: CONTRACT K-1314-93: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND BARON EXPLORATION COMPANY FOR THE LEASE OF 160 ACRES OF MINERAL RIGHTS TO ALLOW DRILLING OPERATIONS ON PROPERTY LOCATED IN SECTION 18, TOWNSHIP 8 NORTH, RANGE 2 WEST OF CLEVELAND COUNTY OKLAHOMA, SOUTHWEST OF THE WASTEWATER TREATMENT PLANT ALONG THE SOUTH CANADIAN RIVER FOR A PERIOD OF THREE YEARS.

Notes: ACTION NEEDED: Motion to approve or reject Contract No. K-1314-93 with Baron Exploration Company for a period of three years; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 43

Attachments: Text File Baron Exploration.pdf, Oil and Gas Lease-Baron Exploration

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-1314-93

Body

BACKGROUND: The City of Norman owns 340 acres, more or less depending on the alignment of the Canadian River, South of State Highway 9 and East of Jenkins Avenue. The City also owns all of the mineral rights for this property. Currently, the City of Norman leases a portion of the property for the operation of a sand mine and the City uses a portion for the City's compost facility.

In July 2006, the City of Norman entered into a lease for drilling of an oil and gas well on this property. That lease was with Hughes Oil Company ("Hughes"). Though the City had a lease with Hughes, Hughes never drilled a well, and the lease expired. The term of the lease with Hughes was for three years with Hughes agreeing to pay a 3/16 royalty to the City of Norman.

Subsequent to the expiration of the lease with Hughes, City staff began to take steps to determine if there was any interest among oil and gas companies to lease the same area for a well. David Woods, Oil and Gas

Inspector for the City of Norman, spoke with several oil companies operating in the Oklahoma City Metro Area about the possibility of leasing the City property. After determining that there was interest, the City of Norman advertised for lease proposals in the *Norman Transcript* on October 5th and 12th, 2013. The Baron Exploration Company ("Baron") submitted the only proposal. The bid documents included a lease prepared with help from the Oklahoma City law firm of Elias, Books, Brown and Nelson who specialize in oil and gas law. The City Council met on October 22, 2013 and November 5, 2013 to discuss Baron Exploration's proposal.

The item now coming before Council is consideration of the Lease between the City and Baron for Oil and Gas exploration purposes, as discussed in Council's prior conferences.

DISCUSSION: Baron proposes to lease 160 acres of mineral rights from the City of Norman within the 340 acres owned by the City of Norman for a primary term of three years. Baron agrees to a first year drilling obligation - meaning that if a well is not drilled within the first year of the lease term, the lease will terminate. In addition, after the three year primary term, the lease will expire as to all land not included within the producing area. The lease will continue for the producing areas until production is exhausted. Baron will pay a royalty of 3/16 to the City of Norman; a one-time bonus payment of $150.00/acre for a total bonus payment of $24,000; and payment for surface damages of $300.00/month for the term of the lease.

In exchange, the City of Norman would be granting exclusive a drilling and productions operation site within the leased premises, and access thereto. This includes the right to lay a natural gas gathering pipeline on City property to pipe the gas from the well site.

The locations of the proposed well and natural gas pipeline are shown on a map attached to the proposed Lease Agreement. Under the terms of the Lease, the City may specify how Baron shall access the well site.

The City of Norman requires a permit to drill an oil well within the City of Norman. If the lease is approved, Baron will have to apply for and receive a permit. There are locational criteria in order to receive a permit, and this proposed location meets those criteria. First, an oil well cannot be drilled on land zoned parkland or Planned Unit Development or contained within a final plat. The area for the Baron well site is zoned A-2. In addition, the nearest houses are over 2,000 feet away from the proposed well location.

The area for the proposed well site is within a floodplain. Baron made application to the City of Norman Floodplain Permit Committee and on October 7, 2013, the Floodplain Permit Committee reviewed the application; approved the well site location; and granted a floodplain permit. The permit requires that the well head and the tank batteries be constructed at the base flood elevation.

RECOMMENDATION: The City Attorney's Office has reviewed the Baron Proposal. In addition, the Oklahoma City firm of Elias, Books, Brown, and Nelson, who specialize in oil and gas law, has assisted the City Attorney's Office in this matter. The City Attorney's Office and Elias, Books, Brown, and Nelson firm believe the terms of this lease are fair to the City of Norman and are standard within the oil and gas industry. If City Council wishes to lease the subject property to Baron Exploration to drill an oil and gas well, City Staff recommends approval of the subject lease.

OIL AND GAS LEASE

THIS AGREEMENT made and entered into this ____ day of November, 2013, by and between:

THE CITY OF NORMAN, OKLAHOMA, a Municipal Corporation, party of the first part, hereinafter called Lessor, and

BARON EXPLORATION COMPANY, 107 S. Broadway, Edmond, Oklahoma 73034, party of the second part, hereinafter called Lessee.

1. WITNESSETH that said Lessor, in consideration of **Ten Dollars and/or other valuable consideration,** in hand paid, receipt of which is hereby acknowledged, and of the covenants and agreements hereinafter contained on the part of Lessee to be paid, kept and performed, has granted, demised, leased and let and by these presents does grant demise, lease and let exclusively unto the said Lessee, for the sole and only purpose of exploring by geophysical and other methods, mining and operating for oil (including but not limited to distillate and condensate), gas (including casinghead gas and helium and all other constituents), and for laying pipe lines and building tanks, power stations and structures thereon, to produce, save and take care of said products, all that certain tract of land, together with any reversionary or accretion rights therein, situated in the County of Cleveland, State of Oklahoma, described as follows, to wit:

   Government Lots 10 & 12, together with accretion lands, insofar as same lies within the W/2 NE/4 and E/2 NW/4 of section 18-8N-2W, Cleveland County, Oklahoma, containing 160 acres, more or less,

   together with all rights and interests in and to adjoining and adjacent streets, gores, strips of land and right-of-ways, it being the intent hereof that all Lessor's interest now owned or hereafter acquired in the W/2 NE/4 & E/2 NW/4 of section 18-8N-2W, be covered by and included in this lease, containing 160 acres, more or less.

2. Subject to the provisions below, it is agreed that this Lease shall remain in force for a term of THREE (3) years from date herein, (herein called primary term) and as long thereafter as oil and gas, or either of them, is produced from said land by the Lessee.

3. Lessee will have one year from the execution hereof by Lessor in which to commence actual drilling of a well on the leased premises, otherwise this lease will terminate in its entirety.

4. Lessor owns all surface rights to the leased premises. In consideration of the mutual benefits to Lessor and Lessee, Lessor hereby leases and grants to Lessee that portion of the leased premises as depicted on survey attached hereto as Exhibit A, and made a part

hereof, as an exclusive drilling and production operations site. Lessee's access to the operations site shall be through public entrance at Lessor's Compost Facility. In addition, Lessor grants a pipeline right-of-way going east from the operations site through Lessor's Compost Facility following such route as designated by Lessor which route is depicted on plat attached hereto as Exhibit B and made a part hereof. Prior to Lessee's entry upon the operations site, Lessee shall make rental payment to Lessor of $300 and continue paying Lessor the $300 rental monthly, or, at Lessee's option, $3,600 annually. Such rental payments shall continue until Lessee has ceased operations at the operations site and turned over possession of such site to Lessor. Lessee shall not remove gravel or rock from the operations site without consent of Lessor. Up to four wellbores may be drilled on the operations site, one of which may be either an oil and gas producer or a water disposal well for on-site produced water.

5. In consideration of the premises the said Lessee covenants and agrees:

   a. To deliver to the credit of Lessor, free of cost, in the pipe line to which it may connect its wells, the three-sixteenths (3/16) part of all oil (including but not limited to condensate and distillate) produced and saved from the leased premises.

   b. To pay Lessor for gas of whatsoever nature or kind (with all of its constituents) produced and sold or used off the leased premises or used in the manufacture of products therefrom, three-sixteenths (3/16) of the gross proceeds received for the gas sold, used off the premises or in the manufacture of products therefrom, but in no event more than three-sixteenths (3/16) of the actual amount received by the lessee, said payments to be made monthly. During any period (whether before or after expiration of the primary term hereof) when gas is not being sold or used and the wells are shut-in and there is no current production of oil or operations on said leased premises sufficient to keep this lease in force, Lessee shall pay or tender a royalty of One Dollar ($1.00) per year per net royalty acre retained hereunder, such payment or tender to be made on or before the anniversary date of this lease next ensuing after the expiration of ninety (90) days from the date such well is shut in and thereafter on the anniversary date of this lease during the period such well is shut in, to the royalty owner. When such payment or tender is made it will be considered that gas is being produced within the meaning of the entire lease. Notwithstanding any other provision to the contrary, this Lease shall not terminate because of a failure to properly or timely make shut-in gas well payments unless Lessor shall have given Lessee written notice of such failure to properly or timely make such shut-in gas well payment and Lessee shall have failed for a period of thirty (30) days after receipt of such notice to tender such late payment or such payment in the proper amount.

   c. To pay Lessor for gas produced from any oil well and used off the premises or for the manufacture of casinghead gasoline or dry commercial gas, three-sixteenths (3/16) of the gross proceeds at the mouth of the well received by lessee for gas during the time such gas shall be used, said payments to be made monthly.

6. In addition to the $300.00/month payments for entry upon and lease of the operations site and the three-sixteenths (3/16) part royalty payment for oil and gas, the Lessee agrees to pay a one-time bonus payment to the Lessor of $150.00/acre for a total one-time payment of $24,000.

7. If the Lessee shall commence to drill a well or commence reworking operations on an existing well within the term of this lease or any extension thereof, or on acreage pooled therewith, the lessee shall have the right to drill such well to completion or complete reworking operations with reasonable diligence and dispatch, and if oil or gas, or either of them, be found in paying quantities, this lease shall continue and be in force with like effect as if such well had been completed within the term of years first mentioned.

8. Lessee is hereby granted the right at any time and from time to time to unitize the leased premises or any portion or portions thereof as to all strata or any stratum or strata, with any other lands as to all strata or any stratum or strata, for the production primarily of oil or primarily of gas, with or without distillate. However, no unit for the production primarily of oil shall embrace more than 40 acres, or for the production primarily of gas, with or without distillate, more than 640 acres; provided that if any governmental regulation shall prescribe a spacing pattern for the development of the field or allocate a producing allowable based on acreage per well, then any such unit may embrace as much additional acreage as may be so prescribed or as may be used in such allocation of allowable. Lessee shall file written unit designations in the county in which the leased premises are located. Operations upon and production from the unit shall be treated as if such operations were upon or such production were from the leased premises, whether or not the well or wells are located thereon. The entire acreage within a unit shall be treated for all purposes as if it were covered by and included in this Lease, except that the royalty on production from the unit shall be as below provided, and except that in calculating the amount of any shut in gas royalties, only the part of the acreage originally leased and then actually embraced by this Lease shall be counted. In respect to production from the unit, Lessee shall pay Lessor, in lieu of other royalties thereon, only such proportion of the royalties stipulated herein as the amount of his acreage placed in the unit, or his royalty interest therein on an acreage basis bears to the total acreage in the unit.

9. If said Lessor owns a less interest in the land described on the signature page attached hereto than the entire and undivided fee simple estate therein, then the royalties herein provided shall be paid to the Lessor only in the proportion which his interest bears to the whole and undivided fee.

10. Lessee shall have the right to use, free of cost, gas, oil and water produced on said land for its operations thereon.

11. At the expiration of the primary term this lease shall terminate as to all acreage located outside of drilling and spacing unit or units upon which production has been established or drilling operations have been commenced.

12. If the estate of either party hereto is assigned, and the privilege of assigning in whole or in part is expressly allowed, the covenants hereof shall extend to their heirs, executors, administrators, successors or assigns. However, no change or division in ownership of the land or royalties shall enlarge the obligations or diminish the rights of Lessee. No change in the ownership of the land or royalties shall be binding on the Lessee until after the Lessee has been furnished with a written transfer or assignment or a true copy thereof. In case Lessee assigns this Lease in whole or in part, Lessee shall be relieved of all obligations with respect to the assigned portion arising subsequent to the date of assignment.

13. All express or implied covenants of this Lease shall be subject to all Federal and State Laws, Executive Orders, Rules and Regulations, including all rules and regulations of the City of Norman, and this Lease shall not be terminated in whole or in part nor Lessee held liable in damages for failure to comply therewith if compliance is prevented by or such failure is the result of any such Law, Order, Rule or Regulation.

14. This Lease shall be effective as to each Lessor on execution hereof as to his or her interest and shall be binding on those signing, notwithstanding some of the Lessors above named may not join in the execution hereof. The word Lessor as used in this Lease means the party or parties who execute this Lease as Lessor, although not named above.

15. Lessee may at any time and from time to time surrender this Lease as to any part or parts of the leased premises by delivering or mailing a release thereof to Lessor or by placing a release of record in the proper County.

16. Lessor agrees that the Lessee shall have the right at any time to redeem for Lessor by payment, any mortgages, taxes or other liens on the above-described lands in the event of default of payment by Lessor, and be subrogated to the rights of the holder thereof.

17. It is agreed between the Lessor and Lessee that all oil and gas or other proceeds accruing to the Lessor under this Lease or by state law shall be without deduction, made by itself or an affiliate, the cost of producing, gathering, storing, separating, treating, dehydrating, compressing, processing, transporting, and marketing the oil, gas or other products produced hereunder to transform the product into marketable form; however any such cost which results in enhancing the value of the already marketable oil, gas, or other products to receive a better price may be deducted from Lessor's share of production so long as they are based on Lessee's actual cost of enhancements by any third party and so long as such costs are incurred through arms' length transactions. Notwithstanding any language in this Lease to the contrary, royalty shall not be computed on value or volumes greater than or less than that received by Lessee.

18. Upon the expiration of the primary term hereof, this lease shall automatically terminate and expire as all leasehold rights below 100 feet below the stratigraphic equivalent of the base of the deepest formation or common source of supply (whichever is deeper) penetrated by the deepest well drilled under the terms of this lease. If within the primary

term of this lease, Lessee shall commence operations to drill or rework a well under the terms of this lease, the Lessee shall have the right to drill such well to completion and/or complete reworking or completion operations with reasonable diligence and dispatch and this lease shall terminate only as to those depths below 100 feet below the stratigraphic equivalent of the base of the deepest formation or deepest common source of supply penetrated in such well, if it is the deepest well drilled under the terms of this lease.

19. As further consideration for the mutual covenants and conditions contained herein, Lessor agrees that Lessee shall have no liability for any injuries, damages, nuisances, pollution, and environmental problems which were caused or may result from prior oil and gas operations or other activities previous to the date hereof, and to fully effectuate same, Lessor hereby releases Lessee from any and all claims that Lessor might otherwise have a result of any prior activities or operations on or relating to the lease premises, Lessor agrees that it will indemnify Lessee from any and all claims, liability, and/or losses associated therewith, to the extent provided by law, and Lessor covenants that it will not file any suit, administrative action, or complaint against Lessee relating thereto.

APPROVED by Chris Hoke this 6th day of November 2013.

Baron Exploration Company

State of Oklahoma

County of Cleveland

The foregoing instrument was acknowledged before me this 6 day of November, 2013, by Christopher T Hoke, President of Baron Exploration Company

In Witness whereof, I have hereunto set my official signature and affixed by official eal the day and year first above written.

Commission expires:_____ JACK DAKE JR NOTARY # 11007619 EXP. 08/19/15 PUBLIC STATE OF OKLAHOMA

Notary Public

APPROVED this ___ day of November, 2013, by the Norman City Council.

Mayor Cindy Rosenthal

Attest:

Brenda Hall, City Clerk

Approved as to form and legality this 6th day of November, 2013.

City Attorney

City of Norman, OK

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

Master

File Number: K-1314-95

File ID:	K-1314-95	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 44	**In Control:**	City Council
Department:	Legal Department	**Cost:**		**File Created:**	11/06/2013
File Name:	K-1314-95 Revocable License			**Final Action:**	

Title: CONTRACT K-1314-95: A REVOCABLE LICENSE AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND FOOD AND SHELTER FOR FRIENDS IN THE AMOUNT OF $268 PER YEAR FOR THE LEASE OF CITY RIGHT-OF-WAY LOCATED ALONG JAMES GARNER AVENUE.

Notes: ACTION NEEDED: Motion to approve or reject Contract No. K-1314-95, a revocable license agreement with Food and Shelter for Friends in the amount of $268 per year; and, if approved, authorize the execution thereof.

ACTION TAKEN:_____

Agenda Date: 11/12/2013

Agenda Number: 44

Attachments: Text File Revocable Licenset FSFF.pdf, Revocable License

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-1314-95

Body

BACKGROUND: Food and Shelter for Friends is currently in the process of remodeling their building at 104 West Comanche Street. Food and Shelter for Friends plans to build a new ramp along the building beside Comanche Street. As designed, the ramp encroaches 91 square feet into the right-of way. The Revocable License Agreement is also proposed to include an existing loading dock located on the same side of the building and also in the 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 ramp and loading dock within City of Norman right-of-way so long as Food and Shelter for Friends follows certain conditions contained within the proposed Revocable License Agreement.

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 all 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 Gastro Pub). 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.

The attached Revocable License Agreement allows Food and Shelter for Friends to build and locate the proposed ramp within the Comanche Street 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 staircase and entrance is located. In addition, under the terms of the Revocable License Agreement, the City shall incur no liability for any damages to the staircase and entrance caused by any utility work.

Food and Shelter for Friends, the licensee, also agrees to pay an annual license fee of $268 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 ramp consistent with the plans that have been submitted. Any deviation from the approved plans may be grounds for revocation of the license.

In the Agreement, the City reserves the right to inspect the ramp and loading dock. 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 ramp by licensee; and arising out of any mechanic's lien or other lien, tax, assessment or charge of any kind.

The Revocable License Agreement 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 Revocable License Agreement, licensee shall surrender to City the possession of the right-of-way and shall remove the ramp and loading dock and restore the right-of-way to substantially the state in which it was prior to the construction of the ramp and loading dock. If the licensee fails within thirty (30) days to make such removal or restoration, then City may remove the ramp and loading dock and restore the right-of-way to substantially the state it was in prior to construction of the ramp and loading dock, and the licensee shall reimburse City for the cost so incurred.

RECOMMENDATION: If City Council wishes to allow the location of this ramp and loading dock within the right-of-way, Staff recommends the execution of the attached Revocable License Agreement 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 _____, 2013, by THE CITY OF NORMAN, OKLAHOMA, A Municipal Corporation, (hereafter called "City"), to Food and Shelter for Friends (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 November 13, 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 a ramp and loading dock (hereinafter called the "Improvements") that is part of the Food and Shelter for Friends. The Licensee may not use the Premises for any other purpose under the terms of this License. The City of Norman currently has a sidewalk for pedestrian use in the Premise area. The Licensee agrees to continue to allow pedestrian access across the Premises for the duration of the License. The Licensee agrees that upon completion of the ramp, the adjoining sidewalk will be ADA compliant.

2. City hereby accepts 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: $268.00 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, there shall be a penalty of 10% of the annual amount each month that the fee remains unpaid.

If the Licensee elects to terminate the license, by reason of right of way closure or otherwise, the City will refund the portion of the fee representing the amount paid divided by the balance of months remaining in the License year.

4. Licensee shall use the Premises exclusively as a site for the Improvements as reflected on Exhibit A and made a part hereof.

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 to do so, the 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 there over. 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 by the City, 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. The City may only terminate the license if 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.

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 Food and Shelter for Friends, 104 West Comanche Street, Norman, OK 73069. 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 _____
Food and Shelter for Friends

ATTEST:

_____
Secretary

CITY:

APPROVED by the Norman City Council this _____ day of _____, 2013.

By _____
MAYOR

ATTEST:

_____
City Clerk

APPROVED as to legality and form this 10th day of November, 2013.

_____
City Attorney

Proposed Relocation of Sidewalk
Exist. Sidewalk
4.00' Min.
5.71'
Fire Hydrant
Picnic Tables REMOVED
Exist. Raised Plant Bed
RAMP AREA: 91.33 S.F.
4.21'
4.5'
10.00' Min.
19.42'
Existing Loading Dock AREA: 177.00 S.F.
10.00' Min.
RIGHT OF WAY LINE
Exist. Joint
Existing Building
N
W
E

EXHIBIT A

City of Norman, OK

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

Master

File Number: R-1314-56

File ID:	R-1314-56	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 45	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/04/2013
File Name:	Adoption of the Final Report for the Wayfinding Plan			**Final Action:**	

Title: RESOLUTION NO. R-1314-56: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA ADOPTING THE NORMAN SIGNAGE AND WAYFINDING PLAN, THE WAYFINDING ACTION PLAN, AND DIRECTING STAFF TO BEGIN IMPLEMENTATION OF SAID ACTION PLAN.

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-56.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 45

Attachments: Text File Wayfinding Plan.pdf, R-1314-56 Wayfinding Plan Adoption (2).pdf, Wayfinding Action Plan-Final, Norman Signage and Wayfinding Plan.pdf, Appendix A Stakeholder Survey Results.pdf, Appendix B Selection Criteria.pdf, Appendix C Phase 1 Major and Primary Destinations.pdf, Appendix D Destination Matrix.pdf, Appendix E Phase 1 Implementation and Preliminary Cost.pdf, Appendix F Pilot Project.pdf

Project Manager: David Riesland, Traffic Engineer

Entered by: michelle.rudder@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1314-56

Body

BACKGROUND: The City Council authorized the development of a Wayfinding Plan by executing Contract No. K-1112-130 with the team led by Guernsey Engineers/Architects/ Consultants on May 22, 2012. The project evolved through a Memorandum of Understanding (MOU) between the City of Norman, the Norman Chamber of Commerce and the Norman Convention and Visitors Bureau. This MOU was approved by the Norman City Council on January 10, 2012. Under the MOU, funding for the development of the plan was provided jointly by the Norman Chamber of Commerce and the Norman Convention and Visitors Bureau. The City of Norman provided the project management for the development of the Wayfinding Plan. The Plan is intended such that all signing will be appropriate from a multi-modal standpoint accounting for motorists, bicyclists and

pedestrians.

DISCUSSION: The Wayfinding Plan is very comprehensive and multi-faceted. It includes the following fundamental elements:

- Project Vision and Branding
- Audit and Analysis
- Establish Criteria/Select Wayfinding Destinations
- Develop Recommendations for Signage Types and Placement
- Signage Design Elements
- Identification of Potential Funding Sources
- Preparation of Final Deliverables

The scope of work included two public open houses and a survey of stakeholders. The list of stakeholders included representation from the following groups:

- Norman Public Schools
- Large Area Retail
- University of Oklahoma
- Norman Public Arts Board
- Small Area Retail
- Norman Regional Hospital
- Downtowners Association
- Local Media
- Campus Corner Merchants
- University North Park/Embassy Suites
- Norman Economic Development Coalition
- Bicycle Advisory Committee
- Oklahoma Department of Transportation
- Norman Chamber of Commerce
- Norman Convention and Visitors Bureau
- City of Norman

The entire City of Norman is included in the plan; however, some areas of the city feature much fewer potential destinations than other areas. The deliverables from this contract included:

- List of destinations broken down into Major, Primary, and Secondary categories
- Selection criteria to add future destinations to list to be signed
- Kit of Parts to provide ingredients and the framework for the overall system
- Other design considerations to include
- Family of sign styles
- Recommendation to draft and adopt a standardized sign code to regulate public and private signage
- Recommendation to convene a standing committee that would review signage applications and monitor the expansion of the wayfinding system
- Identification of potential funding strategies
- Phase I implementation plan for major and primary destinations with opinion of probable cost
- Implementation plan for a pilot project of signs on Main Street from I-35 to downtown with opinion of probable cost

To clarify the next steps in the process, city staff developed an Action Plan for the Wayfinding Plan. That Action Plan is attached.

The City Council conducted a Study Session on September 24, 2013, at which time the project team provided a full briefing on the final proposed Wayfinding Plan. The attached Resolution and associated Action Plan attempt to address the feedback and direction from Council. If approved, implementation of the Wayfinding Plan will begin immediately.

STAFF RECOMMENDATION: It is recommended that the City Council adopt Resolution No. R-1314-56 which adopts the Norman Signage and Wayfinding Plan, the Wayfinding Action Plan, and directs staff to proceed with implementation of the Action Plan.

Resolution

R-1314-56

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA ADOPTING THE NORMAN SIGNAGE AND WAYFINDING PLAN, THE WAYFINDING ACTION PLAN, AND DIRECTING STAFF TO BEGIN IMPLEMENTATION OF SAID ACTION PLAN.

§ 1. WHEREAS, on January 10, 2012, the City Council approved Contract No. K-1112-105, a memorandum of understanding setting forth obligations of the City of Norman, Oklahoma, the Norman Chamber of Commerce, and the Norman Convention and Visitors Bureau for shared funding of the development of a wayfinding plan; and

§ 2. WHEREAS, the purposes of said wayfinding plan were to (1) design an easily understood, user-friendly, distinct navigational system that will guide visitors to and from destinations within the City, (2) promote tourist, historical, and cultural destinations, as well as support and assist the local retail market, (3) develop an identity for the City that can be reflected not only in the wayfinding components, but could also be incorporated into other elements of an overall Norman branding and marketing program; and (4) identify potential funding sources to implement a wayfinding system for the City; and

§ 3. WHEREAS, on May 22, 2012, the City Council approved Contract No. K-1112-130 with C.H. Guernsey and Company for the development of the wayfinding plan; and

§ 4. WHEREAS, City Council reviewed the final proposed Norman Signage and Wayfinding Plan at its Conference on September 24, 2013 and directed Staff to develop an action plan to accompany the Wayfinding Plan and directed the implementation thereof.

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

§ 5. That the Norman Signage and Wayfinding Plan dated September 2013 is hereby adopted.

§ 6. That the Wayfinding Action Plan, attached hereto as Exhibit A is hereby adopted and that City Staff is directed to begin implementation of said Plan.

PASSED AND ADOPTED this _____ day of _____, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

Wayfinding Action Plan

(Updated 10-31-13)

Milestone	Description	Responsible Party	Status
0-3 months	Update MOU to Address Roles and Responsibilities for Implementation	CON, NCC, NCVB	
0-4 months	Develop Standardized Signage Code to Regulate Public and Private Signs	CON	
0-4 months	Appoint Standing Committee to Review Signage Applications and to Monitor the Wayfinding Program	Norman City Council with input from Staff	
0-4 months	Secure Funding in FYE 2015 Budget to Prepare Engineering Plans for the Pilot Project	CON, NCC, NCVB	
2-6 months	Develop RFP to Prepare Engineering Plans for Pilot Project	CON	
6-12 months	Prepare Construction Plans for Pilot Project	CON Supervision	
4-12 months	Secure Funding for Implementation of Pilot Project	CON, NCC, NCVB	
14-16 months	Implement Pilot Project	CON Supervision	
16-18 months	Secure Funding in FYE 2016 Budget to Prepare Engineering Plans for Phase I Implementation	CON, NCC, NCVB	
Note: MOU—Memorandum of Understanding CON—City of Norman NCC—Norman Chamber of Commerce NCVB—Norman Convention and Visitor's Bureau RFP—Request for Proposal			

Milestone	Description	Responsible Party	Status
18-20 months	Develop RFP to Prepare Engineering Plans for Phase I	CON	
20-26 months	Prepare Construction Plans for Phase I	CON Supervision	
18-26 months	Secure Funding for Implementation of Phase I	CON, NCC, NCVB	
28-30 months	Implement Phase I	CON Supervision	

Norman Signage and Wayfinding Plan

Prepared for the City of Norman, Norman Convention and Visitors Bureau, and the Norman Chamber of Commerce

September 2013

guernsey kolar

Acknowledgements

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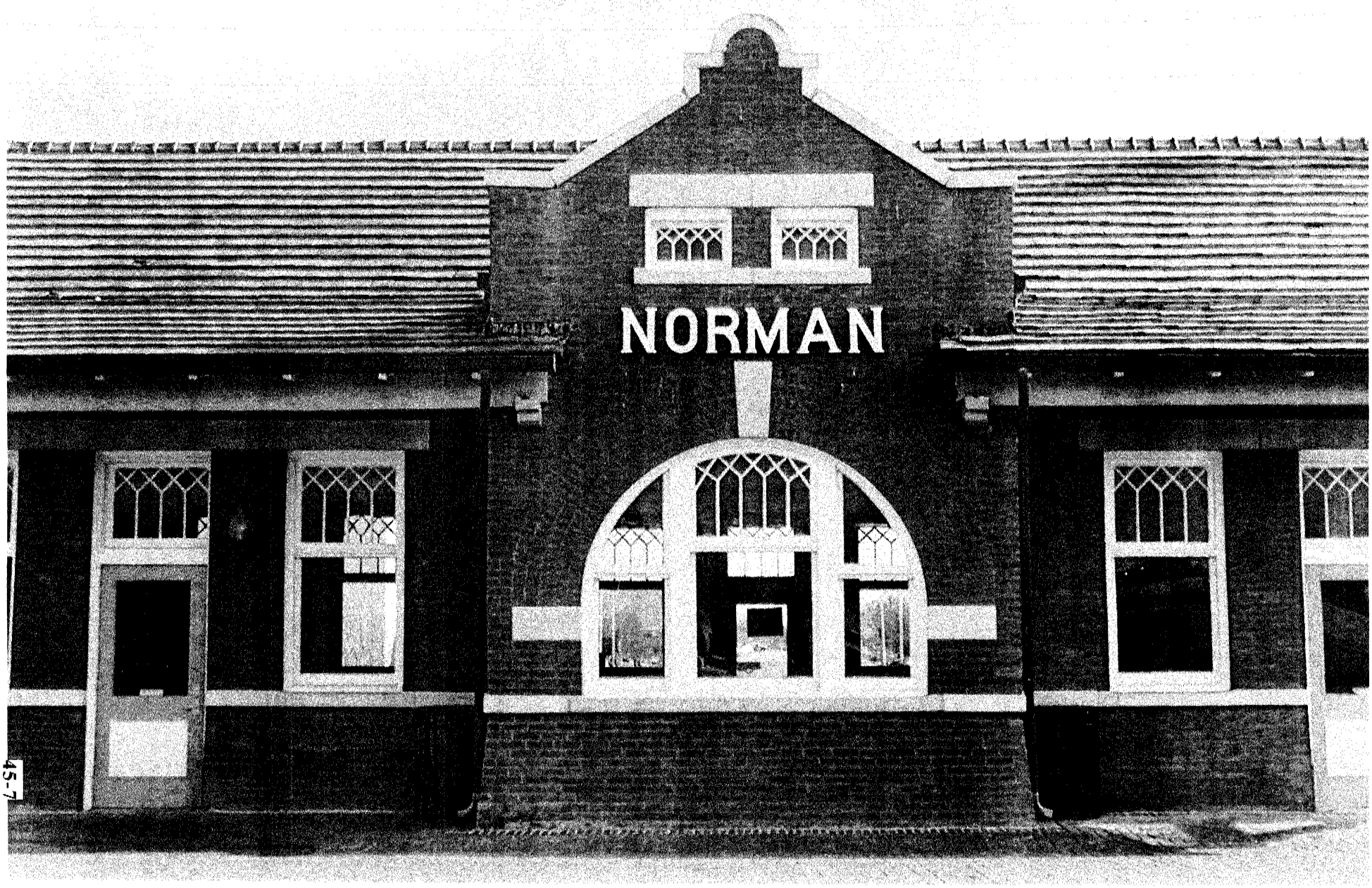

NORMAN

Project Introduction

The City of Norman (City), Norman Convention and Visitors' Bureau (NCVB) and the Norman Chamber of Commerce (Chamber) share an interest in helping citizens and visitors find their way to retail districts, entertainment venues, and cultural attractions. Visitors from out of town are often in Norman for a single purpose. Connecting these visitors with Norman's abundance of destinations provides the opportunity to generate more tourism dollars.

The development of a wayfinding program will make it easier for people to navigate Norman. Wayfinding encompasses the ways that people orient themselves in physical space and find their way from place to place. Wayfinding should be easy to grasp and should provide standardized signage, symbols, colors, and images to serve all visitors and tourists.

Partnership and Goals

In December 2011, the City, NCVB and the Chamber formed a partnership to develop a city branding and wayfinding program for Norman. This initiative is an economic development tool, with the potential to increase visits to Norman destinations. With this objective in mind, the partnership set forth the following goals:

- Design an easily understood, user-friendly distinct navigational system guiding visitors to and from City destinations

- Promote tourist, historical, and cultural destinations, as well as support and assist the local retail market
- Build upon the City's existing identity and reflect in the wayfinding components and overall marketing
- Identify potential funding sources for future wayfinding implementation

The partners issued a request for proposal to interested design firms. The **Guernsey** / Kolar Design team was selected to lead the project. The scope of work for the project included identifying an overall vision and brand, conducting an audit and analysis, establishing criteria and destinations for inclusion, providing recommendations for signage types and placement, creating a 'kit of parts' of standard design elements, identifying potential funding sources, and compiling work products into a final report. The City facilitated the production of the plan and provided support to the consultant team.

Approach

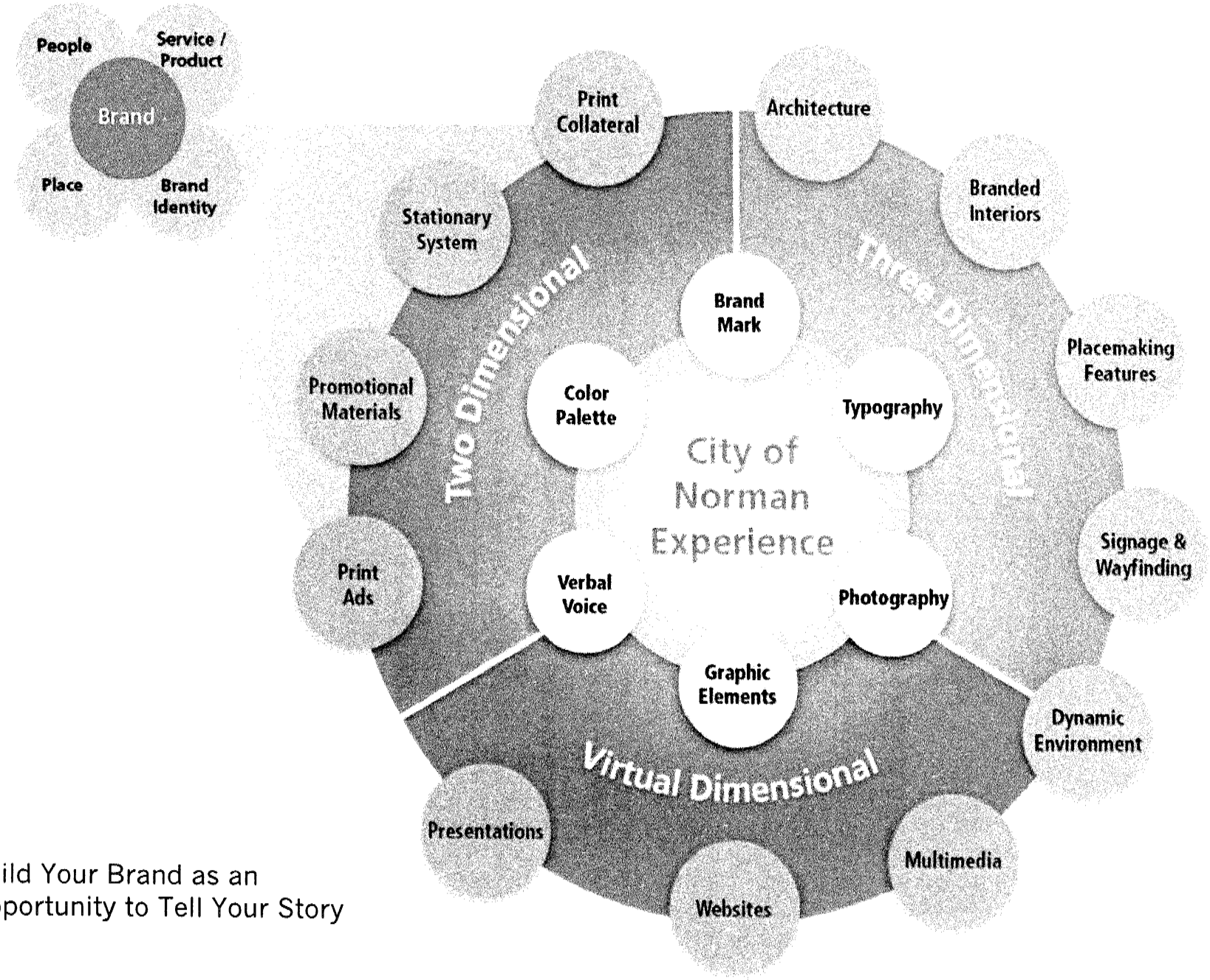
Participants and Process

The Norman Signage and Wayfinding Plan must accurately reflect the personality and priorities of the community. In order to best accomplish this objective, the partners and the consultant team worked with a steering committee, a stakeholder committee, and held public open houses to gather input from the community.

The steering committee, formed by representatives of the project partners, provided guidance to the consultant team on a monthly basis to guide the work product. The Stakeholder Committee broadened the range of participation by including representatives from various entities in the community. Members helped inform the process by participating in an online survey and meeting with the team at two points in the process to offer input and guidance. Additional coordination via email and telephone took place to resolve specific issues.

Building a Brand

The information gathered by involving the community generated many responses and opinions about Norman's defining characteristics. Developing a consensus and conveying it in a meaningful and consistent way tells the story of Norman. This process is referred to as Branding.



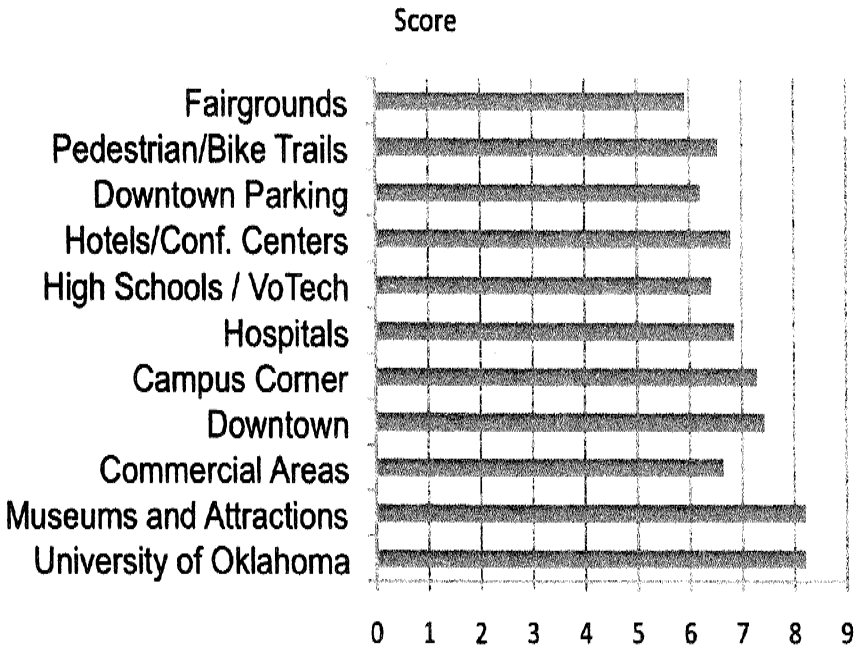
Build Your Brand as an Opportunity to Tell Your Story

The Signage and Wayfinding Plan began the first steps of addressing Branding by analyzing the logos and color schemes in use throughout the community. Given the broad goals of the Signage and Wayfinding Plan, the effort moved forward once concensus was reached regarding the key elements of the Norman brand.

The Signage and Wayfinding effort is one component of the overall brand that will help define and reinforce the image, character, and experience of Norman. It helps to convey Norman's sense of place, the personality of its citizens, and the unique history and heritage of the community. The branding effort is an ongoing public relations opportunity for the community.

Stakeholder Survey – Sample Questions and Responses

What destinations/points of interest are most important?



When you think of the community of Norman, what characteristics are most important?

- Arts and Cultural Experiences
- Sense of Community
- Friendly Citizens
- Variety of Opportunities and Activities
  - Shopping
  - Dining
  - Recreation
  - Festivals
  - Cultural events
- Quality of the Community
- Quality of our Residents
- Good Schools
- The University of Oklahoma
  - Students
  - Events
  - University atmosphere

Analysis

Priorities

Identifying the characteristics of Norman to celebrate in the brand and incorporate into the wayfinding system was the team's first task. An online survey provided initial comments from the Stakeholder Committee. The goal of the survey was to determine what destinations are viewed as the most important and to learn what characteristics set Norman apart from other cities.

The individuals surveyed shared many of the same priorities. Sample questions and responses are shown at left. The complete survey results are included as Appendix A.

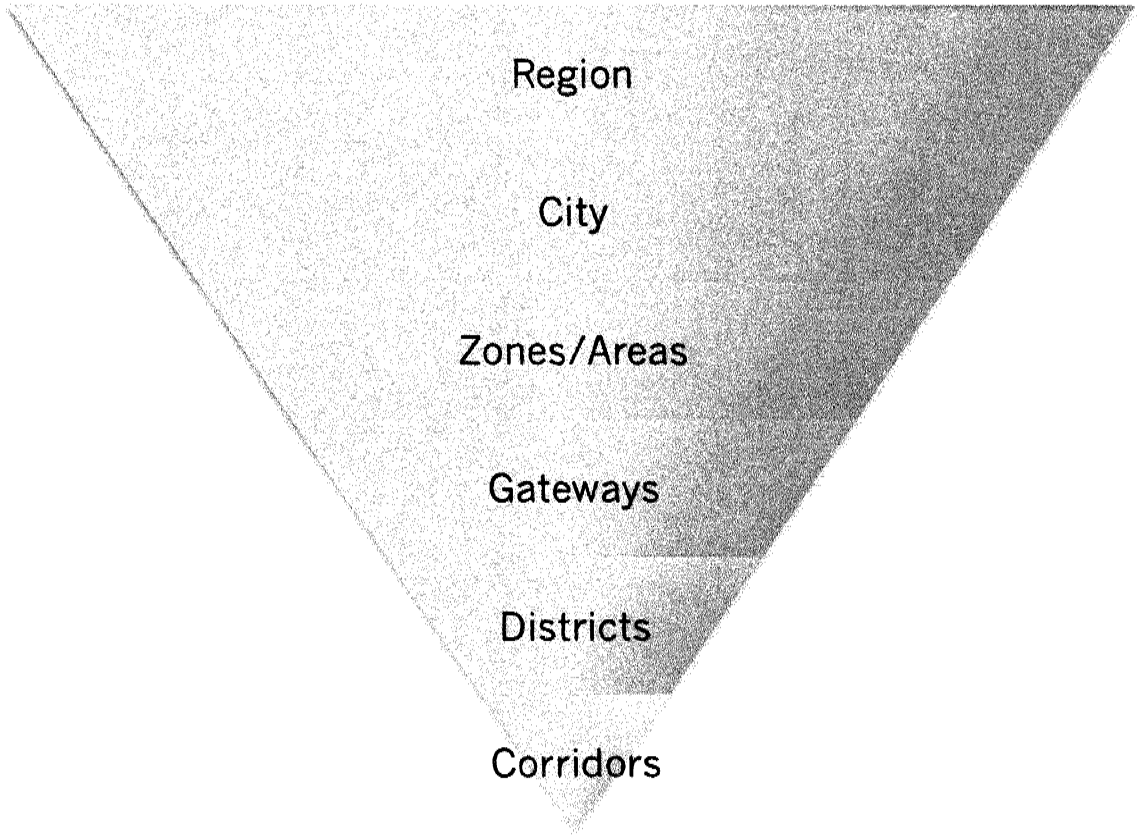
Existing Conditions

An audit of existing conditions was conducted to provide a sense of the elements currently used to brand the community. A list of all signage not in compliance with the Manual of Uniform Traffic Control Devices (MUTCD) was provided. The City of Norman previously utilized distinct street signs incorporating the city logo and red backgrounds, which are not in compliance with current MUTCD standards. The City is in the process of transitioning to panels utilizing a standard green background with the city logo at the end of the sign.

In addition to reviewing the audit, the team visited numerous sites throughout the community to encounter existing directional signage. Brand strategies used by the City, the NCVB, and the Chamber were also gathered.

Hierarchy of Considerations

Visitors to new communities can be introduced to a hierarchy of information in order to provide an understanding of the community. Norman as a whole can be chunked down into large zones, then more specific districts, with neighborhoods and corridors within the districts. Individual destinations are called out within the districts, including public parking. Detailed information for pedestrians completes the system.



Zones

Norman was settled during the Oklahoma Land Run of 1889. Main Street was developed as the commercial core of town, adjacent to the Santa Fe Railroad. The University of Oklahoma, founded in1890, anchored the southern edge of town. The areas adjacent to Main Street and OU are home to many neighborhoods, and form the core of Norman.

After World War II, development in Norman began to spread away from the core area. The construction of Interstate 35 in the 1950s spurred development to the west, along with a new commercial corridor along the highway. Residential and commercial development also occurred to the east addition, spurred by proximity to Tinker Air Force Base and the creation of Lake Thunderbird in the1960s.

The wayfinding system will focus on three main zones:

- Central Norman: the core of the community; includes Downtown Norman, the University of Oklahoma, Campus Corner, City Hall, Cleveland County Courthouse, Norman Regional Hospital, numerous historic structures, and many distinct neighborhoods.

- East Norman: the area the east of 12th Avenue East; includes a commercial corridor along 12th Ave., residential neighborhoods and large lot developments, Lake Thunderbird State Park, and various businesses.

- West Norman: the area west of Interstate 35. West Norman is primarily residential development, but also includes the Norman HealthPlex, Sooner Mall, and active commercial areas along both 36th Avenue West and I-35.

East Norman
Central Norman
West Norman
E. 12TH AVE
E. 12TH AVE
PORTER AVENUE
E. FRANKLIN RD
TECUMSEH ROAD
NORTH FLOOD AVENUE
ROBINSON STREET
MAIN STREET
BOYD STREET
LINDSEY STREET
24TH AVE
24TH AVE
W. 36TH AVE
W. 36TH AVE
77
77
77
35
35
9
9

Gateways

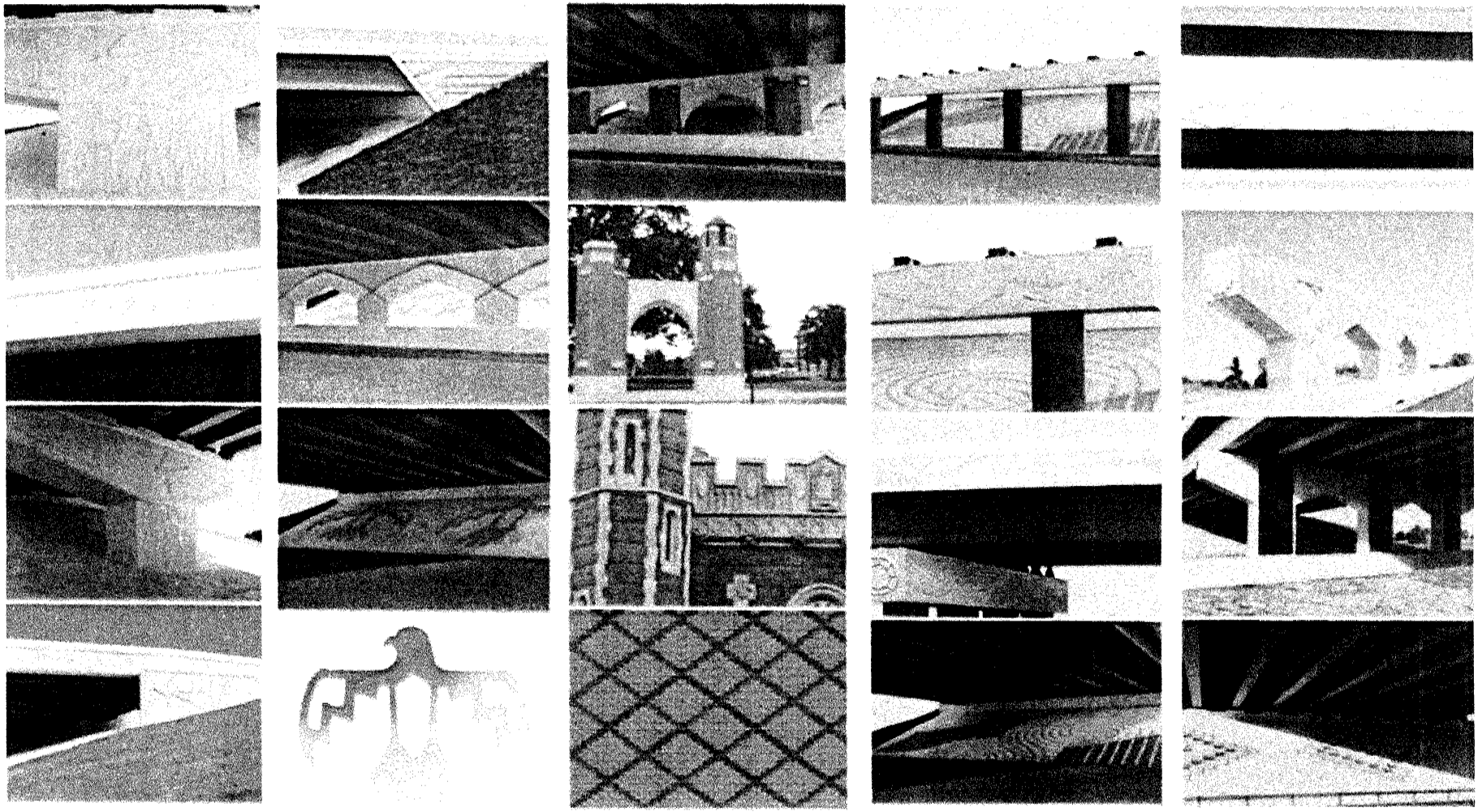
The visitor experience at entry points to Norman varies greatly. Arterial roads are marked with signage recognizing various aspects of the community; however, there is not a consistent treatment. A standard Welcome to Norman message and removal of multiple signs is recommended, and will contribute to the branding effort.

Distinct entry points to Norman provide an opportunity to differentiate Norman from other communities and showcase the unique attributes of the community. The city lies at the boundary between the cross-timbers forest and the central plains prairies. Its heritage includes Native American culture and Land Run settlers. The University of Oklahoma provides over one hundred years of tradition as well as continuous innovation and discovery.

The major gateways to Norman along I-35 were studied by the City and the Oklahoma Department of Transportation (ODOT). Custom-designed elements will enhance the freeway interchanges and depict elements of Norman's history and culture. The wayfinding system design will echo these design elements to reinforce the design concepts and provide continuity.

Districts

Identifying specific districts within the zones is a challenge. Downtown Norman is a distinct district, as is the University of Oklahoma. University North Park and Porter Avenue are both associated with specific plans, and several neighborhoods are designated as historic. The Wayfinding Plan focuses on districts that are currently recognized by the community as a whole.



Thematic Gateway Elements Developed for I-35 by
ODOT, the City of Norman, and the ODOT Consultant

Destinations

Norman offers a multitude of interesting attractions and destinations. The wayfinding system will be a valuable economic development tool, and must reflect the destinations of greatest interest to tourists and visitors. Increased traffic and awareness of multiple destinations will help travelers reach their destinations, and will build traffic to other points of interest.

Guiding visitors to specific destinations is the most basic and overarching goal for the signage and wayfinding initiative. The initiative is envisioned as an overarching system, with a family of sign types. The initial phase of implementation is geared toward guiding tourists from outside the region to major destinations. Future phases of implementation will focus on placemaking efforts to define districts and guide travelers to explore districts and corridors.

The Steering Committee, Stakeholder Committee, and the Consultant Team developed a master list of potential destinations to be included in the wayfinding system. The master list was first evaluated based upon whether the destinations met ODOT criteria for highway signage. The majority of potential destinations met ODOT criteria, therefore the team developed additional criteria for inclusion in Norman's program.

The wayfinding system cannot accommodate all destinations and businesses that would like to be a part of the system. It is necessary to prioritize potential destinations in an equitable manner. The following selection criteria were developed to provide an equitable method to consider inclusion of a destination.

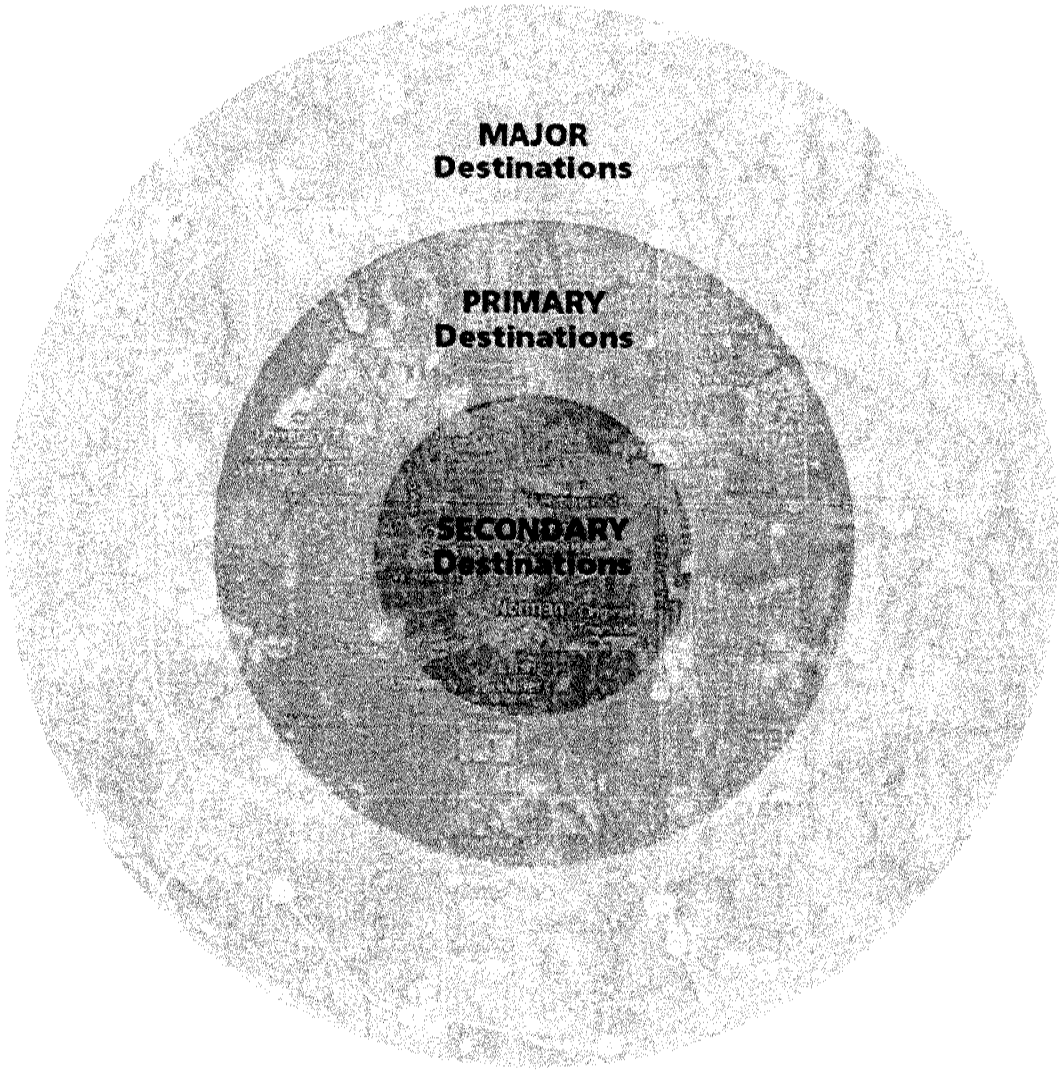
Selection Criteria:

- Publically owned
- Not-for-profit organization
- Educational institution serving over 400 attendees
- Providing services to the general public (with a capacity of over 200 visitors)
- Annual attendance (minimum 10,000)
- Regional significance
- Host to major events

Selection Criteria are further discussed in Appendix B, Selection Criteria. The results of applying the selection criteria are illustrated in Appendix C, Phase I Major and Primary Destinations and Appendix D, Destination Matrix. The City, NCVB, and Chamber collected attendance information. The partners also assisted by working with key stakeholders to discuss transitions from city signage to other wayfinding systems, particularly in the case of OU. Ongoing discussions will be crucial to successfully merge efforts by the City, the Chamber, and the CVB with other major entities within Norman.

The avoidance of installing excessive amounts of signage is an important consideration of the wayfinding initiative. In order to maintain consistency, the following entities will not be included in the signage program:

- Destinations that do not meet attendance requirements
- Private businesses
- Religious institutions



The wayfinding system is intended to expand over time. As this occurs, destinations that are not eligible on an individual basis may benefit from Norman's efforts to identify and develop distinct districts. The district branding and wayfinding will serve as an umbrella for multiple smaller destinations within the district.

The result of the evaluation and discussions was a breakdown of the destinations into major, primary, and secondary destinations.

Major destinations have the largest attendance figures and draw from a national and regional audience. Major destinations will be signed from I-35 and must also meet ODOT criteria.

Primary Destinations appear on primary streets leading from I-35 and draw from a regional audience.

Secondary Destinations appear on primary streets within a district or a corridor.

Design Process

The design process synthesizes the information gathered in the previous steps, and develops thematic elements to represent Norman. Analyzing the attributes and priorities of the community, reviewing Norman's existing signage, and determining a general number of destinations were key steps in the development of the system design. Multiple options were developed by the design team and evaluated by the Steering Committee and the Stakeholder Committee.

Concept development focused on different aspects of Norman's identity. Preliminary designs were generated with themes related to the city flag, the NCVB brand, the ODOT enhancement themes, and branding and wayfinding materials used elsewhere in Central Oklahoma. In the end, stakeholders selected the 'Uniquely Norman' concept, which incorporates elements of each of the preliminary designs.

Elements of the Design

The design celebrates the collective strength of the community. The design process included various sources of inspiration, including:

- The sunburst and cog/gear of the current city logo and branding materials
- The architectural style of iconic structures in the community
- A subtle arch below the word Norman, similar to the NCVB and Chamber branding
- The existing use of iconography

- The themes, patterns, and textures of the I-35 enhancements

These elements were considered as various concepts were explored for the design. This process led to the final recommendations for the design

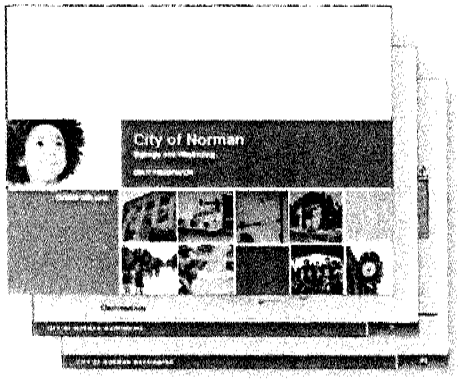
Kit of Parts

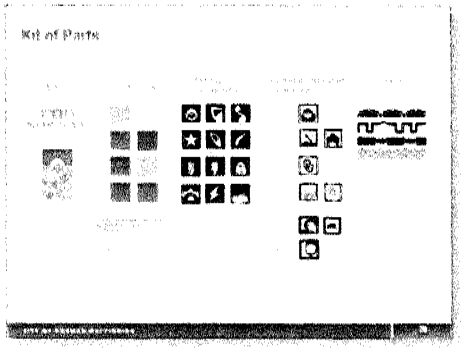
The Kit of Parts translates the colors, type styles, iconography, typography, and patterns of the design inspiration into the components of the wayfinding system. The Kit of Parts provides the ingredients and the framework for the overall system, and is built to expand over time.

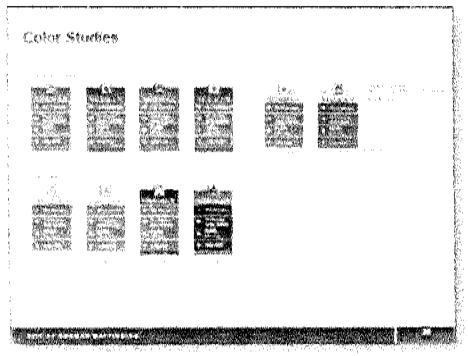
Design Considerations

The wayfinding system will convey Norman's brand and identity as illustrated with the Kit of Parts. Other concerns guiding the design include:

- Durable materials
- Components that can be fabricated and installed using city staff and the city sign shop
- Standardization of components
- MUTCD regulations / color limitations
- Ease of maintenance







Final Recommended Kit of Parts

District Icons

City of Norman

University of Oklahoma

Color Palette

ODOT Blue

ODOT Red

Typography

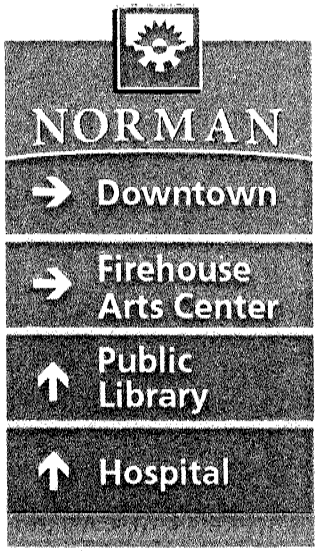
ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
1234567890

Frutiger

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
1234567890

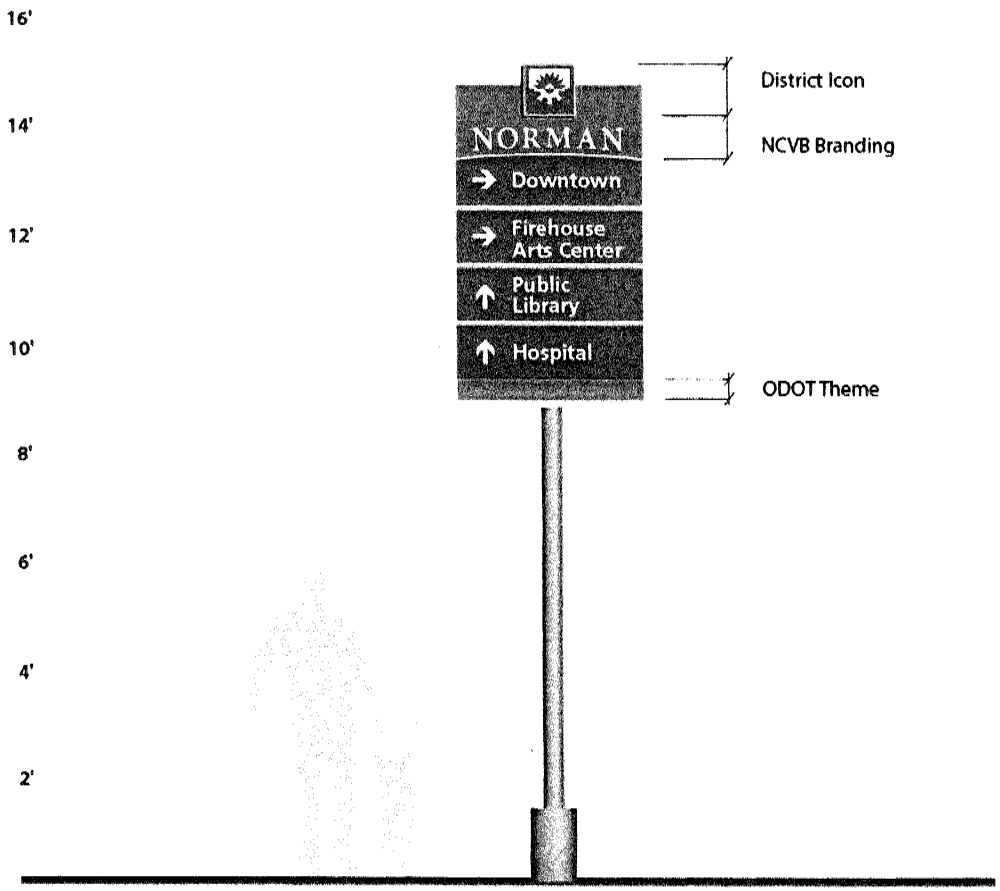
Times New Roman

Final Signtype



Pattern

ODOT Prairie Grass



Scale: 1/4" =1'

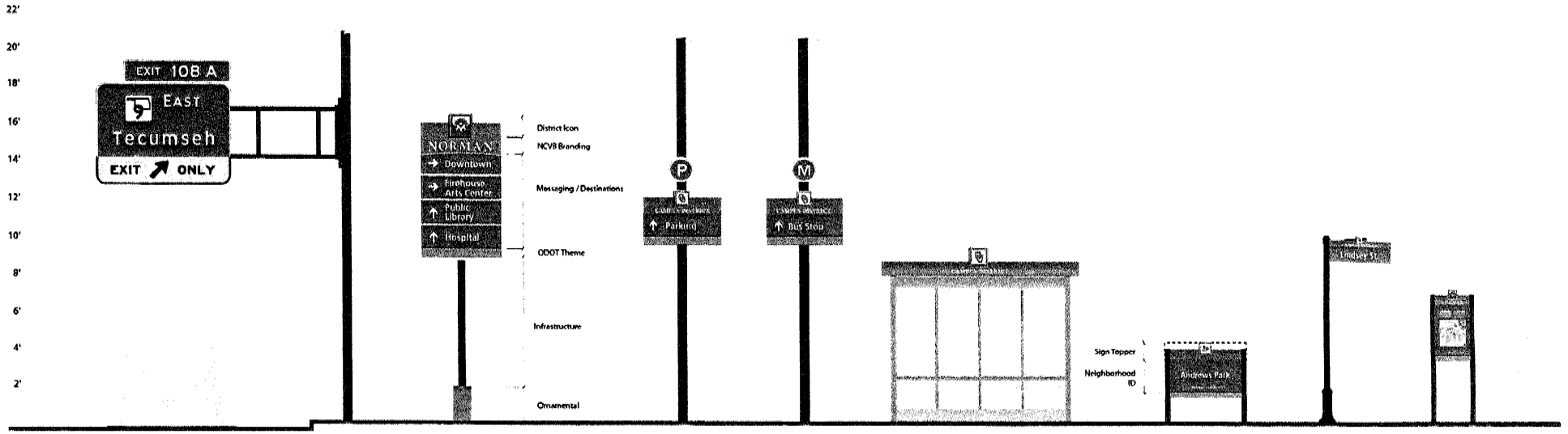
Vehicular Directional Sign

Color

The wayfinding system serves a visual language to connect people with places. The addition of color reinforces the brand. The selection for the signage is the blue and red palette shown at right. As icons are developed and added to the system, additional colors may be utilized for the icon portion of the system.

Red and blue are standard colors available from the city's supplier of sign materials. The colors comply with standard MUTCD guidance, maintaining eligibility for funding from federal sources. The materials would be reflective vinyl on metal backer boards.

The majority of the initial phases of signage will be directional signage for vehicular traffic. The typical panel detail is shown at left.



ODOT Highway Signs | **Vehicular Directional** | **Parking Directional** | **Transit Location** | **Bus Stop** | **Neighborhood Gateway** | **Neighborhood Street Sign** | **Pedestrian Directory**

Family of Sign Styles

Family of Sign Styles

The various components of the Kit of Parts are combined to form the family of sign types. Once again, a hierarchy is in place to help convey information in a consistent manner. Vehicular directional signage directs visitors to major destinations and districts, transitions to specific signage within districts, and helps identify parking and transit options. Neighborhood level signage, specialty identifiers, and pedestrian directional signage complete the family.

As the initial City's overall Branding and Signage and Wayfinding program expands, additional products from the family of signs will be added. The continuity will help reinforce the message and convey a cohesive community.

Conclusions and Recommendations

Administration

Implementation of a signage and wayfinding program is a complex endeavor. Success will require the diligent application of standards, regular updates, and ongoing maintenance. An updated Memorandum of Understanding between the partners could be drafted and adopted to clarify roles and responsibilities going forward. The partners should consider two main recommendations:

1. Draft and adopt a standardized sign code to regulate public and private signage.
    a. Enforce code violations and remove temporary signage
    b. Provide clear standards for all signage within the Norman city limits
        1. Include guidelines related to how many words on sign
    c. Facilitate standardization of messaging
    d. Require permits and design review

2. Convene a standing committee with responsibility for reviewing signage applications and monitoring the expansion of the wayfinding system
    a. Address emerging districts
    b. Vetting proposed destinations
    c. Maintain hierarchy of system
    d. Review funding requests and allocate budget
    e. Work with other entities that wish to partner and extend the system into new areas
    f. Monitor maintenance and replacement needs

g. Connect the signage and wayfinding efforts with ongoing city planning and development initiatives
h. Work with interested groups to develop iconography for emerging districts, neighborhood-level signage
i. Continue dialogue with OU and address transition from city signage to campus signage as seamlessly as possible

The overriding goal of the long-term program administration is for the community to build one voice together. The proposed sign code and signage committee will provide a standard approach to dealing with signage in Norman, and will assure continuity over time.

Funding Strategies

The foundation of the wayfinding system design was to create a system that provides high quality and style yet is affordable to install and maintain. The signage family utilizes standard components and readily available materials. The initial installation and ongoing maintenance costs will be manageable, and the City of Norman signage shop has the equipment and personnel to maintain the system. The City Sign Shop may also be able to assist with limited fabrication and installation.

Funding strategies for implementation include the following:

- City of Norman capital funds
- City of Norman general fund (ongoing replacement / maintenance)
- Sponsorship by private entities (for example, NCVB, Chamber, Downtowners) or private businesses/individuals

- A 'Pay to Play' type system could be adopted, requiring a certain match from entities listed on the signage, or an annual assessment. Funds could be split between initial installation cost and an ongoing maintenance fund.
    - Cincinnati's Uptown District is an example where every stakeholder is assed an annual fee, allowing all signage to be replaced on a 20 year basis
    - City of Columbus is another example of a partnership
    - The signage committee, City, NCVB, and Chamber can negotiate agreements based upon information from peer cities and stakeholder input

- Explore potential grants
    - Federal Highway funds (likely Transportation Enhancement funding) administered through ODOT
    - CDBG funding
    - Oklahoma Tourism and Recreation
    - Oklahoma Arts Council

Implementation

Phase I Implementation will focus on major and primary destinations. Signage along I-35 should be updated in conjunction with the current ODOT roadway improvements. Signage to primary destinations can be implemented over several years. Major and primary destinations for Phase I are outlined in Appendix C. A full list of destinations

developed as part of this plan is included in Appendix D. A preliminary proposed sign layout and an opinion of probable cost is provided as Appendix E, Phase I Implementation and Preliminary Cost Estimate.

The fabrication and installation of a pilot project will help refine the detailed design of the system components. The pilot project preliminary sign design and layout plan can be part of a design-bid approach, with detailed oversight from city project managers. Once shop drawings are accepted, the pilot project prototype signs should be fabricated and installed. The approved prototypes can serve as master templates. Proposed sign content and an opinion of probable cost is included as Appendix F, Pilot Project.

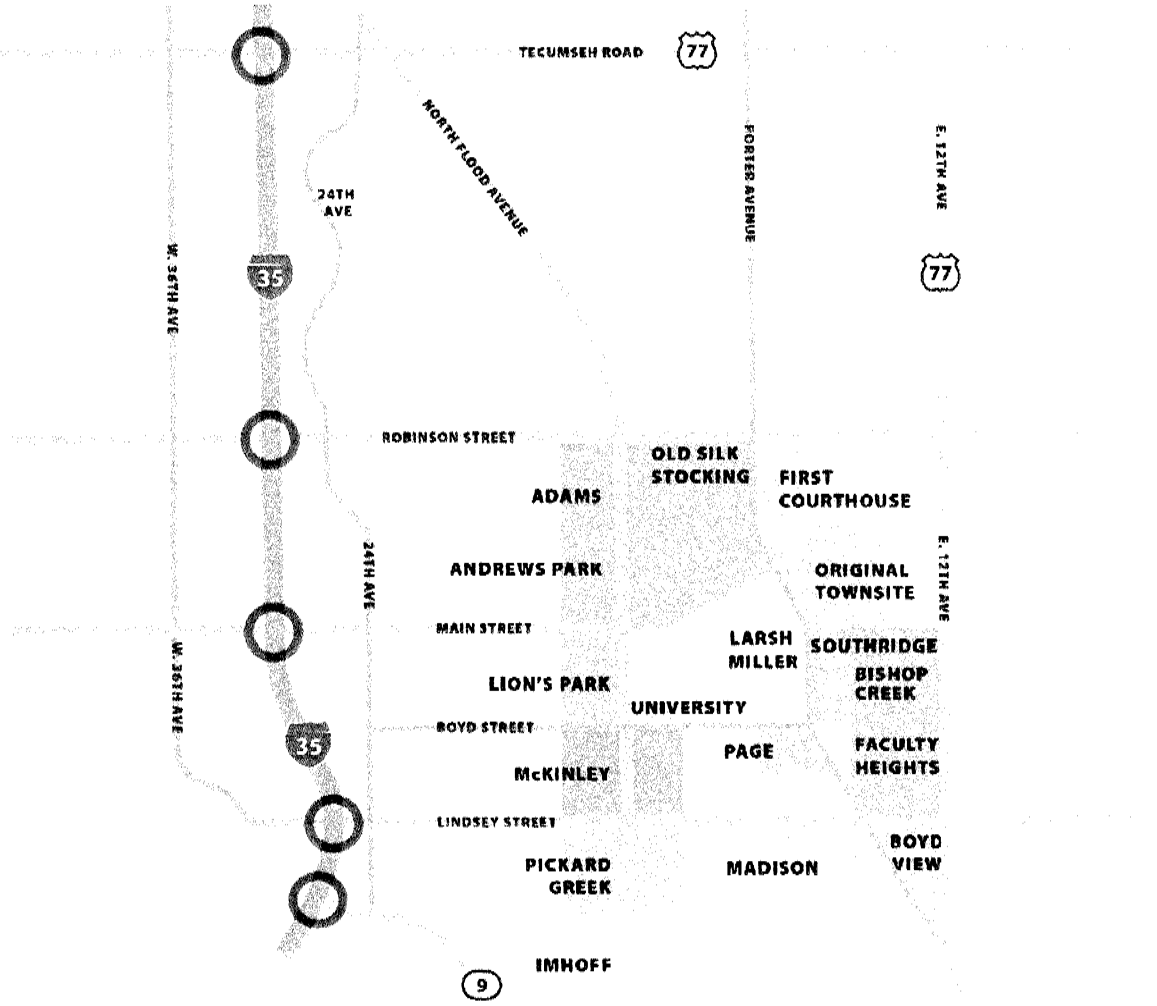
Detailed pricing for the overall proposed Phase I installation can be obtained from private companies as well as the city sign shop. Specialty components such as the icons will need to be contracted separately. A master inventory of signage text, locations, and date of installation should be maintained to assist with system maintenance and long-term budgeting.

Dynamics of the System and Ongoing Community Development

The planning process included the review and consideration of various emerging districts throughout the community. The priorities of the plan dictated that only districts that are widely recognized now could be accommodated at this time. The system design and the flexibility of the kit of parts have capacity for the addition of new pictograms and iconography to facilitate the branding of individual districts and neighborhoods.

Districts or neighborhood groups can work together to create a unique icon, which will become recognizable in the broader context of the community. The icon can be plugged into the family of sign types to generate the appropriate materials. Opportunities to partner with environmental graphic design students at the University of Oklahoma and to showcase emerging community artists should be considered as a means to expand the iconography.

Ongoing dialogue with the University of Oklahoma is encouraged. This ongoing relationship can enhance the experience of visitors to the University by promoting the excellent shops, restaurants, and cultural experiences available throughout the community. The University is a major component of Norman's



Central Norman Neighborhoods

identity. Connecting people visiting Norman for business or pleasure to the attractions and resources of OU helps showcase the tremendous significance of Oklahoma's largest institution of higher education.

The numerous neighborhoods present in Central Norman are an example of the great potential to celebrate the diversity and character of the community. As neighborhood plans are updated and grassroots interest grows, Norman's diverse neighborhoods could be celebrated and included in an expanded wayfinding system. Collaboration between private groups and city staff from various departments could support this expansion of the system.

Conclusion – Ongoing Opportunities

The Signage and Wayfinding Plan will achieve the greatest impact when paired with community-wide efforts to portray a consistent brand for Norman. The partnership between the City, NCVB, and the Chamber provides a strong foundation for moving forward. The partner representatives involved in the plan have contributed strong ideas and support for the broader branding mission. Their leadership and advocacy can help broaden the outreach of the branding effort to connect with others in the community.

Partners can each revisit branding opportunities within their organizations, and encourage affiliated groups to do the same. Applications can include:

- Updated stationary and print collateral
- Unified promotional materials and advertisements
- Standardized presentation templates

- Common elements on websites
- Ongoing gateway and placemaking features
- Design references throughout the built environment
- Transit – bus stops and shelter designs / promoting brand

As the wayfinding system and proposed signage code are adopted and implemented, community building and outreach components can continue to be added. An example of longer term goals would be development of a standardized monument sign (possibly in several locations) to promote community events. Messaging would be approved and managed by the proposed signage committee.

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Appendix A
Stakeholder Survey Results

SURVEY RESPONSE:

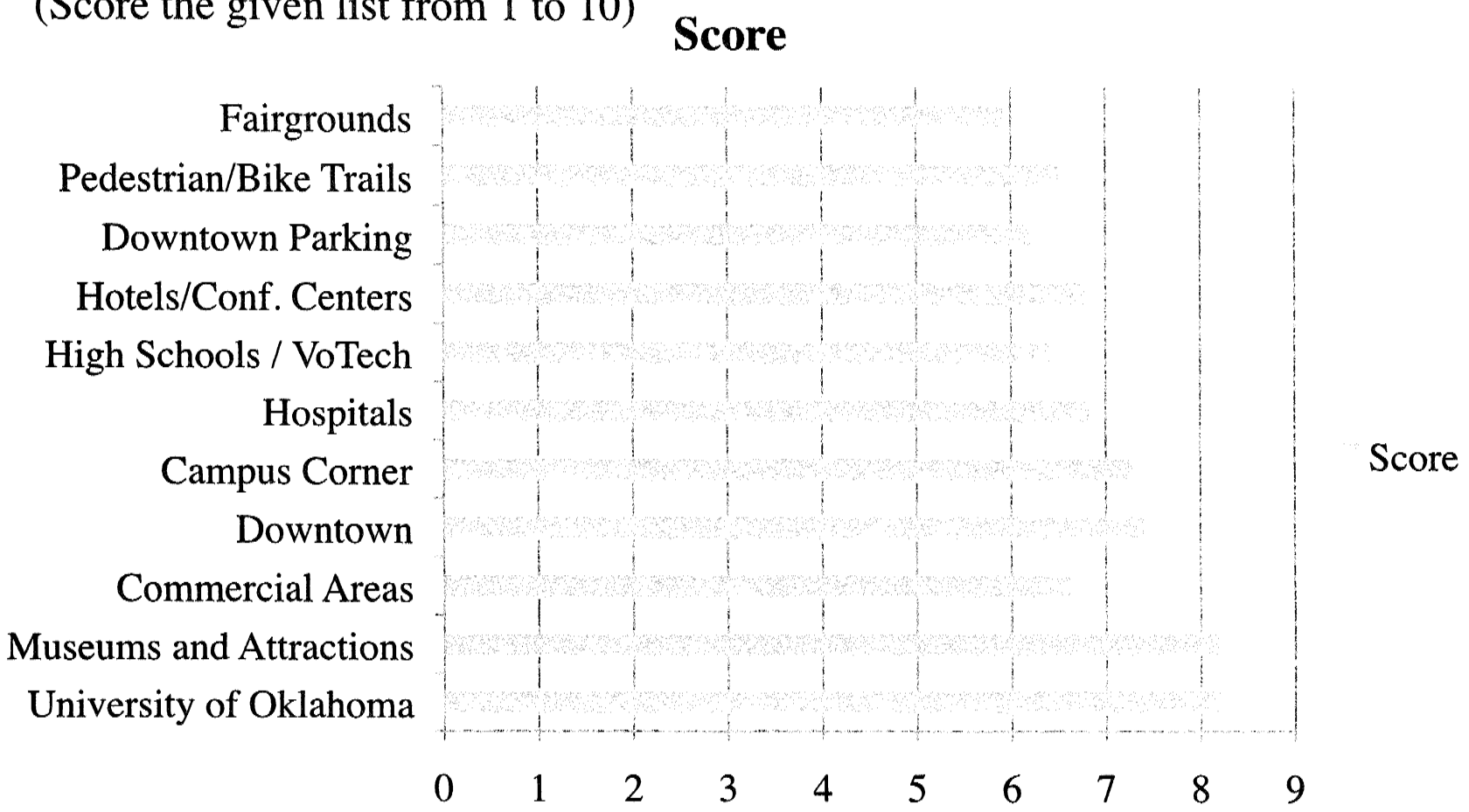
When you think of the community of Norman, what elements outside of the university are you most proud of?

- Downtown and Arts District
- Arts and Cultural Experiences
- Campus Corner
- Sense of Community
- Friendly Citizens
- Variety of opportunities and activities (shopping, dining, recreation, festivals, etc.)
- Quality of the community and its residents
- Sam Noble Museum of Natural History
- National Weather Center
- Good Schools
- Convention Center
- Parks and Open Space
- Lake Thunderbird
- Legacy Trail

SURVEY RESPONSE:

What destinations/points of interest are most important?

(Score the given list from 1 to 10)



SURVEY RESPONSE:

What 3 destinations/points of interest would you like to see featured on signage?

(Fill in the blank)

1. University of Oklahoma (21 votes)
   Includes destinations such as Sam Noble and Fred Jones Museums, Athletic Facilities, and Weather Center
2. Downtown (10 votes)
3. Parks (4 votes)
4. Campus Corner (3 votes)
5. County Fairgrounds (2 votes)
6. Hospitals (1 vote)
7. Attractions (1 vote)

SURVEY RESPONSE:

When thinking of Norman, what areas outside of the University's campus are unique to the city?

(Fill in the blank)

1. Parks (9 votes)

   Includes Griffin, Andrews, Reeves, Lions, Golf Course, trails, Legacy Trail, Legacy Park

2. Lake Thunderbird (5 votes)
3. Train Depot (2 votes)
4. Sooner Theater (2 votes)
5. Attractions (1 vote each)

   University North Park

   Max Westheimer Airport

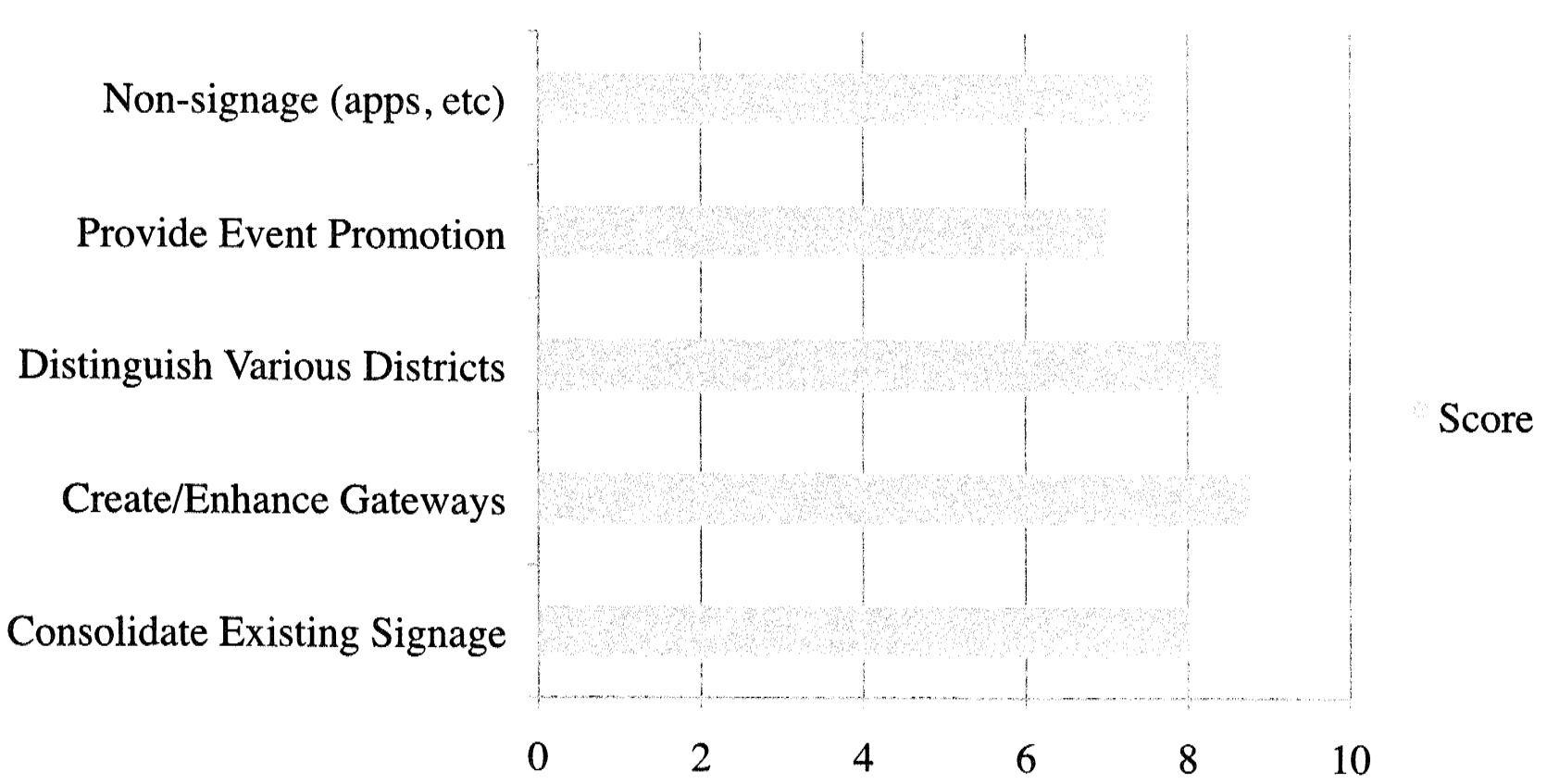
   Riverwind Casino

   Festivals – Arts and Entertainment

   Historic Main Street

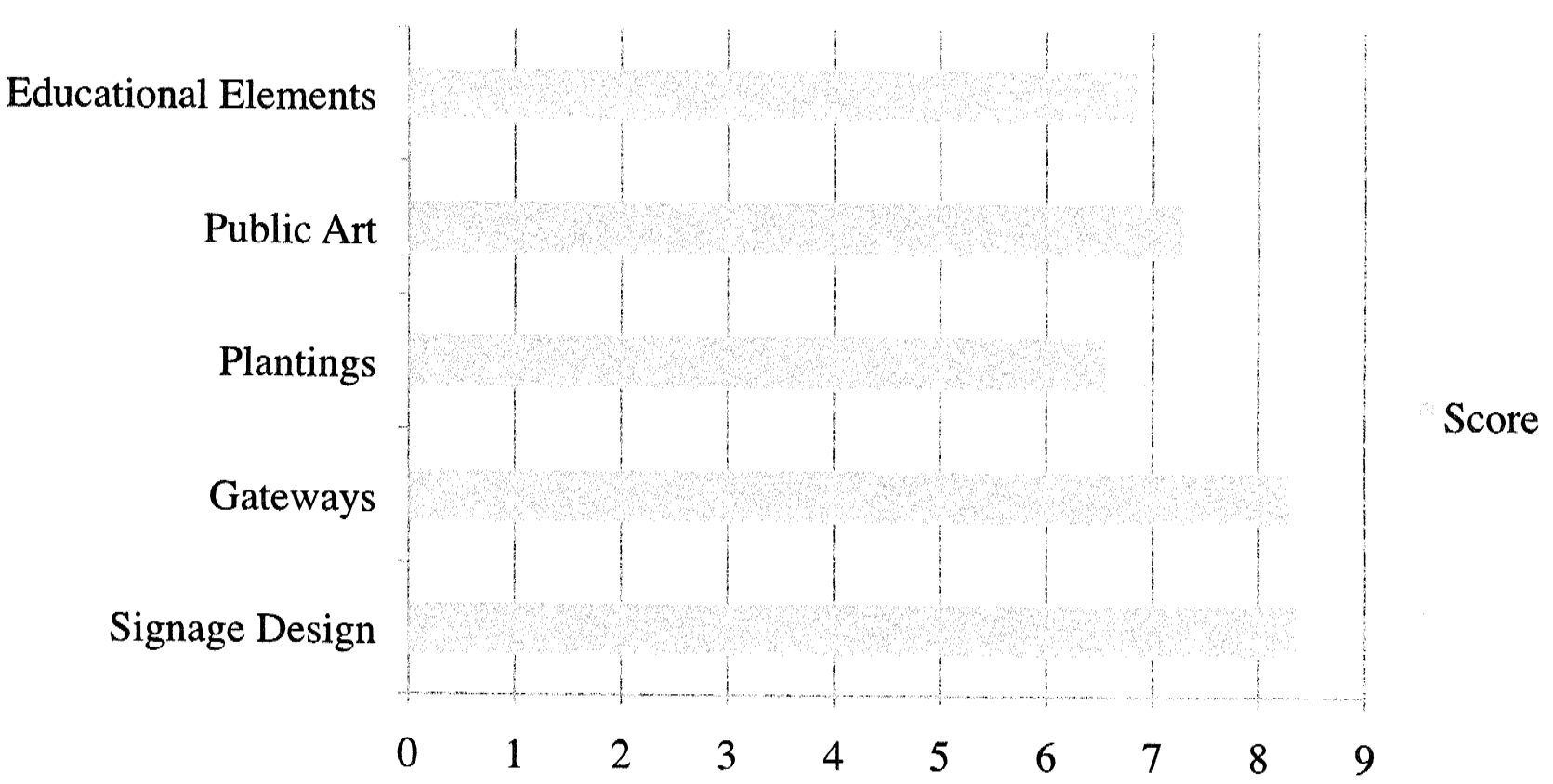
SURVEY RESPONSE:

Changes will be made to improve the navigational system in Norman. Please assign a value to each element from 1 (least important) to 10(most important):



SURVEY RESPONSE:

What other elements would best define the city and/or the navigation system?
Please rate each element below from 1 (least important) to 10 (most important):



SURVEY RESPONSE:

The Wayfinding Plan must define key goals and prioritize expenditures. **What do you see as the three most important aspects of developing and implementing a successful plan?**

(Fill in the blank)

1. Realistic scope / achievable to implement, maintain, and expand (9 votes)
2. Quality /Consistent design (7 votes)
3. Fair criteria and balanced management (5 votes)
4. Community Input & Support (4 votes)
5. User-friendly, incl. bike and ped (4 votes)
6. Uniquely Norman – set apart from OKC (3 votes)
7. Direct people to areas they otherwise wouldn't know about (3 votes)
8. Use local materials (1 vote)

Appendix B
Selection Criteria

Selection Criteria for Inclusion in the Signage and Wayfinding Plan

MAJOR Destinations -

- Destinations that have the largest attendance figures and draw from a national and regional audience
- Annual attendance is typically over 100,000 visitors.
- Meets all ODOT requirements

PRIMARY Destinations + Districts

- Appear on primary streets LEADING FROM HIGHWAY
- Destinations that have large attendance figures and draw from a regional audience.
- Annual attendance is typically over 40,000 visitors

SECONDARY/TERTIARY Destinations – Street Trailblazing + Pedestrian Signage

- Appear on primary streets WITHIN DISTRICTS / CORRIDORS
- Annual attendance is typically over 30,000 visitors, however qualifications based upon other key criteria can justify inclusion

In order for destinations to be included in the Signage and Wayfinding Program, a minimum of three of the following criteria must be applicable:

- Publically owned
- Not-for-profit organization
- Educational institution serving over 400 attendees at one time
- An entity providing services to the general public with a capacity of over 200 visitors
- Annual attendance (minimum 10,000)
- Regional significance
- Host to major events

It is recommended that a standing committee be established to apply the criteria on a consistent basis. Mandatory funding requirements may be added to the required criteria in the future.

Appendix C
Phase I – Major and Primary Destinations

Major Destinations

US 77 (SB only)
- Max Westheimer Airport
- Downtown

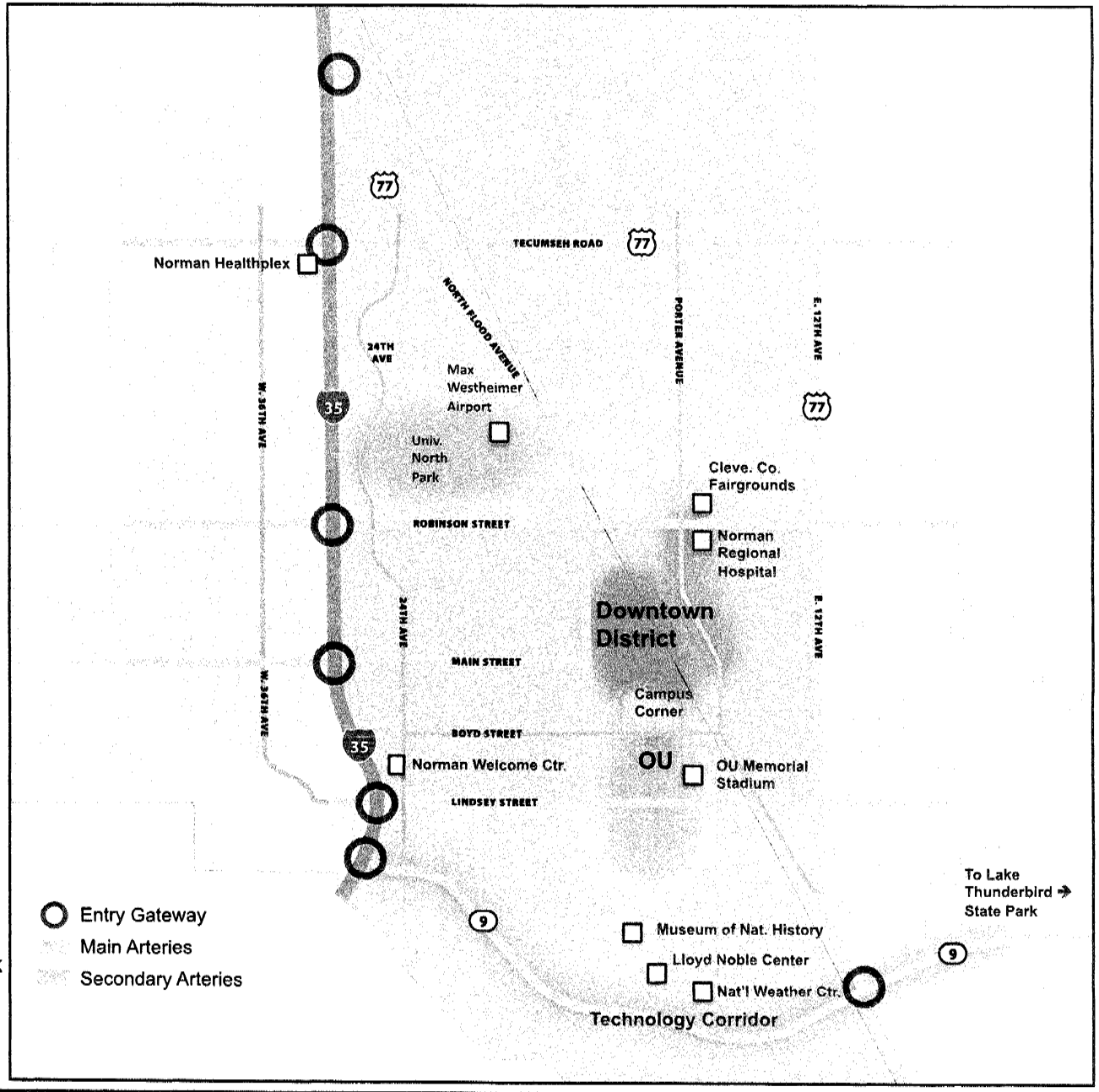
Tecumseh Road
- Norman Healthplex
- Univ. North Park
- Max Westheimer Airport

Robinson Street
- Cleveland Co. Fairgrounds
- Norman Regional Hospital
- Univ. North Park
- Max Westheimer Airport

Main Street
- Campus Corner
- Downtown
- Univ. of Oklahoma

Lindsey Street
- Norman Welcome Center
- Univ. of Oklahoma
- OU Memorial Stadium

Hwy 9
- Lake Thunderbird State Park
- Lloyd Noble Center
- Museum of Nat. History
- Nat'l Weather Ctr.



Primary Destinations

US 77 (SB only)
- Max Westheimer Airport
- Downtown

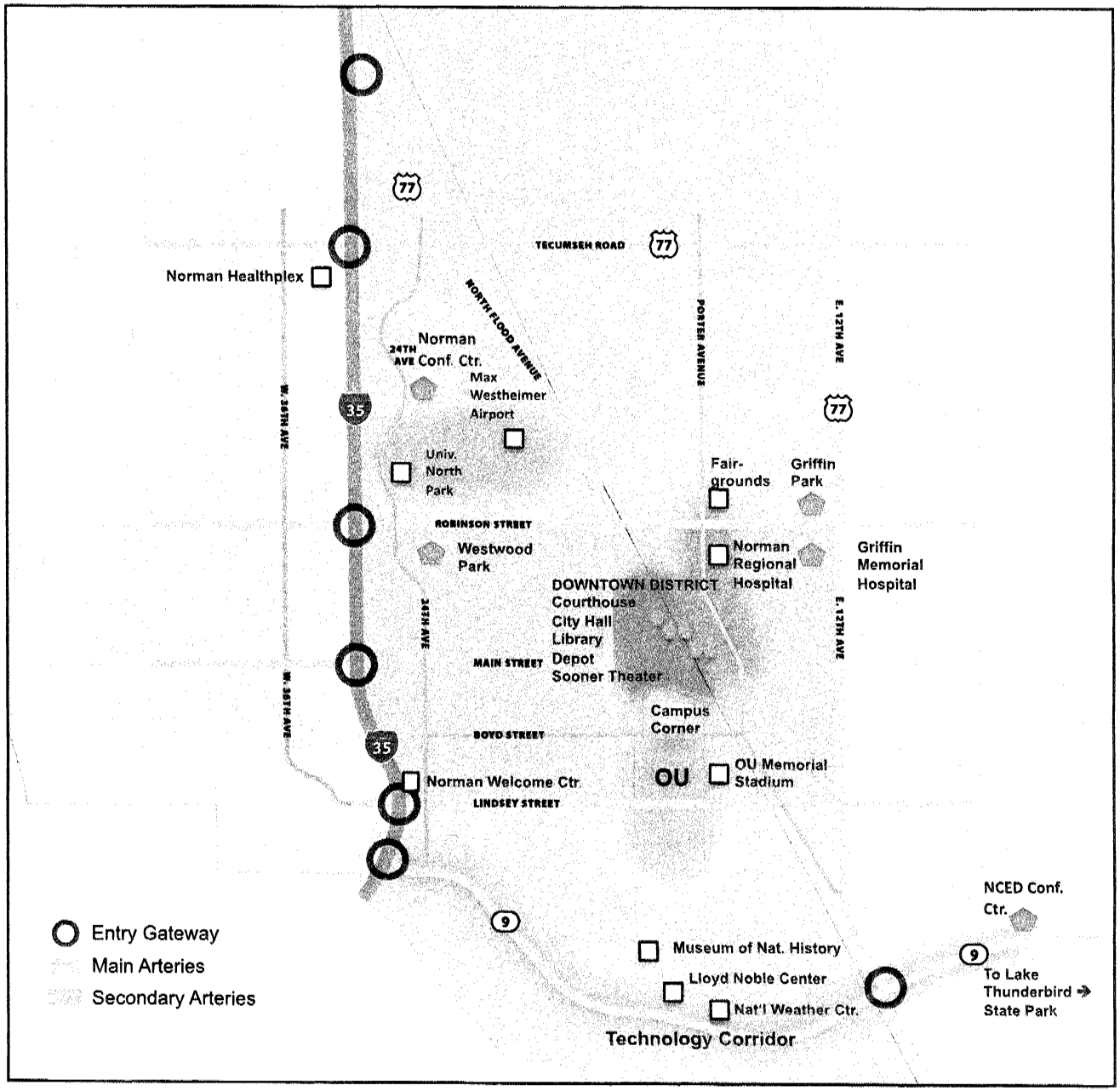
Tecumseh Road
- Norman Healthplex
- Univ. North Park
  - **Norman Conf. Ctr.**
- Max Westheimer Airport

Robinson Street
- Cleveland Co. Fairgrounds
  - **Griffin Park**
- Norman Regional Hospital
- Univ. North Park
  - **Norman Conf. Ctr.**
- Max Westheimer Airport
  - **Griffin Hospital**
  - **Westwood Park**

Main Street
- Campus Corner
- Downtown
  - **Courthouse**
  - **City Hall**
  - **Public Library**
  - **Santa Fe Depot**
  - **Sooner Theater**
- Univ. of Oklahoma

Lindsey Street
- Norman Welcome Center
- Univ. of Oklahoma
- OU Memorial Stadium

Hwy 9
- Lake Thunderbird State Park
- Lloyd Noble Center
- Museum of Nat. History
- Nat'l Weather Ctr.
  - **NCED Conference Center**



Appendix D
Destination Matrix

Destination and Ranking		Public owned	Not-for-profit	Ed. Instit. 400+	Public Svc. 200+	10K+ visitors	Region Signif.	Major Events	Annual Attendance
MAJOR = 100,00+ - Signed from I-35	DESTINATIONS NOT ON THIS LIST WILL BE OMITTED FROM I-35 SIGNAGE								
M Campus Corner						x	x	x	400,000
M Cleveland County Fairgrounds		x		x	x	x	x	x	
M DOWNTOWN									
M Lake Thunderbird State Park		x			x	x	x	x	650,000-1,000,000
M Lloyd Noble Center	OU	x		x	x	x	x	x	
M Max Westheimer Airport	OU	x		x		x	x		
M Memorial Stadium Owen Field	OU	x		x	x	x	x	x	510,000
M National Weather Center	OU	x	=	x	x	x	x	x	50,000
M Norman Healthplex						x	x		122,982; HealthPlex
M Norman Regional Hospital					x	x	x		352,205; Norman Reg.
M Norman Welcome Center									
M Sam Noble Museum of Natural History	OU	x		x	x	x	x		150,000
M University North Park					x	x	x		
M UNIVERSITY OF OKLAHOMA									
PRIMARY = 40,000+- signed on main arterials	PRIMARY DESTINATIONS INCLUDED IN FIRST PHASE								
1 Cleveland County Courthouse	DT	x			x	x	x		36,500-182,500
1 Griffin Community Park		x			x	x	x	x	312,920
1 Griffin Memorial Hospital		x			x	x	x		36,500-73,000
1 Moore-Norman Technology Center		x		x	x	x	x		
1 Norman City Hall	DT	x			x	x			
1 Norman Conference Center (Emb. Suites)									
1 Norman Public Library	DT	x			x	x	x		
1 OU North Research Campus	OU	x		x		x	x		
1 NCED Conference Center									
1 Santa Fe Depot	DT	x	x			x	x	x	
1 Sooner Theater	DT	x	x		x	x	x	x	7,000
1 Westwood Golf Course, Tennis Ctr., & Water Park		x			x	x	x	x	101,871

Destination and Ranking			Public owned	Not-for-profit	Ed. Instit. 400+	Public Svc. 200+	10K+ visitors	Region Signif.	Major Events	Annual Attendance
SECONDARY - FUTURE PHASE / WITHIN DISTRICTS		SIGNED AS PART OF FUTURE PHASES - WITHIN DISTRICTS								
2	12th and Alameda Shopping Area						x	x		
2	12th Avenue Recreation Center		x			x	x			37,500
2	Andrews Park	DT	x			x	x	x	x	
2	Brookhaven					x	x	x	x	
2	Calypso Cove Marina		x			x	x	x	x	
2	Cleveland County YMCA			x		x	x	x	x	
2	Downtown Arts District - need to define									
2	Firehouse Art Center		x	x		x		x	x	1,600
2	Fred Jones Jr. Museum of Art	OU	x		x	x	x	x		38,000
2	Irving Recreational Center		x			x	x			32,995
2	Legacy Park		x			?	?		?	2014/15
2	Legacy Trail		x				x			
2	Lions Park		x			x	x		x	
2	Moore-Lindsay Historical Home	DT	x	x						
2	Norman Chamber of Commerce			x				x		
2	Norman Convention & Visitors Bureau			x				x		350
2	Norman High School		x		x	x	x	x	x	
2	Norman North High School		x		x	x	x	x	x	
2	OU ATHLETICS									
2	Reaves Park		x			x	x	x	x	
2	Ruby Grant Park		x			x	?			
2	Saxon Park		x					x	x	
2	Sooner Mall					x	x	x	x	
2	Whittier Recreation Center		x			x	x			32,467

Destination and Ranking			Public owned	Not-for-profit	Ed. Instit. 400+	Public Svc. 200+	10K+ visitors	Region Signif.	Major Events	Annual Attendance
Potential Future Districts/Corridors:										
	Downtown Arts District									
	HWY 9 Tech Corridor									
	OU Athletics									
	Porter Avenue Corridor									
Future Destinations / Determinations by University of Oklahoma										
	Headington Family Tennis Center	OU	x		x	x		x	x	
	Jimmie Austin OU Golf Course	OU	x		x	x	x	x	x	
	John Jacobs Track	OU	x		x	x	x	x	x	
	McCasland Field House	OU	x		x	x	x	x		
	OU Rugby Complex	OU	x			x		x	x	
	OU Soccer Complex	OU	x		x	x		x	x	
	OU Softball Complex	OU	x		x	x		x	x	
	Switzer Center / Heisman Park	OU	x		x	x	x	x		
	Huston Huffman Recreation Center	OU	x		x	x	x			
	L. Dale Mitchell Park	OU	x		x	x		x	x	
	Murray Case Sells Swim Complex	OU	x		x	x		x	x	
	Catlett Music Center	OU	x		x	x	x			
	Jacobson House	OU	x		x	x	x			
	OU Visitor Center	OU	x		x	x	x	x		
	Western History Collection	OU	x		x	x				

Appendix E
Phase I Implementation and Preliminary Cost Estimate

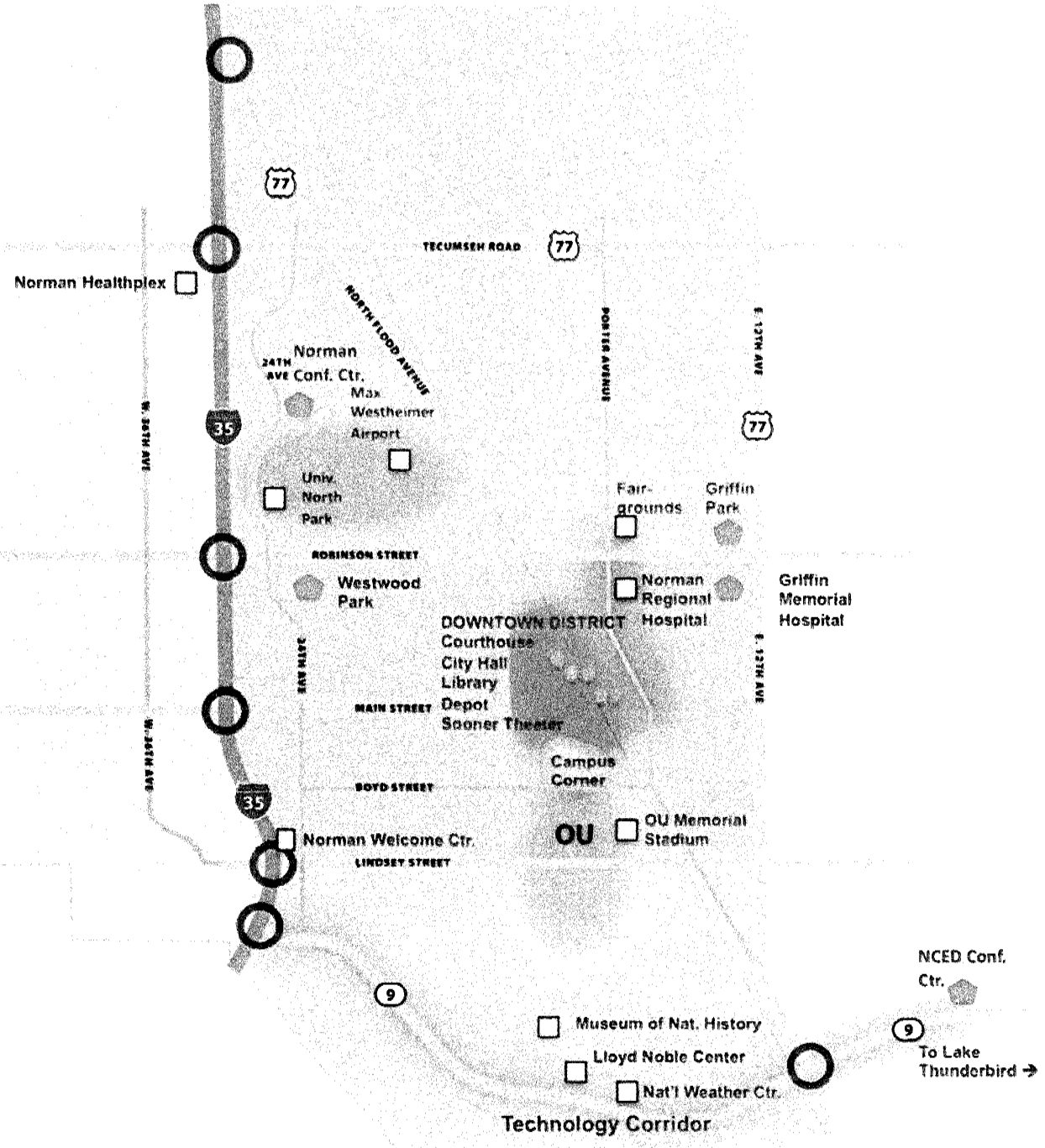
Preliminary Opinion of Probable Cost
Norman Signage and Wayfinding
Phase I Implementation

Sign Size	Quantity	Material Cost	Installed Cost	Subtotal	Total
North					
Small	8	$2,700	$2,400	$5,100	$40,800
Medium	2	$3,300	$2,400	$5,700	$11,400
Large	3	$4,200	$2,400	$6,600	$19,800
Estimated Total Cost					$72,000
Central					
Small	1	$2,700	$2,400	$5,100	$5,100
Medium	2	$3,300	$2,400	$5,700	$11,400
Large	4	$4,200	$2,400	$6,600	$26,400
Estimated Total Cost					$42,900
South					
Small	7	$2,700	$2,400	$5,100	$35,700
Medium	2	$3,300	$2,400	$5,700	$11,400
Large	4	$4,200	$2,400	$6,600	$26,400
Estimated Total Cost					$73,500
Design Fee Allowance:					$25,000
Subtotal:					$213,400
Contingency:				20%	$42,680
TOTAL:					**$256,080**

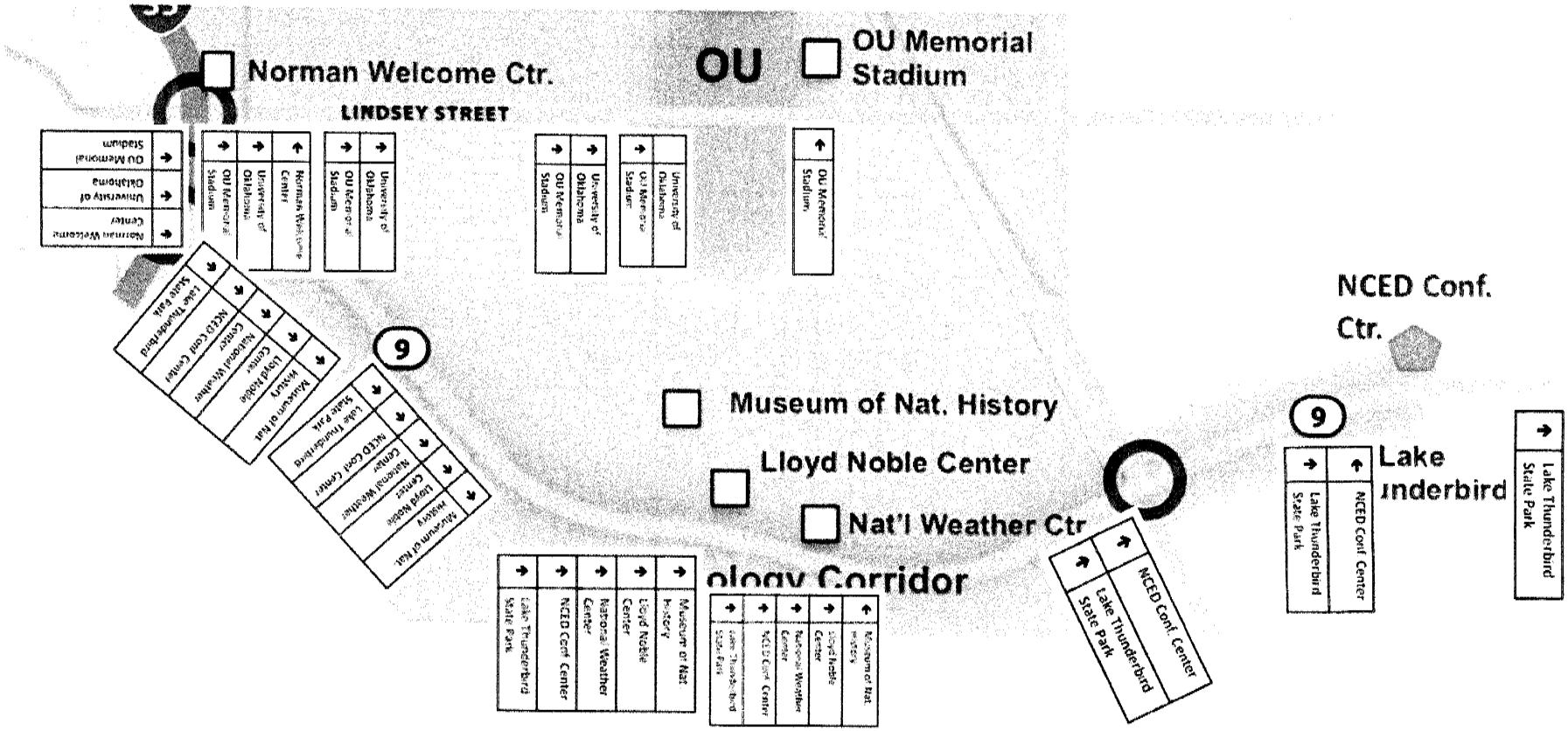
Notes:
- Costs do not include freeway signage; assumed cost share with ODOT
- Costs assume prior installation of Pilot Project signage
- Signs are classified as follows:
  - Small: 2 or fewer destinations
  - Medium: 3 destinations
  - Large: 4 or more destinations

Northern Tier Signage
(all signage north of Robinson)

Southbound I-35	Northbound I-35
Max Westheimer Airport Downtown	
Norman Healthplex Univ. North Park Max Westheimer Airport	Norman Healthplex Univ. North Park Max Westheimer Airport
Cleve. Co. Fairgrounds Norman Regional Hospital Univ. North Park Max Westheimer Airport	Cleve. Co. Fairgrounds Norman Regional Hospital Univ. North Park Max Westheimer Airport
Campus Corner Downtown University of Oklahoma	Campus Corner Downtown University of Oklahoma
Norman Welcome Center University of Oklahoma OU Memorial Stadium	Norman Welcome Center University of Oklahoma OU Memorial Stadium
Lake Thunderbird State Park Lloyd Noble Center Museum of Nat. History Nat'l Weather Ctr.	Lake Thunderbird State Park Lloyd Noble Center Museum of Nat. History Nat'l Weather Ctr.



Southern Tier Signage
(all signage south of Lindsey)



Appendix F
Pilot Project

Pilot Project

Preliminary Opinion of Probable Cost
Norman Signage and Wayfinding
Pilot Project

Sign Size	Quantity	Cost	Installation	Subtotal	Total
North					
Small	1	$2,700	$2,400	$5,100	$5,100
Medium	5	$3,300	$2,400	$5,700	$28,500
Large	2	$4,200	$2,400	$6,600	$13,200
Estimated Total Cost					$46,800
Design Fee Allowance:					$20,000
Subtotal:					$66,800
Contingency:				20%	$13,360
TOTAL:					**$80,160**

Notes: Costs do not include freeway signage; assumed cost share with ODOT
Signs are classified as follows:
Small: 2 or fewer destinations
Medium: 3 destinations
Large: 4 or more destinations

City of Norman, OK

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

Master

File Number: O-1314-22

File ID:	O-1314-22	**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:**	10/09/2013
File Name:	O-1314-22 IBC			**Final Action:**	

Title: CONSIDERATION OF ORDINANCE NO. O-1314-22 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE I, SECTIONS 5-101 AND 5-101.1, ARTICLE II, SECTIONS 5-201, 5-202, 5-203, 5-207, 5-208, 5-209, 5-210, AND ADDING SECTIONS 5-213, 5-214 OF THE CODE OF ORDINANCES OF THE CITY OF NORMAN AMENDING AND ADOPTING THE 2009 INTERNATIONAL BUILDING CODE, THE 2009 INTERNATIONAL MECHANICAL CODE;, THE 2009 INTERNATIONAL PLUMBING CODE, THE 2011 NATIONAL ELECTRICAL CODE, THE 2009 INTERNATIONAL FUEL GAS CODE, AND ADOPTING THE 2009 INTERNATIONAL EXISTING BUILDING CODE AND 2009 INTERNATIONAL FIRE CODE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Notes: ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-22 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-22 upon Final Reading as a whole.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 46

Attachments: Text File O-1314-22.pdf, Attachment 1 State Code Amendments, Attachment 2 Proposed New Local amendments, O-1314-22, O-1314-22 annotated

Project Manager: Susan Connors, Director

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	City Council	10/22/2013	Introduced and adopted on First Reading by title only	Pass

Action Text: That this Ordinance be Introduced and adopted on First Reading by title only. by consent roll call

Text of Legislative File O-1314-22

Body

BACKGROUND: The Oklahoma Legislature, in May 2009, passed legislation creating the Oklahoma Uniform Building Code Commission (OUBCC). The Commission is composed of eleven members from different fields and is tasked with creating a statewide Uniform Building Code. The OUBCC completed the legislative process in calendar year 2012 necessary for the state adoption, with amendments, of the 2009 International Building Code (IBC), International Fire Code (IFC), International Existing Building Code (IEBC), International Fuel Gas Code (IFGC), International Mechanical Code (IMC), International Plumbing Code (IPC), the 2006 edition of the International Energy Conservation Code (IECC) and the 2011 edition of the National Electrical Code (NEC) to be used as the minimum code standards governing the built environment throughout the state. These codes became effective November 1, 2012.

The 2009 edition of the International Residential Code (IRC) is omitted from the preceding list of codes because that code was adopted previously with an effective date within the City of June 2, 2012. Similarly, the 2006 Edition of the International Energy Conservation Code, although recently adopted by the state, was adopted previously by the City with an effective date of October 22, 2009.

Consistent with the legal authority granting state and local code administration and enforcement jurisdictions the power and discretion to administer the code, Planning and Community Development staff have reviewed the codes and amendments adopted by the state in view of taking steps to recommend formal adoption of those codes with local City amendments.

It is the understanding of staff that the cities of Oklahoma City, Edmond, and Moore have also engaged similar processes to formally adopt the state family of codes.

DISCUSSION: The new codes, if adopted, will result in amendments to Chapter 5 of the City of Norman Code of Ordinances.

The remainder of this memorandum presents information about the proposed amended codes. While public safety and health concerns are the primary focus of the codes used to govern the built environment, certain pragmatic and administrative concerns must also be considered. To this end state and local amendments are employed to address these concerns and provide greater clarity to users of the codes. The detailed state required amendments are included on Attachment 1 and the proposed new City amendments are included on Attachments 2.

In summary:

IBC

Chapter 1 amendments address administrative details necessary to dovetail the code with local ordinances and state amendments.
Chapter 12 amendments inform code users of plumbing code requirements pertinent to certain restroom design features.
Chapter 29 amendments seek to address concerns expressed by local designers and developers pertaining to certain plumbing code requirements.
Chapters 31, 32, and 33 amendments seek to address local procedures pertaining to consent for encroachment into the public right of way and permits required for work in the right of way.
Chapter 34 amendments clarify the prevailing state regulatory agency for private sewage disposal and provide local discretion to the building official with regard to materials and methods allowed to address technical issues that are sometimes encountered with existing buildings.

IMC

Chapter 3 amendment provides greater liberty to designers and installers seeking to place mechanical equipment in attic spaces.
Chapter 5 amendment provides an alternative solution to venting through the roof for clothes dryers installed in the interior spaces of buildings.

IPC
Chapter 2 amendment adds a definition for the term "service sink".
Chapter 3 amendment clarifies a test procedure for inspection services.
Chapter 4 amendments seek to address concerns expressed by local designers and developers pertaining to the supply of drinking water and toilet facilities in certain occupancies, cautions about the use of waterless urinals and provides uniformity of requirements of the IRC for tub/shower valves in residential occupancies.

NEC
Chapter 1 amendment continues the special concerns pertaining to the use of aluminum wires inside structures. Chapter 2 amendments continue a special exemption from ground fault protection for certain exterior receptacles, provides a fixed number of outlets in residential wiring to prevent circuit overloads and clarifies a measurement above grade to prevent water from entering electrical equipment enclosures and help ensure the safety of electrical workmen.

IFGC
Chapter 3 amendments clarify a measurement to be consistent with all relevant code sections and provide greater liberty to designers and installers seeking to place mechanical equipment in attic spaces.

IEBC
No local amendments are recommended for this code which is new to Norman. It is believed the adoption of this code will provide greater clarity for design and enforcement decisions pertaining to existing buildings.

IFC
Similar to the **IEBC** no local amendments are recommended for this code. It is believed this code will offer ICC perspectives to City fire code officials.

While many of the proposed local amendments are carryover from previous editions of the codes the following list depicts the most notable changes that were initiated by the International Code Council (ICC) in its 2009 code editions and by the National Fire Protection Association (NFPA) in its 2011 edition of the NEC.

IBC enhances information pertaining to ambulatory health care facilities, adult care facilities and high rise buildings. Greater clarity is provided for the design and construction of community storm shelters. Enhances fire protection of certain buildings by requiring greater levels of fire resistant construction. Addresses the construction of multiple buildings above a parking garage. Clarifies requirements for automatic fire protection (sprinkling) of certain education and mercantile buildings.

IMC, IPC, and IFGC incorporate minimal technical changes primarily to accommodate new equipment technologies.

NEC employs minimal changes to address energy management device wiring, expansion of arc fault protection (including certain existing equipment when replaced or modified), clarification of grounding electrode system rules, wiring LED's, solar photovoltaic systems, small wind generator electric systems and emergency power and/or alarm wiring systems.

RECOMMENDATION: Staff recommends adoption of the 2009 International Codes and the 2011 National Electrical Codes as amended.

Attachment 1

State code amendments

IBC

Chapter 2 definitions:

- The definition of the word "Repair" has been modified to further define a repair to include repair to any build or structure regardless of the classification of the building as a new or existing building. The definition has been modified to read: The reconstruction or renewal (restoration to good or sound condition) of any part of any building for the purpose of its maintenance.

Chapter 3 Use and Occupancy Classification:

- Section 310.1 Residential Group R has been modified to provide clarification between the IBC® 2009 and the International Residential Code® 2009 when R-1 and R-2 classifications are constructed as R-3 classification. The section has been modified to read:
  (1) R-1 Residential occupancies containing sleeping units where the occupants are primarily transient in nature including: Boarding houses (transient), Hotels (transient), Motels (transient), Congregate living facilities (transient) with 10 or fewer occupants are permitted to comply with the construction requirements for Group R-3, except as otherwise provided for in this code, or shall comply with the International Residential Code®, provided the building is protected by an automatic sprinkler system installed in accordance with Section 903.2.8.
  (2) R-2 Residential occupancies containing sleeping units or more than two dwelling units where the occupants are primarily permanent in nature including: Apartment houses, Boarding houses (non-transient), Convents, Dormitories, Fraternities and sororities, Hotels (non-transient), Live/work units, Monasteries, Motels (non-transient), Vacation time share properties and Congregate living facilities with 16 or fewer occupants are permitted to comply with the construction requirements for Group R-3, except as provided for in this code, or shall comply with the International Residential Code®, provided the building is protected by an automatic sprinkler system installed in accordance with Section 903.2.8.

Chapter 4 Special detailed Requirements Based on Use and Occupancy:

- Section 423.1 General has been revised to provide for alternative design and engineered methods without relying on jurisdictional interpretation. The section has been modified to read: Section 423.1 General. In addition to other applicable requirements in this code, storm shelters shall be constructed in accordance with ICC-500, FEMA 320, FEMA 361 or other equivalent approved engineered system.

- Section 423.2 Definitions has been revised to modify the definition of a Storm Shelter to remove the specific reference to ICC-500 and to allow for alternative design and engineered methods listed in Section 423.1. This section has been modified to read: STORM SHELTER. A building, structure, or portion(s) thereof,_constructed in accordance with the standards listed in Section 423.1 and designated for use during a severe wind storm event, such as a

hurricane or tornado.

Chapter 8 Interior Finishes:

- Section 803.1.4. Acceptance criteria for textile and expanded vinyl wall or ceiling coverings tested to ASTM E 84 or UL 723 has been modified to include the word "either" before the two types of standards to provide clarification and prevent a different interpretation other than the intent of the code. This section has been modified to read: Section 803.1.4. Acceptance criteria for textile and expanded vinyl wall or ceiling coverings tested to ASTM E 84 or UL 723. Textile wall and ceiling covering and expanded vinyl wall and ceiling covering shall have a Class A flame spread index in accordance with either ASTM E 84 or UL 723 and be protected by an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 3.3.1.2. Test specimen preparation and mounting shall be in accordance with ASTM E 2404.

Chapter 9 Fire Protection Systems:

- Section 903.2.7 Group M has been modified to reword subsection 4 of this text to provide a reasonable limit for these occupancies and adequate protection without excessive burden on Group M occupancies with small areas of upholstered furniture and mattresses. This section has been modified to read: Section 903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:
  (A) A Group M fire area exceeds 12,000 square feet (1115 square meters).
  (B) A Group M fire area is located more than three stories above grade plane.
  (C) The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 square meters).
  (D) A Group M occupancy where the cumulative area used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet (464 square meters).

- Section 903.6 Pump and riser room size has been added to the code to provide the designer clarification for maintenance clearances needed for these rooms. This section has been added to read: Section 903.6 Pump and riser room size. Fire pump and automatic sprinkler system riser rooms shall be designed with adequate space for all equipment necessary for the installation, as defined by the manufacturer with sufficient working room around the stationary equipment. Clearances around equipment to elements of permanent construction, including other installed equipment and appliances shall be sufficient to allow inspection, service, repair, or replacement without removing such elements of permanent construction or disabling the function of a required fire resistance-rated assembly. Fire Pump and automatic sprinkler riser room shall be provided with a door(s) and unobstructed passageway large enough to allow removal of the largest piece of equipment.

- Section 911.1.3 Size was modified to include an exception to make the fire command center smaller when approved by the fire code official. This section was modified to read: Section 911.1.3. Size. The room shall be a minimum of 200 square feet (19 square meters) with a minimum dimension of 10 feet (3048 mm). Exception: When approved by the fire code official the fire command center can be reduced in size to not less than a minimum of 96 square feet (9 square meters) with a minimum dimension of 8 feet (2438 mm).

Chapter 10 Means of Egress:

- Section 1005.1 Minimum required egress width has been modified to include two more exceptions to modify egress width for all occupancies other than H and I-2 occupancies with sprinklers and a voice evacuation system. This section has been modified to read: Section 1005.1 Minimum required egress width. The means of egress width shall not be less than required by this section. The total width of means of egress in inches (mm) shall not be less than the total occupant load served by the means of egress multiplied by 0.3 inch (7.62 mm) per occupant for stairways and by 0.2 inch (5.08 mm) per occupant for other egress components. The width shall not be less than specified elsewhere in this code. Multiple means of egress shall be sized such that the loss of any one means of egress shall not reduce the available capacity to less than 50 percent of the required capacity. The maximum capacity required from any story of a building shall be maintained to the termination of the means of egress. Exceptions:
  (A) Means of egress complying with Section 1028;
  (B) For other than H and I-2 occupancies, the capacity, in inches, of means of egress stairways shall be calculated multiplying the occupant load served by such stairway by a means of egress capacity factor of 0.2 inches (5.1 mm) per occupant in buildings equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 and an emergency voice/alarm communication system in accordance with Section 907.5.2.2.
  (C) For other than H and I-2 occupancies, the capacity, in inches, of means of egress components other than stairways shall be calculated multiplying the occupant load served by such component by a means of egress capacity factor of 0.15 inches (3.8 mm) per occupant in building equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 and an emergency voice/alarm communication system in accordance with Section 907.5.2.2.

- Section 1022.1 Enclosures required has been modified to add an eighth exception to the code that will direct users to the correct reference for exemptions to allowances for open stairs. This section has been modified to read: Section 1022.1 Enclosures required. Interior exit stairways and interior exit ramps shall be enclosed with fire barriers constructed in accordance with Section 707 or horizontal assemblies constructed in accordance with Section 712, or both. Exit enclosures shall have a fire-resistance rating of not less than 2 hours where connecting four stories or more and not less than 1 hour when connecting less than four stories. The number of stories connected by the exit enclosure shall include any basements but not any mezzanines. Exit enclosures shall have a fire-resistance rating not less than the floor assembly penetrated, but need not exceed 2 hours. Exit enclosures shall lead directly to the exterior of the building or shall be extended to the exterior of the building with an exit passageway conforming to the requirements of Section 1023, except as permitted in Section 1027.1. An exit enclosure shall not be used for any purpose other than means of egress. Exceptions:
  (A) In all occupancies, other than Group H and I occupancies, a stairway is not required to be enclosed when the stairway serves an occupant load of less than 10 and the stairway complies with either Item 1.1 or 1.2. In all cases, the maximum number of connecting opening stories shall not exceed two.
  (i) 1.1. The stairway is open to not more than one story above its level of exit discharge; or

(ii) 1.2. The stairway is open to not more than one story below its level of exit discharge.
(B) Exits in buildings of Group A-5 where all portions of the means of egress are essentially open to the outside need not be enclosed.
(C) Stairways serving and contained within a single residential dwelling unit or sleeping unit in Group R-1, R-2 or R-3 occupancies are not required to be enclosed.
(D) Stairways in open parking structures that serve only the parking structure are not required to be enclosed.
(E) Stairways in Group I-3 occupancies, as provided for in Section 408.3.8, are not required to be enclosed.
(F) Means of egress stairways as required by Sections 410.5.3 and 1015.6.1 are not required to be enclosed.
(G) Means of egress stairways from balconies, galleries or press boxes as provided for in Section 1028.5.1 are not required to be enclosed.
(H) Stairways complying with exception 3 or 4 of Section 1016.1 are not required to be enclosed.

Chapter 16 Structural Design:

- Section 1611.1 Design rain loads. This section has been modified to increase secondary drain size for short duration intensities. This section has been modified to read: 1611.1 Design rain loads. Each portion of a roof shall be designed to sustain the load of rainwater that will accumulate on it if the primary drainage system for that portion is blocked plus the uniform load caused by water that rises above the inlet of the secondary drainage system at its design flow. The design rainfall shall be based on two conditions: 1) the 100-year hourly rainfall rate indicated in Figure 1611.1; and 2) the 100-year, 5-minute duration rainfall rate of 10.2 inches per hour. Alternately, the 100-year, one-hour and 100-year, 5-minute duration rainfall rates may be determined from approved local weather data.

- Section 1612.2 Definitions. This section has been modified to change the definition of an Existing Structure to correlate with the changed definition in the IEBC® 2009. This section has been modified to read: EXISTING BUILDING OR EXISTING STRUCTURE see "Existing construction" for reference connotation and requirements related to a jurisdiction's flood plain management code, ordinance, or standard. Refer to 3402.1 for reference connotation related to the application of existing building code provisions as provided in Chapter 34, notwithstanding other flood plain management requirements within this code, such as but not limited to "substantial improvement."

Chapter 18 Soils and Foundations:

- Section 1809.4 Depth and width of footings has been modified to provide an exception to the code for minor buildings such as small storage buildings to be constructed without expensive foundations and be mounted on skids and would apply to light gage metal or similar carports provided they are adequately anchored. This section has been modified to read: Section 1809.4 Depth and width of footings. The minimum depth of footings below the undisturbed ground surface shall be 12 inches (305 mm). Where applicable, the requirements of Section 1809.5 shall also be satisfied. The minimum width of footings shall be 12 inches (305 mm). Exception: Single story free-standing building meeting all of the following conditions shall be permitted without footings:
(1) Assigned to Occupancy Category 1, in accordance with Section 1604.5;

(2) Light-frame wood or metal construction;
(3) Area of 400 square feet (37 square meters) or less;
(4) Eave height of 10 feet (3048 mm) or less; and
(5) Building height of 15 feet (4575 mm) or less.
Such buildings shall have an approved wooden floor, or shall be placed on a concrete slab having a minimum thickness of 3 1/2 inches (89 mm). Buildings shall be anchored to resist uplift as required by Section 1609.

Chapter 29 Plumbing Systems:

- Table [P] 2902.1 Minimum number of required plumbing fixtures has been modified. It has been modified to add footnote "g" to number 2 (classification of business) and number 6 (classification of mercantile). The footnote will be added to the Other column of the table at the end of the service sink requirement. This section has been modified to read: [P] 2902.1 Minimum number of required plumbing fixtures. Footnote "g". For business and mercantile occupancies with an occupant load of 15 or fewer, service sinks shall not be required.

- Section 2902.2 Separate facilities. This section has been modified to change the occupant load in the third exception from 50 to 100 occupants. This section has been modified to read: Section [P] 2902.2 Separate facilities. Where plumbing fixtures are required, separate facilities shall be provided for each sex. Exceptions:
(A) Separate facilities shall not be required for dwelling units and sleeping units.
(B) Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of 15 or less.
(C) Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is 100 or less.

IMC

Chapter 2 Definitions:

- The definition of a Commercial Cooking Appliance has been modified to further define a commercial cooking appliance. The definition has been modified to read: Appliances used in a commercial food service establishment for heating or cooking food and which produce grease vapors, steam, fumes, smoke or odors that are required to be removed through a local ventilation system. Such appliances include deep fat fryers; upright broilers; griddles; broilers; steam-jacketed kettles; hot-top ranges; under-fired broilers (charbroilers); ovens; barbeques; rotisseries; and similar appliances. For the purpose of this definition, a food service establishment shall include any building or a portion thereof used for the preparation and serving of food that is not a kitchen in a single-family dwelling unit or apartment.

Chapter 3 General Regulations:

- Section 301.12 Wind resistance. This section has been modified to allow design and installation of equipment and appliances that are exposed to wind to be built in accordance with SMACNA HVAC Duct Construction Standards - Metal or Flexible or other approved methods. This section has been modified to read: Mechanical equipment, appliances and supports that are exposed to wind shall be designed and installed to resist the wind pressures

determined in accordance with the International Building Code, SMACNA HVAC Duct Construction Standards - Metal and Flexible, or other approved methods.

- Section 304.11 Guards. This section has been modified to require guards around components requiring routine service and unprotected skylight openings. This section has been modified to read: Guards or parapet walls shall be provided where appliances, equipment, fans (or other components that require routine service) or roof hatches are located within 10 feet (3048 mm) of a roof edge or open side of a walking surface and such edge or open side is located more than 30 inches (762 mm) above the adjacent surface or grade below. The guards or parapet walls shall extend not less than 30 inches (762 mm) beyond each end of such appliances, equipment, fans, components, and roof hatch openings; and the top of the guard or parapet wall shall be located not less than 42 inches (1067 mm) above the adjacent surface. Guards shall be constructed to prevent the passage of a 21-inch diameter (533 mm) sphere and shall comply with the loading requirements for guards as specified in the International Building Code®. Guards shall also be provided where appliances, equipment, fans (or other components that require routine service) are located within 10 feet (3048 mm) of a roof hatch or unprotected skylight. Skylights shall be considered protected if the level of the lowest edge of the skylight is on a raised curb 42 inches (1067 mm) above the roof level, or if the skylight is protected by some other approved means to prevent personnel from falling through the opening.

Chapter 5 Exhaust Systems:

- Section 507.1 General. This section has been modified to add Section 507.9 to exception number one. This section shall now read: Commercial kitchen exhaust hoods shall comply with the requirements of this section. Hoods shall be Type I or II and shall be designed to capture and confine cooking vapors and residues. Commercial kitchen exhaust hood systems shall operate during the cooking operation. Exceptions:
  (A) Factory-built commercial exhaust hoods which are tested in accordance with UL 710 listed, labeled and installed in accordance with Section 304.1 shall not be required to comply with Sections 507.4, 507.7, 507.9, 507.11, 507.12, 507.13, 507.14 and 507.15. (B) Factory-built commercial cooking recirculating systems which are tested in accordance with UL 710B, listed, labeled, and installed in accordance with Section 304.1 shall not be required to comply with Sections 507.4, 507.5, 507.7, 507.12, 507.13, 507.14, and 507.15. Spaces in which such systems are located shall be considered to be kitchens and shall be ventilated in accordance with Table 403.3. For the purpose of determining the floor area required to be ventilated, each individual appliance shall be considered as occupying not less than 100 square feet (9.3 meters squared).
  (C) Net exhaust volumes for hoods shall be permitted to be reduced during part-load cooking conditions, where engineered or listed multispeed or variable-speed controls automatically operate the exhaust system to maintain capture and removal of cooking effluents as required by this section. Reduced volumes shall not be below that required to maintain capture and removal of effluents from the idle cooking appliances that are operating in standby mode.
- Section 507.2.1 Type I hoods. This section has been modified to add an exception for installation of Type II hoods when specific conditions are met. This section has been modified to read: Type I hoods shall be installed where cooking appliances produce grease or smoke. Type I hoods shall be installed over medium-duty, heavy-duty, and extra-heavy-duty cooking appliances. Type I hoods shall be installed over light-duty cooking appliances that produce grease or smoke. Exception: Type II hoods shall be permitted to be installed over

medium-duty cooking appliances, ranges and ovens that the code official has determined will not produce appreciable amounts of grease and/or smoke. Where cooking appliances, ranges and/or ovens have been approved by the code official for installation under a Type II hood, a sign shall be placed on the wall in close proximity to the hood that reads, "Absolutely No Frying or Grease-Type Cooking Permitted."

Chapter 6 Duct Systems:

- Section 603.4 Metallic ducts. The exception to this section has been stricken.
- Section 604.1 General. This section was modified to add a requirement to duct insulation to conform to SMACNA HVAC Duct Construction Standards - Metal and Flexible. This section has been modified to read: Duct insulation shall conform to the requirements of Sections 604.2 through 604.13, the International Energy Conservation Code and SMACNA HVAC Duct Construction Standards - Metal and Flexible.

IPC
Chapter 2 Definitions:

- The definition of a Grease Interceptor has been modified to delete the original definition and add definitions for hydromechanical and gravity grease interceptors. This section has been modified to read:
  (1) Hydromechanical. Plumbing appurtenances that are installed in the sanitary drainage system to intercept free-floating fats, oils, and grease from waste water discharge. Continuous separation is accomplished by air entrainment, buoyancy and interior baffling. (2) Gravity. Plumbing appurtenances of not less than 500 gallons (1893 L) capacity that are installed in the sanitary drainage system to intercept free-floating fats, oils and grease from waste water discharge. Separation is accomplished by gravity during a retention time of not less than 30 minutes.

Chapter 3 General Regulations:

- Section 305.6.1 Sewer depth. This section has been modified to include a depth for the septic tank connection unless otherwise approved by the authority having jurisdiction. This section has been modified to read: Building sewers that connect to private sewage disposal systems shall be a minimum of 12 inches (305 mm) or as approved by the authority having jurisdiction below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 12 inches (305 mm) below grade.
- Section 312.1 Required tests. This section has been modified to allow the authority having jurisdiction to determine if the tests will be done using water or air and if a final test of the entire system will be required. This section has been modified to read: The permit holder shall make the applicable tests prescribed in Sections 312.2 through 312.10 to determine compliance with the provisions of this code. The permit holder shall give reasonable advance notice to the code official when the plumbing work is ready for tests. The equipment, material, power and labor necessary for the inspection and test shall be furnished by the permit holder and the permit holder shall be responsible for determining that the work will withstand the test pressure prescribed in the following tests. All plumbing system piping shall be tested with either water or, for piping systems other than plastic, by air as approved. After the plumbing fixtures have been set and their traps filled with water, the entire drainage

system shall be submitted to final tests when required by the authority having jurisdiction. The code official shall require the removal of any cleanouts if necessary to ascertain whether the pressure has reached all parts of the system.

- Section 312.2 Drainage and vent water test. This section has been modified to allow the authority having jurisdiction to specify the test may be done with less than a 10 foot (3048 mm) head of water. This section has been modified to read: A water test shall be applied to the drainage system either in its entirety or in sections. If applied to the entire system, all openings in the piping shall be tightly closed, except the highest opening, and the system shall be filled with water to the point of overflow. If the system is tested in sections, each opening shall be tightly plugged except the highest openings of the section under test, and each section shall be filled with water, but no section shall be tested with less than a 10-foot (3048 mm) head of water or as required. In testing successive sections, at least the upper 10 feet (3048 mm) of the next preceding section shall be tested so that no joint or pipe in the building, except the uppermost 10 feet (3048 mm) of the system, shall have been submitted to a test of less than a 10-foot (3048 mm) head of water or as required. This pressure shall be held for at least 15 minutes. The system shall then be tight at all points.
- Section 312.3 Drainage air test. This section has been modified to remove the words "and vent" to the section title.
- Section 312.4 Drainage and vent final test. This section has been modified to allow the authority having jurisdiction to determine if the test is required. It has been modified to read: The final test of the completed drainage and vent systems where required shall be visual and in sufficient detail to determine compliance with the provisions of this code. Where a smoke test is utilized, it shall be made by filling all traps with water and then introducing into the entire system a pungent, thick smoke produced by one or more smoke machines. When the smoke appears to stack openings on the roof, the stack openings shall be closed a pressure equivalent to a 1-inch water column (248.8 Pa) shall be held for a test period of not less than 15 minutes.
- Section 312.5 Water supply system test. This section has been modified to allow the authority having jurisdiction to determine another approved system for testing. This section has been modified to read: Upon completion of a section of or the entire water supply system, or portion completed, shall be tested and proved tight under a water pressure not less than the working pressure of the system; or, for piping systems other than plastic or as approved, by an air test of not less than 50 psi (344 kPa). This pressure shall be held for at least 15 minutes. The water utilized for tests shall be obtained from a potable source of supply. The required tests shall be performed in accordance with this section and Section 107.
- Section 312.6 Gravity sewer test. This section has been modified to allow the authority having jurisdiction to determine if this test is required. This section has been modified to read: Where required, gravity sewer tests shall consist of plugging the end of the building sewer at the point of connection with the public sewer, filling the building sewer with water, testing with not less than a 10-foot (3048 mm) head of water and maintaining such pressure for 15 minutes.
- Section 312.9 Shower liner test. This section has been modified to allow the authority having jurisdiction to determine if this test is required. This section has been modified to read: Where shower floors and receptors are made water-tight by the application of materials required by Section 417.5.2, the completed liner installation, where required by the authority having jurisdiction, shall be tested. The pipe from the shower drain shall be plugged water tight for the test. The floor and receptor area shall be filled with potable water to a depth of not less than 2 inches (51 mm) measured at the threshold. Where a threshold of at least 2

inches (51 mm) high does not exist, a temporary threshold shall be constructed to retain the test water in the lined floor or receptor area to a level not less than 2 inches (51 mm) deep measured at the threshold. The water shall be retained for a test period of not less than 15 minutes, and there shall not be evidence of leakage.

- Section 314.1 General. This section has been modified to delete the original section and add a requirement to reference the International Mechanical Code for work with condensate disposal. This section has been modified to read: Condensate disposal shall be in accordance with the International Mechanical Code.
- Section 314.2 Evaporators and cooling coils. This section has been stricken from the code.
- Section 314.2.1 Condensate disposal. This section has been stricken from the code.
- Section 314.2.2 Drain pipe materials and sizes. This section has been stricken from the code.
- Table 314.2.2 Condensate drain sizing. This table has been stricken from the code.
- Section 314.2.3 Auxiliary and secondary drain system. This section has been stricken from the code.
- Section 314.2.3.1 Water-level monitoring devices. This section has been stricken from the code.
- Section 314.2.3.2 Appliance, equipment and insulation in pans. This section has been stricken from the code.
- Section 314.2.4 Traps. This section has been stricken from the code.

Chapter 4 Fixtures, Faucets and Fixture Fittings:

- Table 403.1 Minimum number of required plumbing fixtures. This table has been modified to include a footnote "g" in the Other column of the table at the end of the service sink requirement to number 2 (classification of business), and number 6 (classification of mercantile).The footnote "g" shall read: For business and mercantile occupancies with an occupant load of 15 or fewer, service sinks shall not be required.
- Section 403.2 Separate facilities. This section was modified to change the maximum occupant load in exception three from 50 to 100. This section shall now read: Where plumbing fixtures are required, separate facilities shall be provided for each sex. Exception:
  (A) Separate facilities shall not be required for dwelling units and sleeping units.
  (B) Separate facilities shall not be required in structures or tenant spaces with a total occupancy load, including both employees and customers, of 15 or less.
  (C) Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is 100 or less.
- Section 403.3.1.1 Toilet room ingress and egress. This section was added to the code to restrict toilet rooms from opening directly into a room used for the preparation of food for service to the public. This section shall read: Toilet rooms shall not open directly into a room used for the preparation of food for service to the public.
- Section 405.8 Slip joint connections. This section has been modified to allow installation of slip joints anywhere between the fixture and trap outlet. It has been modified to read: Slip joints shall be made with an approved elastomeric gasket and shall be installed from fixture outlet to trap outlet seal. Fixtures with concealed slip-joint connections shall be provided with an access panel or utility space at least 12 inches (305 mm) in its smallest dimension or other approved arrangement so as to provide access to the slip joint connections for inspection and repair.
- Section 417.5.2.6 Liquid type, trowel applied, load bearing, bonded water proof materials.

This section has been added to allow for new technology in the market. This section shall read: Liquid type, trowel applied, load bearing, bonded waterproof materials shall meet the requirements of ANSI A118.10 and shall be applied in accordance with the manufacturer's installation instructions.

Chapter 5 Water Heaters:

- Section 504.4.1 Installation. This section has been modified to provide for pressure relief on storage tanks that have an ability to heat water. This section has been modified to read: Such valves shall be installed in the shell of the water heater tank. Temperature relief valves shall be so located in the tank as to be actuated by the water in the top 6 inches (152 mm) of the tank served. For installations with separate storage tanks, the approved, self-closing (levered) pressure relief valve and the temperature relief valve or combination thereof conforming to ANSI Z21.22 valves shall be installed on both the storage water heater and storage tank. There shall not be a check valve or shutoff valve between a relief valve and the heater or tank served.
- Section 504.6 Requirements for discharge piping. This section has been modified to include an additional requirement where discharging to outdoor areas subject to freezing. This section has been modified to read: The discharge piping serving a pressure relief valve, temperature relief valve or combination thereof shall:
  (A) Not be directly connected to the drainage system.
  (B) Discharge through an air gap located in the same room as the water heater.
  (C) Not be smaller than the diameter of the outlet of the valve served and shall discharge full size to the air gap.
  (D) Serve a single relief device and shall not connect to piping serving any other relief device or equipment.
  (E) Discharge to the floor, to the pan serving the water heater or storage tank, to a waste receptor or to the outdoors.
  (F) Discharge in a manner that does not cause personal injury or structural damage.
  (G) Discharge to a termination point that is readily observable by the building occupants. (H) Not be trapped.
  (I) Be installed so as to flow by gravity.
  (J) Not terminate more than 6 inches (152 mm) above the floor or waste receptor.
  (K) Not have a threaded connection at the end of such piping.
  (L) Not have valves or tee fittings.
  (M) Be constructed of those materials listed in Section 605.4 or materials tested, rated and approved for such use in accordance with ASME A112.4.1
  (N) Where discharging to the outdoors in areas subject to freezing, discharge piping shall be first piped to an indirect waste receptor through an air gap located in a conditioned area.

Chapter 6 Water Supply and Distribution:

- Section 605.3 Water service pipe. This section has been modified to require piping materials not third-party certified for water distribution to terminate a minimum of 30 inches outside the structure. This section has been modified to read: Water service pipe shall conform to NSF 61 and shall conform to one of the standards listed Table 605.3. All water service pipe or tubing, installed underground and outside of the structure, shall have a minimum working pressure rating of 160 pounds per square inch (1100 kPa) at 73.4 degrees Fahrenheit (23

degrees Celsius). Where the water pressure exceeds 160 pounds per square inch, (1100 kPa), piping materials shall have a minimum rated working pressure equal to the highest available pressure. Water service piping materials not third-party certified for water distribution shall terminate a minimum of 30 inches (762 mm) outside the structure at or before the full open valve located at the entrance to the structure. All ductile iron water service piping shall be cement mortar lined in accordance with AWWA C104.

- Section 606.1 Location of full-open valves. This section has been modified to delete a requirement to install full open-valves on the discharge side of every water meter. This section has been modified to read: Full open-valves shall be installed in the following locations:
  (A) On the building water service pipe from the public water supply near the curb.
  (B) On the water distribution supply pipe at the entrance into the structure.
  (C) On the base of every water riser pipe in occupancies other than multiple-family residential occupancies that are two stories or less in height and in one-and two-family residential occupancies.
  (D) On the top of every water down-feed pipe in occupancies other than one- and two-family residential occupancies.
  (E) On the entrance to every water supply pipe to a dwelling unit, except where supplying a single fixture equipped with individual stops.
  (F) On the water supply pipe to a gravity or pressurized water tank.
  (G) On the water supply pipe to every water heater.
- Section 607.1.1 Temperature limiting means. This section was added to restrict a thermostat control for a water heater to serve as the temperature limiting means for the purpose of complying with the requirements of the code for maximum allowable hot or tempered water delivery temperatures at fixtures. This section shall read: A thermostat control for a water heater shall not serve as the temperature-limiting means for the purposes of complying with the requirements of this code for maximum allowable hot or tempered water delivery temperatures at fixtures.
- Section 608.16.5 Connections to lawn irrigation systems. This section has been modified to add a spill resistant backflow preventer as an option for protection. This section has been modified to read: The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure-type vacuum breaker, a spill resistant backflow preventer or a reduced pressure principle backflow preventer. A valve shall not be installed downstream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.

Chapter 7 Sanitary Drainage:

- Section 707.1 Prohibited joints. This section has been modified to include an exception for saddle-type fittings to be used for connecting a building sewer to a public sewer. This section has been modified to read: The following types of joints and connections shall be prohibited:
  (A) Cement or concrete joints.
  (B) Mastic or hot-pour bituminous joints.
  (C) Joints made with fittings not approved for the specific installation.
  (D) Joints between different diameter pipes and made with elastomeric rolling O-rings.
  (E) Solvent-cement joints between different types of plastic pipe.

(F) Saddle type fittings. Exception: Saddle-type fittings may be used to connect the building sewer to a public sewer.

- Section 715.1 Sewage backflow. This section has been modified by striking the requirements of plumbing fixtures having flood level rims above the elevation of the next upstream manhole cover in the public sewer system. It has been modified to read: Where plumbing fixtures are installed on a floor with a finished floor elevation below the elevation of the manhole cover of the next upstream manhole in the public sewer, the fixtures shall be protected by a backwater valve installed in the building drain or horizontal branch servicing such fixtures.

Chapter 8 Indirect/Special Waste:

- Section 802.1.8 Food utensils, dishes, pots and pans sinks. This section was modified to remove the option for a direct connection to the drainage system. This section has been modified to read: Sinks used for the washing, rinsing or sanitizing of utensils, dishes, pots, pans or service ware used in the preparation, serving or eating of food shall discharge indirectly through an air gap or an air break to the drainage system.

Chapter 9 Vents:

- Section 904.1 Roof extension. This section has been modified to specify the number of inches where the open vent pipes that extend through the roof shall be terminated. This section has been modified to read: All open vent pipes that extend through a roof shall be terminated at least 6 inches (152 mm) above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.

Chapter 10 Traps, Interceptors, and Separators:

- Section 1002.4 Trap seals. This section has been modified to allow for new technology to be utilized for installation when approved by the authority having jurisdiction. This section has been modified to read: Each fixture trap shall have a liquid seal of not less than 2 inches (51 mm) and not more than 4 inches (102 mm), or deeper for special designs relating to accessible fixtures. Where a trap seal is subject to loss by evaporation, a trap seal primer valve or other approved trap seal device shall be installed. Trap seal primer valves shall connect to the trap at a point above the level of the trap seal. A trap seal primer valve shall conform to ASSE 1018 or ASSE 1044.
- Section 1003.3.1 Grease interceptors and automatic grease removal devices required. This section has been modified to allow for installation of grease interceptors on or above the floor when there is a lack of space or other constraints that prevent the installation of a replacement grease interceptor. This section has been modified to read: A grease interceptor or automatic grease removal device shall be required to receive the drainage from fixtures and equipment with grease-laden waste located in food preparation areas, such as in restaurants, hotel kitchens, hospitals, school kitchens, bars, factory cafeterias and clubs. Fixtures and equipment shall include pot sinks, prerinse sinks; soup kettles or similar devices; wok stations; floor drains or sinks into which kettles are drained; automatic hood washing units and dishwashers without prerinse sinks. Grease interceptors and automatic grease removal devices shall receive waste only from fixtures and equipment that allow fats, oils or grease to

be discharged. Where lack of space or other constraints prevent the installation or replacement of a grease interceptor, one or more grease interceptors shall be permitted to be installed on or above the floor.

- Section 1003.3.4 Hydromechanical grease interceptors and automatic grease removal devices. This section has been modified to reference only hydromechanical grease interceptors provide standards for hydromechanical grease interceptors and removes the exception to locate grease interceptors over 500 gallons outdoors. This section has been modified to read: Hydromechanical grease interceptors and automatic grease removal devices shall be sized in accordance with ASME A112.14.3 Appendix A, or ASME A112.14.4, CSA B481.3, or PDI G101. Hydromechanical grease interceptors and automatic grease removal devices shall be designed and tested in accordance with ASME 112.14.3 or ASME 112.14.4, CSA B481.1, PDI G101 or PDI G102. Hydromechanical grease interceptors and automatic grease removal devices shall be installed in accordance with the manufacturer's instructions. Where manufacturer's instructions are not provided, hydromechanical grease interceptors and grease removal devices shall be installed in compliance with ASME A112.14.3, ASME A112.14.4, CSA B481.3 or PDI G101. This section shall not apply to gravity grease interceptors.

Chapter 11 Storm Drainage:

- Section 1107.3 Sizing of secondary drains. This section has been modified to include the use of scuppers or increase the sizing of secondary drains to accommodate rainfalls of 10.2 inches per hour for a 5-minute duration and includes minimum design loads. This section has been modified to read: Secondary (emergency) roof drain systems or scuppers shall be sized in accordance with Section 1106 based on a rainfall rate of 10.2 inches per hour for a 5-minute duration. In sizing secondary roof drain systems using Tables 1106.2, 1106.3 and 1106.6, the Horizontally Projected Roof Area shall be determined by dividing the Horizontally Projected Roof Area for 1-inch rain fall per hour rate by 10.2 inches per hour. Secondary roof scuppers shall by designed in accordance with ASCE/SEI 7-05 Minimum Design Loads for Buildings and Other Structures, Chapter 8 C8-RAIN LOADS published by the American Society of Civil Engineers and Structural Engineering Institute. Scuppers shall be sized to prevent the depth of ponding water from exceeding that for which the roof was designed as determined by Section 1101.7. Scuppers shall not have an opening dimension of less than 4 inches (102 mm). The flow through the primary system shall not be considered when sizing the secondary roof drain system or scuppers.

IFGC

Chapter 3 General Regulations:

- Section 307.2.1 Condensate drains. This section has been added to the code to require condensate drains to be protected from freezing. This section shall read: Where condensing appliances are in locations subject to freezing conditions, the condensate drain line must be protected from freezing in an approved manner and in accordance with manufacturer installation instructions.
- Section 308.1 Scope. This section has been modified to include gypsum board as a combustible material. This section has been modified to read: This section shall govern the

reduction in required clearances to combustible materials, including gypsum board, and combustible assemblies for chimneys, vents, appliances, devices and equipment. Clearance requirements for air-conditioning equipment and central heating boilers and furnaces shall comply with Section 308.3 and 308.4.

- Section 310.1.1 CSST. This section has been modified to add an exception to allow for installation when using new special CSST. This exception shall read: Exception: Special corrugated stainless steel gas products or systems that have been designed, manufactured and listed for installation without direct bonding shall be permitted to be installed in accordance with the manufacturer's installation instructions.

Chapter 4 Gas Piping Installations:

- Tables 402.4(6), 402.4(7), 402.4(8), 402.4(9), 402.4(10), 402.4(11), and 402.4(12). These tables have been stricken from the code.
- Section 404.8.1 Insulated union on building riser. This section has been added to the code as a means to isolate the gas piping from the grounding. It shall read: All underground gas piping systems shall have an insulated union installed above ground level before the service enters the building.
- Section 404.10. Minimum burial depth. This section has been modified to change the minimum burial depth from 12 inches (305 mm) to 18 inches (457 mm) and to allow for an exception when there is no ability to meet that minimum depth. This section has been modified to read: Underground piping systems shall be installed a minimum depth of 18 inches (457 mm) below grade, except as provided for in Section 404.10.1. Exception: Where a minimum depth of 18 inches (457 mm) of cover cannot be provided, the pipe shall be installed in conduit or bridged (shielded).
- Section 404.10.2. Separation of gas piping from other piping systems. This section has been added to the code as a means to prevent damage to other systems that may have been buried in the same ditch. This section shall read: Gas pipe and any other piping systems shall be separated by 18 inches (457 mm) of undisturbed or compacted earth.
- Section 404.16 Prohibited devices. This section was modified to add a second exception to allow for new technology to be utilized. The second exception shall read: An approved fitting or device where the gas piping system has been sized to accommodate the pressure drop of the fitting or device.
- The International Code Council Emergency Amendment dated September 27, 2010 has been adopted. This amendment replaces in its entirety Sections 406.7 through Section 406.7.3 of the IFGC®. These sections shall now read:
  (A) Section 406.7 Purging: The purging of piping shall be in accordance with Sections 406.7.1 through 406.7.3
  (B) Section 406.7.1 Piping systems required to be purged outdoors. The purging of piping systems shall be in accordance with the provisions of Sections 406.7.1.1 through 406.7.1.4 where the piping system meets either of the following:
    (i) The design operating gas pressure is greater than 2 psig (13.79 kPa).
    (ii) The piping being purged contains one or more sections of pipe or tubing meeting the size and length criteria of Table 406.7.1.1
  (C) Section 406.7.1.1 Removal from service. Where existing gas piping is opened, the section that is opened shall be isolated from the gas supply and the line pressure vented in accordance with Section 406.7.1.3. Where gas piping meeting the criteria of Table 406.7.1.1 is removed from service, the residual fuel gas in the piping shall be displaced with an inert

gas.

(D) Table 406.7.1.1 Size and length of piping. The following measurements for table 406.7.1.1 were added. Footnote "a" in relation to Nominal Pipe Size (inches) states CSST EHD size of 62 is equivalent to nominal 2-inch pipe or tubing size.

(i) When nominal pipe size (inches) is greater than or equal to 2 ½ but less than 3, the length of piping (feet) is greater than 50.

(ii) When nominal pipe size (inches) is greater than or equal to 3 but less than 4, the length of piping (feet) is greater than 30

(iii) When nominal pipe size (inches) is greater than or equal to 4 but less than 6, the length of piping (feet) is greater than 15.

(iv) When nominal pipe size (inches) is greater than or equal to 6 but less than 8, the length of piping (feet) is greater than 10.

(v) When nominal pipe size (inches) is greater than 8, the length of piping (feet) is any length. For SI: 1 inch is equal to 25.4 mm; 1 foot is equal to 304.8 mm.

(E) Section 406.7.1.2 Placing in operation. Where gas piping contains air and meeting the criteria of Table 406.7.1.1 is placed in operation, the air in the piping shall first be displaced with an inert gas. The inert gas shall then be displaced with fuel gas in accordance with Section 406.7.1.3.

(F) Section 406.7.1.3. Outdoor discharge of purged gases. The open end of a piping system being pressure vented or purged shall discharge directly to an outdoor location. Purging operations shall comply with all of the following requirements:

(i) The point of discharge shall be controlled with a shutoff valve.

(ii) The point of discharge shall be located at least 10 feet (3048 mm) from sources of ignition, at least 10 feet (3048 mm) from building openings and at least 25 feet (7620 mm) from mechanical air intake openings.

(iii) During discharge, the open point of discharge shall be continuously attended and monitored with a combustion gas indicator that complies with Section 406.7.1.4.

(iv) Purging operations introducing fuel gas shall be stopped when 90 percent fuel gas by volume is detected within the pipe.

(v) Persons not involved in the purging operations shall be evacuated from all areas within 10 feet (3048 mm) of point of discharge.

(G) Section 406.7.1.4. Combustion gas indicator. Combustion gas indicators shall be listed and shall be calibrated in accordance with the manufacturer's instructions. Combustion gas indicators shall numerically display a volume scale from zero percent to 100 percent in 1 percent or smaller increments.

(H) Section 406.7.2 Piping systems allowed to be purged indoors or outdoors. The purging of piping systems shall be in accordance with the provisions of Section 406.7.2.1 where the piping system meets both of the following:

(i) The design operating gas pressure is 2 psig (13.79 kPa) or less.

(ii) The piping being purged is constructed entirely from pipe or tubing not meeting the size and length criteria of Table 406.7.1.1

(I) Section 406.7.2.1 Purging Procedure. The piping system shall be purged in accordance with one or more of the following:

(i) The piping shall be purged with fuel gas and shall discharge to the outdoors.

(ii) The piping shall be purged with fuel gas and shall discharge to the indoors or outdoors through an appliance burner not located in a combustion chamber. Such burner shall be provided with a continuous source of ignition.

(iii) The piping shall be purged with fuel gas and shall discharge to the indoors or

outdoors through a burner that has a continuous source of ignition and that is designed for such purpose.
(iv) The piping shall be purged with fuel gas that is discharged to the indoor or outdoors, and the point of discharge shall be monitored with a listed combustible gas detector in accordance with Section 406.7.2.2. Purging shall be stopped when fuel gas is detected.
(v) The piping shall be purged by the gas supplier in accordance with written procedures.
(J) Section 406.7.2.2 Combustible gas detector. Combustible gas detectors shall be listed and shall be calibrated or tested in accordance with the manufacturer's instructions. Combustible gas detectors shall be capable of indicating the presence of fuel gas.
(K) Section 406.7.3 Purging appliances and equipment. After the piping system has been placed in operation, appliances and equipment shall be purged before being placed into operation. (7) Section 410.4 Excess flow valve. This section has been added to allow for new technologies in use in the field. This section shall read: Where automatic excess flow valves are installed, they shall be listed for the application and shall be sized and installed in accordance with the manufacturer's instructions.

Chapter 6 Specific Appliances:

- Section 621.4 Prohibited locations. This section has been modified to provide definitions for Groups A, E and I. This section has been modified to read: Unvented room heaters shall not be installed within occupancies in Groups A, E, and I. The location of unvented room heaters shall also comply with Section 303.3 (Use Groups A = Assembly, E = Educational and I = Institutional.

IEBC

Chapter 2 Definitions:

- The definition of an Existing Building has been modified to further define an existing building to include a default date of 10 years from the date of construction, but still allowing for a jurisdiction with the legal authority to select a different date and to remove the words "appropriate" and "legal building permit" from the definition. A reference to code applicability was added to the definition. The definition has been modified to read: EXISTING BUILDING OR EXISTING STRUCTURE. A building or structure on which construction was begun at least ten (10) years prior to the date of adoption of this code by the State of Oklahoma (or any date may be inserted by a jurisdiction that has the legal right to do so, such as but not limited to 3 counties and municipalities). For code applicability, refer to IEBC® Section 101.4 and Section 1301.2, including associated subparagraphs with each.
- The definition of a Repair has been modified to further define a repair to include repair to any build or structure regardless of the classification of the building as a new or existing building. The definition has been modified to read: The restoration to good or sound condition of any part of any building for the purpose of its maintenance.

Chapter 13 Performance Compliance Methods:

- Section [B] 1301.2 Applicability. This section has been modified to clarify the application of the definition of an existing building. This section has been modified to read: Existing buildings or existing structures on which construction was begun at least ten (10) years prior

to the date of adoption of this code by the State of Oklahoma (or any date may be inserted by a jurisdiction that has the legal right to do so, such as but not limited to counties and municipalities) in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this chapter or the provisions of Chapters 4 through 12. The provisions of Sections 1301.2.1 through 1301.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, and S. These provisions shall not apply to buildings with occupancies in Group H or Group I.

Chapter 15 Referenced Standards:

- The reference to the International Building Code® has been modified to include after the title the words "as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission". This section has been modified to read: IBC-09 International Building Code® as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.
- The reference to the International Energy Conservation Code® has been modified to include after the title the words "as adopted and modified by the State of Oklahoma by the State Fire Marshal until replaced by an adoption done through the Uniform Building Code Commission". This section has been modified to read: IECC-06 International Energy Conservation Code® as adopted and modified by the State of Oklahoma through the State Fire Marshal until replaced by an adoption done through the Uniform Building Code Commission.
- The reference to the International Fire Code® has been modified to include after the title the words "as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission". This section has been modified to read: IFC-09 International Fire Code® as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.
- The reference to the International Fuel Gas Code® has been modified to include after the title the words "as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission". This section has been modified to read: IFGC-09 International Fuel Gas Code® as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.
- The reference to the International Mechanical Code® has been modified to include after the title the words "as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission". This section has been modified to read: IMC-09 International Mechanical Code® as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.
- The reference to the International Plumbing Code® has been modified to include after the title the words "as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission". This section has been modified to read: IPC-09 International Plumbing 4 Code as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.
- The reference to the International Residential Code® has been modified to include after the title the words "as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission". This section has been modified to read: IRC-09 International Residential Code® as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.

- The referenced standard for NFPA 70® National Electrical Code® has been modified to change the edition year from 2005 to 2011 and add after the title the words "as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission". This section shall now read: 70-11 National Electrical Code® as adopted and modified by the State of Oklahoma through the Uniform Building Code Commission.

IFC

Chapter 2 Definitions:

- The definition for Residential Group R-1 has been modified to clarify the International Residential Code® 2009 can be utilized so long as the facilities have a fire sprinkler system. This definition has been modified to read: R-1 Residential occupancies containing sleeping units where the occupants are primarily transient in nature including: Boarding houses (transient), Hotels (transient), Motels (transient), Congregate living facilities (transient) with 10 or fewer occupants are permitted to comply with the construction requirements for Group R-3, except as otherwise provided for in this code, or shall comply with the International Residential Code®, provided the building is protected by an automatic sprinkler system installed in accordance with Section 903.2.8.
- The definition for Residential Group R-2 has been modified to clarify the International Residential Code® 2009 can be utilized so long as the facilities have a fire sprinkler system. This definition has been modified to read: R-2 Residential occupancies containing sleeping units or more than two dwelling units where the occupants are primarily permanent in nature, including Apartment houses, Boarding houses (non-transient), Convents, Dormitories, Fraternities and sororities, Hotels (non-transient), Live/Work units, Monasteries, Motels (non-transient), Vacation timeshare and Congregate living facilities with 16 or fewer occupants are permitted to comply with the construction requirements for Group R-3, except as otherwise provided for in this code, or shall comply with the International Residential Code®, provided the building is protected by an automatic sprinkler system installed in accordance with Section 903.2.8.

Chapter 5 Fire Service Features:

- Section 508.1.3 Size has been modified to include an exception to make the fire command center smaller when approved by the fire code official. This section has been modified to read: Section 508.1.3 Size. The fire command center shall be a minimum of 200 square feet (19 square meters) in area with a minimum dimension of 10 feet (3048 mm). Exception: When approved by the fire code official the fire command center can be reduced in size to not less than a minimum of 96 square feet (9 square meters) with a minimum dimension of 8 feet (2438 mm).

Chapter 6 Building Services and Systems:

- Section 604.5 Supervision of maintenance and testing has been modified to change the section number to Section 604.6 to allow a new section to be inserted before this section. The section number has been modified to read: Section 604.6 Supervision of maintenance and testing. Routine maintenance, inspection and operational testing shall be overseen by a properly instructed individual.
- Section 604.5 Emergency lighting equipment has been added to the code to outline a

procedure for testing emergency lighting equipment. This section has been added to read: Section 604.5 Emergency lighting equipment. Emergency lighting shall be inspected and tested in accordance with Sections 604.5.1 through 604.5.2.1

- Section 604.5.1 Activation test has been added to the code to outline the activation testing requirement for testing emergency lighting. This section has been added to read: Section 604.5.1 Activation test. An activation test of emergency lighting equipment shall be completed monthly. The activation test shall ensure the emergency lighting activates automatically upon normal electrical disconnect and stays sufficiently illuminated for a minimum of 30 seconds.
- Section 604.5.1.1 Activation test record has been added to the code to outline the requirements for record keeping of the monthly activation test. This section has been added to read: Section 604.5.1.1 Activation test record. Records shall be maintained on the premises for a minimum of three years and submitted to the fire code official upon request. The record shall include the location of the emergency lighting tested, whether the unit passed or failed, the date of the test, and the person completing the test.
- Section 604.5.2 Power test has been added to the code to outline a procedure for testing battery powered emergency lighting equipment. This section has been added to read: Section 604.5.2 Power test. For battery powered emergency lighting, a power test of the emergency lighting equipment shall be completed annually. The power test shall operate the emergency lighting for a minimum of 90 minutes and shall remain sufficiently illuminated for the duration of the test.
- Section 604.5.2.1 Power test record has been added to the code to outline the requirements for record keeping of the annual power test. This section has been added to read: Section 604.5.2.1

Attachment 2

Proposed new local amendments

IBC

Chapter 29, PLUMBING SYSTEMS

- Section 2902.1 Minimum number of fixtures - add "Exception: In occupancies other than assembly, business owners may elect to provide drinking water by a means other than a drinking fountain when the code calculated occupant load is 50 persons or less."
- Section 2902.2 Separate facilities - add new exception "4. In occupancies other than assembly, business owners may elect to provide a single user accessible toilet facility when the code calculated occupant load is 50 persons or less."

IPC

Chapter 2 DEFINITIONS

- Section 202 GENERAL DEFINITIONS - add "SERVICE SINK. In occupancy groups B, M, S and U a service sink is defined as any approved sink, basin or bowl that discharges to the building sewer and can be used in conjunction with a potable water faucet for the purpose of building cleaning and/or maintenance."

Chapter 4 FIXTURES, FAUCETS AND FIXTURE FITTINGS

- Section 403.1 Minimum number of fixtures - add "Exception: In occupancies other than assembly, business owners may elect to provide drinking water by a means other than a drinking fountain when the code calculated occupant load is 50 persons or less."
- Section 403.2 Separate facilities -add new exception "4. In occupancies other than assembly, business owners may elect to provide a single user accessible toilet facility when the code calculated occupant load is 50 persons or less."

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE I, SECTIONS 5-101 AND 5-101.1, ARTICLE II, SECTIONS 5-201, 5-202, 5-203, 5-207, 5-208, 5-209, 5-210, AND ADDING SECTIONS 5-213, 5-214 OF THE CODE OF ORDINANCES OF THE CITY OF NORMAN AMENDING AND ADOPTING THE 2009 INTERNATIONAL BUILDING CODE, THE 2009 INTERNATIONAL MECHANICAL CODE;, THE 2009 INTERNATIONAL PLUMBING CODE, THE 2011 NATIONAL ELECTRICAL CODE, THE 2009 INTERNATIONAL FUEL GAS CODE, AND ADOPTING THE 2009 INTERNATIONAL EXISTING BUILDING CODE AND 2009 INTERNATIONAL FIRE CODE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That Sections 5-101 and 5-101-1 of Article I of Chapter 5 of the Code of Ordinances of the City of Norman shall be amended as follows:

* * * * *

CHAPTER 5
ARTICLE I. GENERAL ADMINISTRATION

Sec. 5-101. Application of the 2009 International Building Code.

Except as otherwise provided in this article, the provisions of the 2009 International Building Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23 shall apply to all construction, extension or remodeling of buildings or structures except one- and two-family dwellings which shall be governed by the 2009 International Residential Code for One and Two Family Dwellings as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.23 and subsequent amendments listed in Sec. 5-212 of the Code of the City of Norman:

* * *

Sec. 5-101.1. Effect of conflicting provisions.

When any provision of this chapter conflicts with any other provision of this chapter, that provision which is the more specific or detailed shall control. When any provision of the 2009 International Residential Code for One and Two Family Dwellings as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.23 needs clarification or elaboration, the provisions of the 2009 International Building Code, the 2009 International Mechanical Code, the 2009 International Plumbing Code, the 2011 National Electric Code, the 2009 International Fuel Gas Code, and the 2009 International Energy Conservation Codes as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. 1000.23 shall prevail.

Sec. 5-102. Inspections.

(a) When the framing of any building or structure is completed, when any rough electrical wiring or electrical installation work is completed, when any rough plumbing is completed, or when any air conditioning, heating or refrigeration system is initially installed, an inspection of that work shall be given by the Department of Planning and Community Development.

(b) No plumbing work or electrical wiring, installed electrical or gas fixtures or electrical or gas equipment shall be used in a building or on any premises until it has also had a final inspection.

(c) All work found to be faulty or incorrectly or defectively installed shall be corrected before any rough or final approval shall be given by an inspector, and when such has been corrected, notification for a reinspection shall then be given to the Department of Planning and Community Development.

(d) All inspections shall be made by the Department of Planning and Community Development within two (2) working days from the receipt of the notification for the inspection or reinspection.

(e) No work which is required to be inspected shall be covered over or covered up prior to that particular inspection, and any covering in place shall be removed upon the order of the inspector.

* * *

Sec. 5-103. Permits required; exceptions.

(a) Except as otherwise provided in subsection (b) of this section, no person shall engage in the following acts without having first obtained the necessary permits from the Department of Planning and Community Development:

(1) The installation of any electrical, gas distribution, or plumbing systems, the subsequent modification of existing systems, or the installation of electrical or gas appliances;

(2) The alteration, construction, enlargement, removal, relocation, or repair of any building or other structure, sign or other advertising structure;

(3) The construction, alteration, cutting, mutilation, or changing in any manner for any purpose, any paved or traveled portion of any street or alley, any curb, gutter, catch basin or other appurtenance of a street or alley or any sidewalk;

(4) The construction or repair of any off-site improvement within that area defined by the 2020 Plan;

(5) The installation of any air conditioning, heating, and/or refrigeration systems, or the subsequent modification of existing systems.

(b) No permit is required under the following circumstances:

(1) (a) Where a public utility corporation installs electrical conductors or equipment in the generation, transmission, sale, or use of electrical energy as outlined in their franchises with the City.

(b) Where electrical equipment or apparatus is manufactured, tested, serviced, or repaired.

(2) (a) Where the ordinary interior alterations or repairs of buildings or structures do not exceed five hundred dollars ($500.00), such alterations or repairs do not include the removal of any portion of a stone, concrete, or brick wall, such alterations or repairs do not include the removal, change, or closing of any stairway or opening in an exterior wall, and such alterations or repairs do not include the alteration or removal of any house sewer, drainage system, soil waste or vent pipe, light or power wiring, or other structural change for which a permit is otherwise required.

(b) Where a storage building is constructed which does not exceed one hundred eight (108) square feet of area (measured by outside dimensions), such building is not constructed on or attached to a concrete slab, foundation or permanent base, and such building has no electric, plumbing or gas service connection.

(c) Where a building or other structure is moved which is less than thirteen and one-half (13½) feet in height when loaded, twelve (12) feet in width, and an overall of fifty (50) feet in length.

(3) (a) Where the construction, alteration, cutting, and changing of a portion of any street or alley, any curb, gutter, catch basin or other appurtenance of a street or alley is under the direct supervision of the City Manager or his designee.

(b) Where such cutting or changing of a sidewalk is only for the repair of that sidewalk.

(4) Where an emergency construction or repair of an off-site improvement is necessary to protect the health and safety of the City inhabitants, and such construction or repair is made by a public utility or public service company; however, a permit is required after the commencement of that work.

* * *

Sec. 5-104. Permit fee schedule.

All fees within this section shall be doubled if the work is commenced before a permit is issued.

(a) The following building permit fees shall be charged:

(1) Demolition permit: First floor $20.00
Additional floors 12.50

(2) Storm or fallout shelter, swimming pools 25.00

(3) One- and two-family dwellings including remodeling, alterations, covered open spaces, porches, patios, carports, awnings and parking structures, per square foot of project area 0.14

(4) One- and two-family dwellings, move-ins and mobile homes, per square foot of project area 0.14

(5) Newly constructed and additions or alterations to multifamily buildings, fraternities, sororities, per square foot of project area 0.14

(6) Newly constructed and additions or alterations to warehouses, industrial and manufacturing buildings, per square foot 0.14

(7) Newly constructed and additions or alterations to commercial buildings, office buildings, institutional per square Foot.....0.14

(8) Newly constructed and additions or alterations to parking lots per square foot 0.14

(9) Foundation only permits .....50 percent of full permit or $1,000.00, whichever is less

(10) Minimum fee for subsections (3), (4), (5), (6), (7), (8), and (9) Above 20.00

(11) Water well permit 10.00

(12) Minimum fee for each extra inspection or re-inspection 25.00

(13) Plan examination fee: Included in permit fee, collected at time of submittal as twenty (20) percent of full permit fee, but in no case less than fifty dollars ($50.00) nor more than four thousand dollars ($4,000.00). Plan examination fee is non-refundable.

(14) Earth change permit: (From Section 1005.2 of the City of Norman *Engineering Design Criteria*) .....100.00 plus $10.00per acre

(15) Retaining wall permit fees:

(a) Retaining walls from two (2) feet in height to less than three (3) feet in height.....50.00

(b) Retaining walls three (3) feet in height or more 75.00

(c) If the Builder/Contractor obtained a retaining wall permit, but the retaining wall is constructed without the proper required inspections, a penalty of fifty dollars ($50.00) for each missed inspection will be incurred. Additionally, the Builder/Contractor will be required to provide documentation that the retaining wall was constructed per the permit. (From Section 1008.2 and 1008.3 of the City of Norman *Engineering Design Criteria*)

(b) The following air-conditioning, heating and refrigeration fees shall be charged:

(1) Class A refrigeration units per unit 185.00

(2) Class B refrigeration units per ton or hp 1.80
Minimum fee 57.50

(3) Class C refrigeration units per ton or hp 2.50
Minimum fee 17.50

(4) Class D refrigeration units, per unit 17.50

(5) Class E refrigeration units .....No charge

(6) Class WA-1 direct-fired system, per unit.....17.00

(7) Class WA-2 direct-fire system, per unit 16.50

(8) Class WA-3 direct-fired system, per unit 23.00

(9) Class HW-1 Hot water-heated air system, per unit 17.00

(10) Class HW-2 Hot water-heated air system, per unit 23.00

(11) Class EH-1 electric-heated air system, per unit 17.00

(12) Class EH-2 electric-heated air system, per unit.....16.50

(13) Class EH-3 electric-heated air system, per unit.....23.00

(14) Class EH-4 electric-heated air system, per unit 41.00

(15) Additions, alterations or repair of existing mechanical systems, per inspection 15.00
Minimum fee 25.00

(16) Minimum fee, each extra inspection or re-inspection 25.00

(c) The following electric permit fees shall be charged:

(1) Service size, general wiring:
a. 125 amps or less 35.00
b. Over 125 amps, per 100 amps or fraction thereof 23.00

(2) Mobile homes:
a. 100 amps 35.00
b. 200 amps 53.00

(3) Oil wells:
a. 100 amps or less 35.00
b. Over 100 amps 53.00

(4) Additional charges for commercial building only:
a. Motors up to one (1) hp 1.00
b. Motors one (1) hp and over 2.00
c. Apparatus, such as air conditioners, electric ranges, X-ray machines, hot-water heaters, elevators and other equipment requiring special heavy-duty circuits 1.00

(5) Additions, alterations or repair of existing electrical systemsper inspection 15.00
Minimum fee 25.00

(6) Minimum fee for each extra inspection or re-inspection 25.00

(d) The following plumbing permit fees shall be charged:
(1) Service size, general plumbing:
¾ inch.....35.00
1 inch 65.00
1 ½ inch 125.00
2 inch 215.00
3 inch 485.00
4 inch 725.00
6 inch 845.00

(2) Gas service size, general gas piping:
0—2-inch 17.50
2—3-inch 22.50
Over 3-inch 32.50

(3) Water service line, sewer service line or gas service line repair or replacement 15.00

(4) Additions, alterations, or repair of existing plumbing systems per inspection 15.00
Minimum fee.....25.00

(5) Minimum fee, each extra inspection or re-inspection 25.00

(e) The following off-site improvement fees shall be charged:

(1) The fee shall be either the minimum or the sum of all inspection fees, whichever is the greater amount:
a. The minimum charge 15.00

b.Cost of construction:

1. Up to $2,000.00 ..... 4.24%
84.00

2. Next $3,000.00 ($2,001.00 to $5,000.00) 3.6%
108.00

3. Next $5,000.00 ($5,001.00 to $10,000.00)..... 3.03%
$151.50

4. Next $15,000.00 ($10,001.00 to $25,000.00) 2.42%
363.00

5. Next $25,000.00 ($25,001.00 to $50,000.00) 1.82%
455.00

6. Over $50,000.00 ..... 1.21%

c. Installation of a new sidewalk and drive entrance for a single-family lot 15.00

d. Replacement of driveway or sidewalk 15.00

*There will be no charge when the cause of the driveway or sidewalk replacement is due to a water or sewer line repair.

e. Minimum fee for each extra inspection or additional re-inspection 25.00

(2) Franchised public utility companies, public service companies, all governmental entities, and the City shall be exempt from permit fees but not from acquiring permits and not from the responsibility for the repair and replacement of existing improvements in compliance with the then-in-force-and-effect standards and specifications of the Code of the City.

(f) Certificate of occupancy fees:

(1) Normal certificate of occupancy fees are included in permit fees and collected when permit is issued.

(2) Temporary certificate of occupancy fees are as follows:
a. $100.00 for each certificate for each residential unit; and
b. $250.00 for any permit other than residential permits.

(g) (1) An erosion control fee of eighty dollars ($80.00) shall be assessed with each building permit issued for the construction of any structure or addition to a structure which results in greater than five hundred (500) square feet of new, additional impervious area; or the construction of any swimming pool, driveway, parking area; or any other construction activity which results in greater than five hundred (500) square feet of new, additional impervious area; except that no fee shall be charged for residential building permits on lots larger than two (2) acres when the additional impervious area is less than five thousand (5,000) square feet. No fee shall be charged for any permit when no new, additional impervious area is created.

(2) Earth change permit fee is one hundred dollars ($100.00) plus ten dollars ($10.00) per acre for administration and inspection.

(h) Reinspection fees: If a builder or property owner requests assistance from a City of Norman Construction Inspector or Engineer in determining the following:

(1)Building pad elevation inspection;
(2) Sidewalk or driveway approach design inspection;
(3) Final Grading Design inspection;
(4) Retaining Wall Design inspection; or
(5) Any other similar activity that requires an on-site inspection, an inspection fee of $25.00 per inspection will be charged, which is due and payable before the "certificate of

* * *

Sec. 5-105. Permit fee waiver.

When an applicant for a building permit is building a new home, remodeling an existing home or installing a mobile home due to the impact of a natural disaster as declared by the Governor of the State of Oklahoma and/or by the Mayor of the City of Norman, all building permit fees associated with such construction shall be waived according to the following limitations:

(a) The fee waiver shall not apply to any portion of a new structure which exceeds the square footage of the structure which is being replaced;
(b) The applicant must have been the owner of the structure(s) proposed to be rebuilt, at the time of the damage or destruction;
(c) The fee waiver shall not apply to a structure rebuilt after being damaged or destroyed by natural disaster without building permits and which has been cited as being in violation of building codes;
(d) The permits must be applied for within one (1) year of the natural disaster to be eligible for this fee waiver;
(e) All applicable fees required to be collected by the Oklahoma Uniform Building Code Commission are not waived.

* * *

Sec. 5-106. Penalties.

(a) Any person convicted of violating any provision of this chapter or of failing to comply with the rules and regulations enacted pursuant to this chapter shall be punished by a monetary fine of not less than fifty dollars ($50.00) nor more than seven hundred fifty dollars ($750.00), or by imprisonment for a period not to exceed sixty (60) days, or by both such fine and imprisonment.

(b) Each day that a violation or failure to comply exists shall constitute a separate and distinct offense, and any one (1) or more of such offenses may be set out in any complaint or information filed.

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Secs. 5-107—5-200. Reserved.

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§ 2. That Sections 5-201, 5-202, 5-203, 5-207, 5-208, 5-209, and 5-210 of Article II of Chapter 5 of the Code of Ordinances of the City of Norman shall be amended and Sections 5-213 and 5-214 shall be added as follows:

* * * * *

ARTICLE II. BUILDING CODE

Sec. 5-201. Adoption of the 2009 International Building Code as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.23 and all amendments, additions, and deletions thereto as identified below:

(a) Except as otherwise provided in this article, the 2009 International Building Code as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.2 (hereinafter referred to as the Building Code) is hereby incorporated into the Code of the City with the same force and effect as if fully set out in this subsection.

(b) The Building Code shall not become effective until at least three (3) copies thereof have been filed in the office of the City Clerk for examination by the public.

* * *

Sec. 5-202. Appendices to the 2009 International Building Code as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.2.

Adoption includes ONLY the following Appendix:

(1) Appendix G regarding Flood-Resistant Construction.

* * *

Sec. 5-203. Amendments to the Building Code.

(a) Amend, delete or substitute within the following sections as indicated:

(1) Delete the Preamble referenced in Title 748:20-1-6 from the International Building Code as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.2.

(2) Chapter 1, Section 103, DEPARTMENT OF BUILDING SAFETY and Section 103.1, Creation of enforcement agency – Replace "*Department of Building Safety*" with "*Development Services Division*";

(3) Chapter 1, Section 105.2 Building 1. - Replace "*120 square feet*" with "*108 square feet*" and delete reference to meters;

(4) Chapter 1, Section 105.2 Building 2. - Replace "*6 feet high*" with "*8 feet high*";

(5) Chapter 1, Section 105.2 Building 4.- Delete retaining wall reference and replace with "Retaining walls shall be permitted and built per the City of Norman Engineering Standards, as amended.";

(6) Chapter 1, Section 110.3.5 Delete "*Lath and gypsum board inspection*" and accompanying text and replace with "*Insulation inspection*". Insulation Inspections shall occur after Framing, Mechanical, Electrical, and Plumbing Rough In inspections are approved and before the installation of any wall coverings.";

(7) Chapter 12, INTERIOR ENVIRONMENT, – Add new "Section 1208.5 Urinal partitions. Each urinal utilized by the public or employees shall occupy a separate area with walls or partitions to provide privacy. The construction of such walls or partitions shall incorporate waterproof, smooth readily cleanable and nonabsorbent finish surfaces. The walls or partitions shall begin at a height not more than 12 inches from and extend not less than 60 inches above the finished floor surface. The walls or partitions shall extend from the wall surface at each side of the urinal a minimum of 18 inches or to a point not less than 6 inches beyond the outermost front lip of the urinal measure from the finished back wall surface, whichever is greater. Exceptions: 1. urinal partitions shall not be required in a single occupant or unisex toilet room with a lockable door. 2. Toilet rooms located in day care and child care facilities and containing two or more urinals shall be permitted to have one urinal without partitions.";

(8) Chapter 12, INTERIOR ENVIRONMENT, – Add new "**Section 1208.6 Water closets, urinals, lavatories and bidets.** A water closet, urinal, lavatory or bidet shall not be set closer than 15 inches from its center to any side wall, partition, vanity or other obstruction, or closer than 30 inches center-to-center between adjacent fixtures. There shall be at least a 21-inch clearance in front of the water closet, urinal, lavatory or bidet to any wall, fixture or door. Water closet compartments shall not be less than 30 inches wide and 60 inches deep. (see Figure 405.3.1 of the IPC).";

(9) Chapter 29, PLUMBING SYSTEMS, Section 2901.1 Scope – Replace *"International Private Sewage Disposal Code"* with the *"most recent regulations adopted by the State of Oklahoma Department of Environmental Quality";*

(10) Chapter 29, PLUMBING SYSTEMS, Section 2902.1 Minimum number of fixtures – add "Exception: In occupancies other than assembly, business owners may elect to provide drinking water by a means other than a drinking fountain when the code calculated occupant load is 50 persons or less."

(11) Chapter 29, PLUMBING SYSTEMS, Section 2902.2 Separate facilities – add new exception "4. In occupancies other than assembly, business owners may elect to provide a single user accessible toilet facility when the code calculated occupant load is 50 persons or less."

(12) Chapter 31, Section 3106 MARQUEES, Section 3106.1 General- Add "All marquees shall require a Consent to Encroach approval by the City Council";

(13) Chapter 32, ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY, Section 3202.3 Encroachments 8 feet or more above grade- Add "Except for awnings and canopies, no encroachment shall be allowed without a Consent to Encroach approval by the City Council.";

(14) Chapter 33, SAFEGUARDS DURING CONSTRUCTION, Section 3306 Protection of Pedestrians, Section 3306.2 Walkways – Add "A permit must be obtained for all such walkways from the Department of Public Works."

(15) Chapter 34, EXISTING STRUCTURES, [EB] Section 3401 General, Section 3401.3 Compliance with other Codes- Replace *"International Private Sewage Disposal Code"* with the *"most recent regulations adopted by the State of Oklahoma Department of Environmental Quality";*

(16) Chapter 34, EXISTING STRUCTURES, [EB] Section 3403 Additions, Alterations or Repairs- Add at end of Section 3403.1 "The provisions of this code are not intended to limit the appropriate use of materials, appliances, equipment or methods of design or construction not specifically prescribed by this code, provided the building official determines that the proposed alternative materials, appliances, equipment or methods of design or construction are at least equivalent of that prescribed in this code in suitability, quality, strength, effectiveness, fire resistance, durability,

dimensional stability, safety and sanitation. The building official may require that the evidence of proof be submitted to substantiate any claims that may be made regarding the proposed alternative."; and

(17) Chapter 34, EXISTING STRUCTURES, Section 3412.2 Applicability – Delete "on which construction was begun at least ten (10) years prior to the date of adoption of this code by the State of Oklahoma [OR, ANY DATE MAY BE INSERTED BY A JURISDICTION THAT HAS THE LEGAL RIGHT TO DO SO, SUCH AS BUT NOT LIMITED TO COUNTIES AND MUNICIPALITIES]"

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Sec. 5-204, 5-205. Reserved.

* * *

Sec. 5-206. Reserved.

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Sec. 5-207. Adoption of the 2009 International Mechanical Code as adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.

(a) Adoption includes ONLY Appendix A regarding Combustion Air Openings and Chimney Connector Pass-Throughs;

(b) Amend, delete or substitute within the following sections as indicated:

(1) Delete the Preamble referenced in Title 748:20-13-6 from the International Mechanical Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23;

(2) Chapter 3, Section 306.3 Appliances in attics. Exception 2 Delete "the passageway shall be not greater than 50 feet (1520 mm) in length." and replace with "or where not more than 20 feet length of the passageway is a minimum 30 inches high and 22 inches wide, the entire passageway shall be not greater than 50 feet in length.";

(3) Chapter 5, Section 504.6.1 Domestic clothes dryer ducts – After 504.6.1 insert "Exception: Schedule 40 PVC pipe may be used if the installation complies with all of the following:

(a) The duct shall be installed under a concrete slab poured on grade;

(b) The under-floor trench in which the duct is installed shall be completely backfilled with sand or gravel;

(c) The PVC duct shall extend not greater than 1 inch above the indoor concrete floor surface;

(d) The PVC duct shall extend not greater than 1 inch above grade outside of the building; or

(e) The PVC ducts shall be solvent cemented".

* * *

Sec. 5-208. Adoption of the 2009 International Plumbing Code as adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.

(a) Adoption includes ONLY the following Appendices:

(1) Appendix B regarding Rates of Rainfall for Various Cities;

(2) Appendix C regarding Gray Water Recycling Systems;

(3) Appendix D regarding Degree Day and Design Temperatures;

(4) Appendix E regarding Sizing of Water Piping System;

(5) Appendix F regarding Structural Safety; and

(6) Appendix G regarding Vacuum Drainage System.

(b) Amend delete or substitute within the following sections as indicated:

(1) Delete the Preamble referenced in Title 748:20-15-6 from the International Plumbing Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.;

(2) Chapter 2, DEFINITIONS, Section 202 GENERAL DEFINITIONS – add "SERVICE SINK. In occupancy groups B, M, S and U a service sink is defined as any approved sink, basin or bowl that discharges to the building sewer and can be used in conjunction with a potable water faucet for the purpose of building cleaning and/or maintenance.";

(3) Chapter 3, GENERAL REGULATIONS, Section 312, Section 312.6 Gravity sewer test – Replace "public sewer" with "location of the building clean out.";

(4) Chapter 4, FIXTURES, FAUCETS AND FIXTURE FITTINGS, Section 403 MINIMUM PLUMBING FACILITIES, Section 403.1 Minimum number of fixtures – add "Exception: In occupancies other than assembly, business owners may elect to provide drinking water by a

means other than a drinking fountain when the code calculated occupant load is 50 persons or less.";

(5) Chapter 4, FIXTURES, FAUCETS AND FIXTURE FITTINGS, Section 403 MINIMUM PLUMBING FACILITIES, Section 403.2 Separate facilities –add new exception "4. In occupancies other than assembly, business owners may elect to provide a single user accessible toilet facility when the code calculated occupant load is 50 persons or less.";

(6) Chapter 4, FIXTURES, FAUCETS AND FIXTURE FITTINGS, Section 419 URINALS, Section 419.1 After CSA B45.5. Add "When a waterless urinal is installed, the installer is obligated to install a properly sized water line to each urinal location which could later be used for a water supplied urinal.":

(7) Chapter 4, FIXTURES, FAUCETS AND FIXTURE FITTINGS, Section 424 FAUCETS AND OTHER FIXTURE FITTINGS, Section 424.5 after "tub/shower valve in accordance with Section 424.3" add "Exception: One and Two-Family Dwellings".

* * *

Sec. 5-209. Adoption of the 2011 National Electric Code –NFPA 70 as adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.

Amend, delete or substitute within the following sections as indicated:

(1) Delete the Preamble referenced in Title 748:20-9-6 Article 90 from the National Electrical Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.;

(2) Chapter 1, General, Article 110.5 Conductors – Add at end of paragraph "The use of aluminum conductors shall be prohibited except for exterior uses and for underground service feeders for manufactured homes.";

(3) Chapter 2, Wiring and Protection, Article 210.4(B) Disconnecting Means. Delete all text in the section and replace with "Where a multi-wire branch circuit supplies more than one device or equipment on the same yoke, a means shall be provided to disconnect simultaneously all ungrounded conductors supplying those devices or equipment at the point where the branch circuit originates;

(4) Chapter 2, Wiring and Protection, Article 210.8(A)(3) Outdoors - expand exception provided in Article 426 by adding "as well as, exterior receptacles for outside holiday lighting, so long as the minimum height above adjoining ground area is 7 feet";

(5) Chapter 2, Wiring and Protection, Article 210.23 (A) 15- and 20 Ampere Branch Circuits- add section "(A) (3) Dwelling Occupancies. Dwelling unit receptacle outlets installed in accordance with 210.52 and lighting outlets installed in accordance with 210.70 shall be limited to a maximum of 14 for 20 ampere and a maximum of 10 for 15 ampere branch circuits. Kitchen receptacle outlets installed in accordance with 210.52 (B)(3) and 210.52 (C) shall not exceed 5.;

(6) Chapter 2, Wiring and Protection, Article 230.70 (A)(1) Location. Add "The distance from the point of entrance of a building or structure to the service disconnecting equipment enclosure shall not exceed 24 inches measured horizontally or 60 inches measured vertically.";

(7) Chapter 3, Wiring Methods and Materials, Article 312 Add "312.8(4) Mounting Height. Enclosures for switches or over-current devices shall be installed so the bottom of the enclosure is not less than 600 mm (2 feet) above finish grade or working platform unless specifically listed or approved for an alternate mounting height.";

(8) Chapter 3, Wiring Methods and Materials, Article 334.10 Uses Permitted – delete all of (3) and (4).

* * *

Sec.5-210. Adoption of the 2009 International Fuel Gas Code as adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.

(a) Adoption includes all of the Appendices, which are:

(1) Appendix A regarding Sizing and Capacities of Gas Piping;

(2) Appendix B regarding Sizing of Venting Systems serving Appliances equipped with Draft Hoods, Category 1 Appliances, and Appliances listed for Use and Type B Vents; and

(3) Appendix C regarding Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems.

(b) Amend, delete or substitute within the following sections as indicated:

(1) Delete the Preamble referenced in Title 748:20-11-6 from the International Fuel Gas Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23;

(2) Chapter 3, GENERAL REGULATIONS, Section 305 INSTALLATION, Section 305.3 Elevation of ignition source. After "above the floor" add "surface on which the equipment or appliance rest";

(3) Chapter 3, GENERAL REGULATIONS, Section 306 ACCESS AND SERVICE SPACE, Section 306.3 Appliances in attics. Exception: 2 delete "the passageway

shall be not greater than 50 feet (1520 mm) in length." and replace with "or where not more than 20 feet length of the passageway is a minimum 30 inches high and 22 inches wide, the entire passageway shall be not greater than 50 feet in length.";

* * *

Sec. 5-211. Adoption of the 2006 International Energy Conservation Code and the Appendix.

* * *

Sec. 5-212. Adoption of the 2009 International Residential Code for One and Two Family Dwellings as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.23.

(a) Adoption includes ONLY the following Appendices:
  (1) Appendix E regarding Manufactured Housing used as Dwellings;
  (2) Appendix G regarding Swimming Pools, Spas and Hot Tubs; and
  (3) Appendix K regarding Sound Transmission.

(b) Amend, delete or substitute within the following sections as indicated:
  (1) Delete the preamble referenced in Title 748:20-5-5 from the 2009 International Residential Code for One and Two Family Dwellings as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.23.
  (2) Chapter 1, Section R102.7 Existing Structures Delete *"International Fire Code" and* all subsequent references and replace with *"1997 1 NFPA Fire Prevention Code"*;
  (3) Chapter 1, Section R103 DEPARTMENT OF BUILDING SAFETY and Section R103.1, Creation of enforcement agency—Replace *"Department of Building Safety"* with *"Development Services Division"*;
  (4) Chapter 1, Section R104.10.1 Areas prone to flooding—Delete "granting of a variance to such provisions by the board of appeals" and replace with "prior issuance of a Flood Plain Permit by the City of Norman Flood Plain Committee.";
  (5) Chapter 1, Section R105.2 Building: 1-Replace *"200 square feet"* with *"108 square feet"* and delete reference to meters;
  (6) Chapter 1, Section R105.2 Building: 2—Replace *"6 feet high"* with *"8 feet high."*;
  (7) Chapter 1, Section R105.2 Building: 3—Delete retaining wall sentence and replace with "Retaining walls shall be permitted and built per the City of Norman Engineering Standards, as amended.";
  (8) Chapter 1, Section R105.2 Building 5—Delete this section, Sidewalks and driveways.

(9) Chapter 1, Section R105.3.1.1—Substantially improved or Substantially damaged existing buildings in areas prone to flooding—Delete reference to "Table R301.2(1)" and replace with "the City of Norman adopted flood hazard maps" and delete the reference to the "board of appeals" and replace with "the City of Norman Flood Plain Committee";

(10) Chapter 1, Section R105.7 Placement of permit—Add at the beginning of sentence "For additions and alterations only";

(11) Chapter 1, add new R106.2.1 Landscape Requirements for One- and Two-Family Dwellings.

(a) As of May 12, 2008, within all urban residential plats, when a building permit for a new residence is issued, at least one tree must be planted on each lot designated for single-family or two-family use before a Certificate of Occupancy is issued.

(b) For lots larger than 10,000 square feet, two trees are required. One tree must be planted within the designated planting location and the other tree may be placed at any location on the lot. (Refer to Exhibits A—Traditional Utility Layout or B—Optional Utility Layout.) In no case will more than two trees be required.

(c) Corner lots require one tree per street frontage in accordance with the sight triangle specifications (refer to Exhibit C—Tree Location for Typical Corner Lot). If all of either street frontage is eliminated by the site triangle restrictions, the tree for that frontage may be placed at any location on the lot.

(d) Trees must be selected from a list approved by the City Forester (Refer to Exhibit D—City of Norman Approved Street Tree List) and be at least 2" caliper (diameter measured 6" above ground level). Species identification tags shall remain on the tree(s). As indicated in (b) above, there are two utility layouts that may be utilized to design a subdivision. It is the developer's option to choose either alternative. In subdivisions where utilities are designed in accordance with Exhibit A (no trees between sidewalk and street), the tree must be planted in the front yard of the lot within five feet of the sidewalk. In subdivisions where utilities are designed in accordance with Exhibit B (allows for trees between sidewalk and street), the preferred location for tree planting is midway between the curb and sidewalk. Said Exhibits are incorporated herein and made a part hereof and are on file in the office of the City Clerk.

(e) If planting conditions or weather would adversely affect the health of the tree(s), a paid receipt from the installer indicating the type of tree(s) purchased and projected planting date shall be provided to the City of Norman and a permanent Certificate of Occupancy can be issued.

(f) Trees that are planted within the right-of-way or front yard can be replaced if dead or diseased by the Property Owners/Homeowners Association if appropriate covenants have been enacted that grant maintenance responsibility to the association. Otherwise the trees are the responsibility of the property owner. Dead or diseased trees in poor condition should be replaced by the property owner.

(12) Chapter 1, Section R106.5—Retention of construction documents—Replace "construction documents" with "floor and site plans";

(13) Chapter 1, Section R109.1.4 Frame and masonry inspection—Delete "masonry" in title and text;

(14) Chapter 1—Add new "R109.1.5.2 Insulation inspection. Insulation inspection shall be made after the framing inspection but prior to installing wallboard materials. Wallboard materials include, but are not limited to, lath, plaster, gypsum wallboard, wood paneling, sheet metal and the like.";

(15) Chapter 1, Section 109.3 Inspection requests—Add "safe" in front of "access.";

(16) Chapter 1, Section R110.1 Use and occupancy—Delete Exception 2. "Accessory buildings and structures.";

(17) Chapter 1, Section R112 Board of Appeals—Delete Sections R112.2.1 and R112.2.2;

(18) Chapter 2, DEFINITIONS, Section R202 FIRE SEPARATION DISTANCE add—"Permanent "No Build" easements, which identify an area relative to adjoining property lines and are filed as permanent easements with the Cleveland County Clerk, may be considered when determining the fire separation distance.";

(19) Chapter 3, BUILDING PLANNING, Table R301.2(1) fill in blanks for Norman as "Ground Snow Load 10, Wind Speed 90 miles per hour, Topographic effects No, Seismic Design Category C, Weathering moderate, Frost Depth 12 inches, Termite moderate to heavy, Winter Design Temperature 13 degrees Fahrenheit, Ice barrier underlayment required No, Flood Hazard see FIRM maps, Air freezing Index 300, Mean Annual Temperature 61.3 degrees Fahrenheit", Add after footnote k "1. Bottom of footing to be at 18" below grade." place "1" after Frost Line depth in the table';

(20) Chapter 3, Section R301 Design Criteria, Table R301.5 footnote b. After "the plane of the truss." Add ", or the space is more than 10 feet from the point of entry to the attic space and no provision for attic storage is installed.";

(21) Chapter 3, Section R302 Fire-Resistant Construction, Replace Table R302.1 with the following Amended R302.1 Table.

"AMENDED TABLE R302.1 EXTERIOR WALLS"

EXTERIOR WALL ELEMENT		MINIMUM FIRE RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	(Fire-resistance rated)	1 hour with exposure from both sides	0 feet
	(Not fire-resistance rated)	0 hours	> 3 feet
Projections	(Fire-resistance rated)	1 hour on the underside	0 feet
	(Not fire-resistance rated)	0 hours	> 3 feet
Openings	Not allowed	N/A	< 3 feet
	Unlimited	0 hours	> 3 feet
Penetration	ALL	Comply with Section R302.4	< 3 feet
		None Required	> 3 feet

(22) Chapter 3, Section R302 Exterior Wall Location, R302.1 "Exceptions" add "Exception 6—Open metal carport structures may be constructed within zero (0) feet of the property line without fire-resistive or opening protection when the location of such is approved as required by other adopted codes.";

(23) Chapter 3, Section R303.3 Bathrooms—Add at end of paragraph, "Separate window or artificial light and mechanical ventilation system provided through exception shall be required for enclosed/segregated toilet, bath or shower spaces." ALSO, at end of Exception, add "Attic spaces are not considered outside for purposes of ventilation.";

(24) Chapter 3, Section R311.7.4.3 Delete entire Section and replace with the following. "Open risers. Open risers are permitted, provided that the opening between treads does not permit the passage of a 4-inch diameter sphere. Exception: The opening between adjacent treads is not limited on stairs with a total rise of 30 inches or less.";

(25) Chapter 3, Section R314.3.1 Alterations, repairs and additions. Exception 2. Installation, alteration or repairs of plumbing or mechanical systems are exempt from the requirements of this section. Add the word "electrical" after "repairs of."

(26) Chapter 4, Section R403 Footings, Section R403.1 General—Add "Exception: Temporary buildings and unoccupied buildings not exceeding one story in height and 400 square feet in area shall be exempt from these requirements.";

(27) Chapter 4, Section R403 Footings Amend Figure R403.1(1) to require a minimum of 2, #4 steel bars in all footings;

(28) Chapter 4, Section R404 FOUNDATION AND RETAINING WALLS, Section R404.1.2.2 Add at end of section "In all cases Concrete and Masonry Foundation Walls or slabs, if placed directly to the footing, are to be attached to its footing with a minimum #3 vertical steel bar imbedded a minimum 12" into both the footing and the foundation wall and placed 6' o.c. and at every corner.";

(29) Chapter 4, Section R404 FOUNDATION AND RETAINING WALLS, Section R404.4 Delete Entire Section;

(30) Chapter 6 Wall Construction, Table R602.3.1, Delete text in footnote b. and Replace with "Studs to be laterally braced by a minimum ceiling joists, floor joists, or a ledger or beam holding ceiling or floor members."

(31) Chapter 13 GENERAL MECHANICAL SYSTEM REQUIREMENTS, Section M1305 APPLIANCE ACCESS, M1305.1 Appliance access for inspection service, repair and replacement—After "30 inches deep and 30 inches wide" add "and at least the height of the front of the appliance";

(32) Chapter 13 General Mechanical System Requirements, Section M1305 Appliance Access, M1305.1.3 Appliances in attics. Exception: 2 delete "the passageway shall be not more than 50 feet (1520 mm) in length." And replace with "or where not more than 20 feet length of the passageway is a minimum 30 inches high and 22 inches wide, the entire passageway shall be not greater than 50 feet in length.";

(33) Chapter 15, Section M1502 CLOTHES DRYER EXHAUST, M1502.4.1 add "Exception: Schedule 40 PVC pipe may be used if the installation complies with all of the following:

i. The duct shall be installed under a concrete slab poured on grade and arranged to drain to the building exterior.

ii. The underfloor trench in which the duct is installed shall be completely backfilled with sand or gravel.

iii. The PVC duct shall extend not greater than 1 inch above the indoor concrete floor surface.

iv. The PVC duct shall extend not greater than 1 inch above grade outside of the building.

v. The PVC ducts shall be solvent cemented";

(34) Chapter 24, Fuel Gas, Section G2408 INSTALLATION, Section G2408.2 Elevation of ignition source. After "above the floor" Add "surface on which the equipment or appliance rest";

(35) Chapter 24, Fuel Gas, Section G2415 PIPING SYSTEM INSTALLATION, Section G2415.10 Minimal burial depth—Replace "12 inches" with "18 inches";

(36) Chapter 25 Plumbing Administration, Section P2503 Inspection and Tests, Section P2503.4 Building sewer testing—Delete "When required by local authority having jurisdiction," and Replace "public sewer" with "location of the building clean out,";

(37) Chapter 27 PLUMBING FIXTURES, Section P2713 BATHTUBS, delete Section P2713.3 Bathtub and whirlpool bathtub valves;

(38) Chapter 28 WATER HEATERS, Section P2803.6.1 Item 5. Replace text in Item 5 with "Discharge to an approved waste receptor or to the outdoors."

(39) Chapter 34, Electrical General Requirements, Section E3406 Electrical Conductors and Connections, Section E3406.2 Conductor material—Add at end of paragraph "The use of aluminum conductors shall be prohibited except for exterior uses and for underground service feeder for manufactured homes.";

(40) Chapter 36 Services, Section E3601 General Services, Section E3601.6.2 Service disconnect location - Add at the end of paragraph "The distance from the point of entrance of a building or structure to the service disconnecting equipment enclosure shall not exceed 24 inches measured horizontally or 60 inches measured vertically.";

(41) Chapter 37, BRANCH CIRCUIT AND FEEDER REQUIREMENTS, Section E3702 BRANCH CIRCUIT RATINGS, Section E3702.3 Fifteen- and 20-ampere branch circuits—Add at the end of the paragraph "Dwelling unit receptacle outlets installed in accordance with E3901.1 and lighting outlets installed in accordance with E3903.1 shall be limited to a maximum of 14 for 20 ampere and a maximum of 10 for 15 ampere branch circuits. Kitchen receptacle outlets installed in accordance with E3901.3.2 and E3901.4 shall not exceed 5.";

(42) Chapter 39 Section E3902 Ground-Fault and Arc-Fault Circuit-Interrupter Protection, Section E3902.3 Outdoor receptacles - expand exception provided in Section E4101.7 by adding "as well as, exterior receptacles for outside holiday lighting so long as the minimum height above adjoining ground area is 7 feet.";

(43) Chapter 39, Section E3902 GROUND-FAULT AND ARC-FAULT CIRCUIT-INTERRUPTER PROTECTION, Section E3902.7 Laundry, utility, and bar sink receptacles. Add "Exception: A single receptacle or duplex receptacle for two appliances located within dedicated space for each appliance that in normal use is not easily moved from one place to another, and that is cord and plug connected.";

(44) Chapter 39 Section E3907 CABINETS AND PANELBOARDS, Add Section 3907.9 Mounting Height. Enclosures for switches or overcurrent devices shall be installed so the bottom of the enclosure is not less than 600 mm (2 feet) above finish grade or working platform unless specifically listed or approved for an alternate mounting height.;

(45) Chapter 42 SWIMMING POOLS, Section 4206 EQUIPMENT INSTALLATION, Section 4206.5.1 Servicing. After "other maintenance" Add "unless otherwise approved, the maximum distance from the deck surface to the bottom of the luminaire face shall not exceed 24 inches.";

(46) Appendix G Section AG105 BARRIER REQUIREMENTS, Replace the text in Section AG105.2 Outdoor swimming pool -4. with "Where the barrier is composed of horizontal and vertical members and the distance between the tops of the two lowest horizontal members is less than 45 inches (1143 mm), then spacing between vertical members shall not exceed 1¾ inches (44 mm) in width, and any horizontal members shall have a nominal depth of no more than 1¾ inches (44mm) so as not to create a foothold. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1¾ inches (44 mm) in width.

* * *

Sec.5-213 Adoption of the 2009 International Existing Building Code as adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23

(a) Amend, delete or substitute within the following sections as indicated:

(1) Delete the Preamble referenced in Title 748:20-7-6 from the International Existing Building Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.

* * *

Sec.5-214 Adoption of the 2009 International Fire Code as adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23

(a) Amend, delete or substitute within the following sections as indicated:

(1) Delete the Preamble referenced in Title 748:20-3-6 from the International Fire Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.

* * * * *

§ 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.

ADOPTED this _____day of

_____, 2013.

_____
(Mayor)

NOT ADOPTED this _____day of

_____, 2013.

_____
(Mayor)

ATTEST:

_____
(City Clerk

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ARTICLE I, SECTIONS 5-101 AND 5-101.1, ARTICLE II, SECTIONS 5-201, 5-202, 5-203, 5-207, 5-208, 5-209, 5-210, AND ADDING SECTIONS 5-213, 5-214 OF THE CODE OF ORDINANCES OF THE CITY OF NORMAN AMENDING AND ADOPTING THE 2009 INTERNATIONAL BUILDING CODE, THE 2009 INTERNATIONAL MECHANICAL CODE;, THE 2009 INTERNATIONAL PLUMBING CODE, THE 2011 NATIONAL ELECTRICAL CODE, THE 2009 INTERNATIONAL FUEL GAS CODE, AND ADOPTING THE 2009 INTERNATIONAL EXISTING BUILDING CODE AND 2009 INTERNATIONAL FIRE CODE; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That Sections 5-101 and 5-101-1 of Article I of Chapter 5 of the Code of Ordinances of the City of Norman shall be amended as follows:

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CHAPTER 5
ARTICLE I. GENERAL ADMINISTRATION

Sec. 5-101. Application of the ~~2006~~ 2009 International Building Code.

Except as otherwise provided in this article, the provisions of the ~~2006~~ 2009 International Building Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23 shall apply to all construction, extension or remodeling of buildings or structures except one- and two-family dwellings which shall be governed by the 2009 International Residential Code for One and Two Family Dwellings as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.23 and subsequent amendments listed in Sec. 5-212 of the Code of the City of Norman:

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Sec. 5-101.1. Effect of conflicting provisions.

When any provision of this chapter conflicts with any other provision of this chapter, that provision which is the more specific or detailed shall control. When any provision of the 2009 International Residential Code for One and Two Family Dwellings as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.23 needs clarification or elaboration, the provisions of the 2009 International Building Code, the 2009 International Mechanical Code, the 2009 International Plumbing Code, the ~~2008~~ 2011 National Electric Code, the 2009 International Fuel Gas Code, and the 2009 International Energy Conservation Codes as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. 1000.23 shall prevail.

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Sec. 5-102. Inspections.

(a) When the framing of any building or structure is completed, when any rough electrical wiring or electrical installation work is completed, when any rough plumbing is completed, or when any air conditioning, heating or refrigeration system is initially installed, an inspection of that work shall be given by the Department of Planning and Community Development.

(b) No plumbing work or electrical wiring, installed electrical or gas fixtures or electrical or gas equipment shall be used in a building or on any premises until it has also had a final inspection.

(c) All work found to be faulty or incorrectly or defectively installed shall be corrected before any rough or final approval shall be given by an inspector, and when such has been corrected, notification for a reinspection shall then be given to the Department of Planning and Community Development.

(d) All inspections shall be made by the Department of Planning and Community Development within two (2) working days from the receipt of the notification for the inspection or reinspection.

(e) No work which is required to be inspected shall be covered over or covered up prior to that particular inspection, and any covering in place shall be removed upon the order of the inspector.

Sec. 5-103. Permits required; exceptions.

(a) Except as otherwise provided in subsection (b) of this section, no person shall engage in the following acts without having first obtained the necessary permits from the Department of Planning and Community Development:

(1) The installation of any electrical, gas distribution, or plumbing systems, the subsequent modification of existing systems, or the installation of electrical or gas appliances;

(2) The alteration, construction, enlargement, removal, relocation, or repair of any building or other structure, sign or other advertising structure;

(3) The construction, alteration, cutting, mutilation, or changing in any manner for any purpose, any paved or traveled portion of any street or alley, any curb, gutter, catch basin or other appurtenance of a street or alley or any sidewalk;

(4) The construction or repair of any off-site improvement within that area defined by the 2020 Plan;

(5) The installation of any air conditioning, heating, and/or refrigeration systems, or the subsequent modification of existing systems.

(b) No permit is required under the following circumstances:

(1) (a) Where a public utility corporation installs electrical conductors or equipment in the generation, transmission, sale, or use of electrical energy as outlined in their franchises with the City.

(b) Where electrical equipment or apparatus is manufactured, tested, serviced, or repaired.

(2) (a) Where the ordinary interior alterations or repairs of buildings or structures do not exceed five hundred dollars ($500.00), such alterations or repairs do not include the removal of any portion of a stone, concrete, or brick wall, such alterations or repairs do not include the removal, change, or closing of any stairway or opening in an exterior wall, and such alterations or repairs do not include the alteration or removal of any house sewer, drainage system, soil waste or vent pipe, light or power wiring, or other structural change for which a permit is otherwise required.

(b) Where a storage building is constructed which does not exceed one hundred eight (108) square feet of area (measured by outside dimensions), such building is not constructed on or attached to a concrete slab, foundation or permanent base, and such building has no electric, plumbing or gas service connection.

(c) Where a building or other structure is moved which is less than thirteen and one-half (13½) feet in height when loaded, twelve (12) feet in width, and an overall of fifty (50) feet in length.

(3)(a)Where the construction, alteration, cutting, and changing of a portion of any street or alley, any curb, gutter, catch basin or other appurtenance of a street or alley is under the direct supervision of the City Manager or his designee.

(b) Where such cutting or changing of a sidewalk is only for the repair of that sidewalk.

(4) Where an emergency construction or repair of an off-site improvement is necessary to protect the health and safety of the City inhabitants, and such construction or repair is made by a public utility or public service company; however, a permit is required after the commencement of that work.

* * *

Sec. 5-104. Permit fee schedule.

All fees within this section shall be doubled if the work is commenced before a permit is issued.

(a) The following building permit fees shall be charged:

(1) Demolition permit: First floor.....$20.00
Additional floors 12.50

(2) Storm or fallout shelter, swimming pools 25.00

(3) One- and two-family dwellings including remodeling, alterations, covered open spaces, porches, patios, carports, awnings and parking structures, per square foot of project area 0.14

(4) One- and two-family dwellings, move-ins and mobile homes, per square foot of project area 0.14

(5) Newly constructed and additions or alterations to multifamily buildings, fraternities, sororities, per square foot of project area 0.14

(6) Newly constructed and additions or alterations to warehouses, industrial and manufacturing buildings, per square foot 0.14

(7) Newly constructed and additions or alterations to commercial buildings, office buildings, institutional per square foot.....0.14

(8) Newly constructed and additions or alterations to parking lots per square foot 0.14

(9) Foundation only permits .....50 percent of full permit or $1,000.00, whichever is less

(10)Minimum fee for subsections (3), (4), (5), (6), (7), (8), and (9) Above 20.00

(11)Water well permit 10.00

(12)Minimum fee for each extra inspection
or re-inspection 25.00

(13)Plan examination fee: Included in permit fee, collected at time of submittal as twenty (20) percent of full permit fee, but in no case less than fifty dollars ($50.00) nor more than four thousand dollars ($4,000.00). Plan examination fee is non-refundable.

(14)Earth change permit: (From Section 1005.2
of the City of Norman
Engineering Design Criteria).....100.00
plus $10.00 per acre

(15)Retaining wall permit fees:

(a) Retaining walls from two (2) feet in height
to less than three (3) feet in height 50.00

(b)Retaining walls three (3) feet in height
or more 75.00

(c) If the Builder/Contractor obtained a retaining wall permit, but the retaining wall is constructed without the proper required inspections, a penalty of fifty dollars ($50.00) for each missed inspection will be incurred. Additionally, the Builder/Contractor will be required to provide documentation that the retaining wall was constructed per the permit. (From Section 1008.2 and 1008.3 of the City of Norman *Engineering Design Criteria*)

(b) The following air-conditioning, heating and refrigeration fees shall be charged:

(1) Class A refrigeration units per unit 185.00

(2) Class B refrigeration units per ton or hp 1.80

Minimum fee 57.50

(3) Class C refrigeration units per ton or hp 2.50

Minimum fee 17.50

(4) Class D refrigeration units, per unit 17.50

(5) Class E refrigeration units .....No charge

(6) Class WA-1 direct-fired system, per unit.....17.00

(7) Class WA-2 direct-fire system, per unit 16.50

(8) Class WA-3 direct-fired system, per unit 23.00

(9) Class HW-1 Hot water-heated air system, per unit 17.00

(10)Class HW-2 Hot water-heated air system, per unit 23.00

(11)Class EH-1 electric-heated air system, per unit 17.00

(12)Class EH-2 electric-heated air system, per unit.....16.50

(13)Class EH-3 electric-heated air system, per unit.....23.00

(14)Class EH-4 electric-heated air system, per unit 41.00

(15)Additions, alterations or repair of existing mechanical systems, per inspection 15.00
Minimum fee 25.00

(16)Minimum fee, each extra inspection or re-inspection 25.00

(c) The following electric permit fees shall be charged:
(1) Service size, general wiring:
a.125 amps or less 35.00
b.Over 125 amps, per 100 amps or fraction thereof 23.00
a. Mobile homes:
b. 100 amps 35.00
c.200 amps 53.00
(2) Mobile homes:
a. 100 amps 35.00
b. 200 amps 53.00
(3) Oil wells:
a.100 amps or less 35.00
b.Over 100 amps 53.00
(4) Additional charges for commercial building only:
a.Motors up to one (1) hp 1.00
b.Motors one (1) hp and over 2.00
c.Apparatus, such as air conditioners,

electric ranges, X-ray machines,
hot-water heaters, elevators and
other equipment requiring
special heavy-duty circuits 1.00
(5) Additions, alterations or repair
of existing electrical systems
per inspection 15.00
Minimum fee 25.00
Minimum fee for each extra inspection or
re-inspection 25.00

(d) The following plumbing permit fees shall be charged:
(1) Service size, general plumbing:
¾ inch.....35.00
1 inch 65.00
1 ½ inch 125.00
2 inch 215.00
3 inch 485.00
4 inch 725.00
2 inch 845.00
(2) Gas service size, general gas piping:
0—2-inch 17.50
2—3-inch 22.50
Over 3-inch 32.50
(2) Water service line, sewer service line
or gas service line repair or replacement 15.00
(3) Additions, alterations, or repair of existing
(4) plumbing systems per inspection 15.00
Minimum fee.....25.00
(5) Minimum fee, each extra inspection or
re-inspection 25.00

(e) The following off-site improvement fees shall be charged:
(1)The fee shall be either the minimum or
the sum of all inspection fees, whichever
is the greater amount:
a.The minimum charge 15.00
b.Cost of construction:
1.Up to $2,000.00 ..... 4.24%
84.00
2. Next $3,000.00 ($2,001.00 to
$5,000.00)..... 3.6%
108.00
3. Next $5,000.00 ($5,001.00 to
$10,000.00)..... 3.03%
$151.50

4. Next $15,000.00 ($10,001.00 to $25,000.00)..... 2.42%
363.00
5. Next $25,000.00 ($25,001.00 to $50,000.00) 1.82%
455.00
6. Over $50,000.00..... 1.21%

c. Installation of a new sidewalk and drive entrance for a single-family lot 15.00
d. Replacement of driveway or sidewalk 15.00
*There will be no charge when the cause of the driveway or sidewalk replacement is due to a water or sewer line repair.

e. Minimum fee for each extra inspection or additional re-inspection 25.00

(2) Franchised public utility companies, public service companies, all governmental entities, and the City shall be exempt from permit fees but not from acquiring permits and not from the responsibility for the repair and replacement of existing improvements in compliance with the then-in-force-and-effect standards and specifications of the Code of the City.

(f) Certificate of occupancy fees:

(1) Normal certificate of occupancy fees are included in permit fees and collected when permit is issued.

(2) Temporary certificate of occupancy fees are as follows:
a. $100.00 for each certificate for each residential unit; and
b. $250.00 for any permit other than residential permits.

(g) (1) An erosion control fee of eighty dollars ($80.00) shall be assessed with each building permit issued for the construction of any structure or addition to a structure which results in greater than five hundred (500) square feet of new, additional impervious area; or the construction of any swimming pool, driveway, parking area; or any other construction activity which results in greater than five hundred (500) square feet of new, additional impervious area; except that no fee shall be charged for residential building permits on lots larger than two (2) acres when the additional impervious area is less than five thousand (5,000) square feet. No fee shall be charged for any permit when no new, additional impervious area is created.

(2) Earth change permit fee is one hundred dollars ($100.00) plus ten dollars ($10.00) per acre for administration and inspection.

(h) Reinspection fees: If a builder or property owner requests assistance from a City of Norman Construction Inspector or Engineer in determining the following:

(1)Building pad elevation inspection;
(2) Sidewalk or driveway approach design inspection;
(3) Final Grading Design inspection;
(4) Retaining Wall Design inspection; or
(5) Any other similar activity that requires an on-site inspection, an inspection fee of $25.00 per inspection will be charged, which is due and payable before the "certificate of

Sec. 5-105. Permit fee waiver.

When an applicant for a building permit is building a new home, remodeling an existing home or installing a mobile home due to the impact of a natural disaster as declared by the Governor of the State of Oklahoma and/or by the Mayor of the City of Norman, all building permit fees associated with such construction shall be waived according to the following limitations:

(a) The fee waiver shall not apply to any portion of a new structure which exceeds the square footage of the structure which is being replaced;
(b) The applicant must have been the owner of the structure(s) proposed to be rebuilt, at the time of the damage or destruction;
(c) The fee waiver shall not apply to a structure rebuilt after being damaged or destroyed by natural disaster without building permits and which has been cited as being in violation of building codes;
(d) The permits must be applied for within one (1) year of the natural disaster to be eligible for this fee waiver;
(e) All applicable fees required to be collected by the Oklahoma Uniform Building Code Commission are not waived.

Sec. 5-106. Penalties.

(a) Any person convicted of violating any provision of this chapter or of failing to comply with the rules and regulations enacted pursuant to this chapter shall be punished by a monetary fine of not less than fifty dollars ($50.00) nor more than seven hundred fifty dollars ($750.00), or by imprisonment for a period not to exceed sixty (60) days, or by both such fine and imprisonment.

(b) Each day that a violation or failure to comply exists shall constitute a separate and distinct offense, and any one (1) or more of such offenses may be set out in any complaint or information filed.

Secs. 5-107—5-200. Reserved.

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§ 2. That Sections 5-201, 5-202, 5-203, 5-207, 5-208, 5-209, and 5-210 of Article II of Chapter 5 of the Code of Ordinances of the City of Norman shall be amended and Sections 5-213 and 5-214 shall be added as follows:

ARTICLE II. BUILDING CODE

Sec. 5-201. Adoption of the ~~2006~~ 2009 International Building Code as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.23 and all amendments, additions, and deletions thereto as identified below:

(a) Except as otherwise provided in this article, the ~~2006~~ 2009 International Building Code as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.2 (hereinafter referred to as the Building Code) is hereby incorporated into the Code of the City with the same force and effect as if fully set out in this subsection.

(b) The Building Code shall not become effective until at least three (3) copies thereof have been filed in the office of the City Clerk for examination by the public.

Sec. 5-202. Appendices to the ~~2006~~ 2009 International Building Code as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.2.

Adoption includes ONLY the following Appendix:

~~(1) Appendix D regarding Fire Districts; and~~

(1)~~(2)~~ Appendix G regarding Flood-Resistant Construction.

Sec. 5-203. Amendments to the Building Code.

(a) Amend, delete or substitute within the following sections as indicated:

~~(1) Chapter 1 — Add new "Section 101.2.2 Alternate materials, methods and equipment. The provisions of this code are not intended to limit the appropriate use of materials, appliances, equipment or methods of design or construction not specifically prescribed by this code, provided the building official determines that the proposed alternative materials, appliances, equipment or methods of design or construction are at least equivalent of that prescribed in this code in suitability, quality, strength, effectiveness, fire resistance, durability, dimensional stability, safety and sanitation. The building official shall have authority as necessary in the interest of public health, safety and general welfare to adopt and promulgate rules and regulations; interpret and implement the provisions of this code; secure the intent thereof and designate requirements applicable because of local climatic or other conditions. The building official may require that the evidence of proof be submitted to substantiate any claims that may be made regarding a proposed alternative";~~

~~(2) Chapter 1, Section 101.4.1, Electrical and all subsequent references replace *"ICC Electrical Code"* with *"2008 National Electrical Code"*;~~

~~(3) Chapter 1, Section 101.4.6 Fire prevention and all subsequent references – Replace *"International Fire Code"* with the *"1997 NFPA 1 Fire Prevention Code"*;~~

(1) Delete the Preamble referenced in Title 748:20-1-6 from the International Building Code as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.2.

(2)~~(4)~~Chapter 1, Section 103, DEPARTMENT OF BUILDING SAFETY and Section 103.1, Creation of enforcement agency – Replace "*Department of Building Safety*" with "*Development Services Division*";

(3)~~(5)~~ Chapter 1, Section 105.2 Building 1.- Replace "*120 square feet*" with "*108 square feet*" and delete reference to meters;

(4) ~~(6)~~ Chapter 1, Section 105.2 Building 2.- Replace *"6 feet high"* with *"8 feet high"*;

(5)~~(7)~~Chapter 1, Section 105.2 Building 4.- Delete retaining wall reference and replace with "Retaining walls shall be permitted and built per the City of Norman Engineering Standards, as amended.";

(6)~~(8)~~ Chapter 1, Section 110.3.5 ~~109.3.5~~ Delete *"Lath and gypsum board inspection"* and accompanying text and replace with *"Insulation inspection"*~~;~~. Insulation Inspections shall occur after Framing, Mechanical, Electrical, and Plumbing Rough In inspections are approved and before the installation of any wall coverings.";

(7)~~(9)~~ Chapter 12, INTERIOR ENVIRONMENT, – Add new "Section 1208.5 Urinal partitions. Each urinal utilized by the public or employees shall occupy a separate area with walls or partitions to provide privacy. The construction of such walls or partitions shall incorporate waterproof, smooth readily cleanable and nonabsorbent finish surfaces. The walls or partitions shall begin at a height not more than 12 inches from and extend not less than 60 inches above the finished floor surface. The walls or partitions shall extend from the wall surface at each side of the urinal a minimum of 18 inches or to a point not less than 6 inches beyond the outermost front lip of the urinal measure from the finished back wall surface, whichever is greater. Exceptions: 1. urinal partitions shall not be required in a single occupant or unisex toilet room with a lockable door. 2. Toilet rooms located in day care and child care facilities and containing two or more urinals shall be permitted to have one urinal without partitions.";

(8)~~(10)~~Chapter 12, INTERIOR ENVIRONMENT, – Add new "**Section 1208.6 Water closets, urinals, lavatories and bidets.** A water closet, urinal, lavatory or bidet shall not be set closer than 15 inches from its center to any

side wall, partition, vanity or other obstruction, or closer than 30 inches center-to-center between adjacent fixtures. There shall be at least a 21-inch clearance in front of the water closet, urinal, lavatory or bidet to any wall, fixture or door. Water closet compartments shall not be less than 30 inches wide and 60 inches deep. (see Figure 405.3.1 of the IPC).";

~~(11) Chapter 27, ELECTRICAL Sections 2701 General through Section 2702.3 Maintenance – Replace all instances of *ICC Electrical Code"* with *"2002 2008 National Electrical Code"* and replace all instances of *International Fire Code* with *1997 NFPA 1 Fire Prevention Code;*~~

(9)~~(12)~~ Chapter 29, PLUMBING SYSTEMS, Section 2901.1 Scope – Replace *"International Private Sewage Disposal Code"* with the *"most recent regulations adopted by the State of Oklahoma Department of Environmental Quality";*

(10) Chapter 29, PLUMBING SYSTEMS, Section 2902.1 Minimum number of fixtures – add "Exception: In occupancies other than assembly, business owners may elect to provide drinking water by a means other than a drinking fountain when the code calculated occupant load is 50 persons or less."

~~(13) Chapter 29, PLUMBING SYSTEMS, Table 2902.1 "Minimum Number of Required Plumbing Fixtures". After footnote "d", add, " e. When a structure has an occupant load of less than 16 or the space is less than 1000 square feet, then a drinking fountain is not required, so long as some means is documented to provide drinking water to the occupants" and add " f. When a structure has an occupant load of less than 16 or the space is less than 1000 square feet, then a service sink is not required, so long as an alternative sink is provided with both a bowl size of at least 16" x 16" x 9" deep and a goose neck, swiveling faucet.";~~

(11) Chapter 29, PLUMBING SYSTEMS, Section 2902.2 Separate facilities – add new exception "4. In occupancies other than assembly, business owners may elect to provide a single user accessible toilet facility when the code calculated occupant load is 50 persons or less."

~~(14) Chapter 31 and Chapter 9 – Replace all references to *"International Fire Code"* with *"1997 NFPA 1 Fire Prevention Code";*~~

(12)~~(15)~~Chapter 31, Section 3106 MARQUEES, Section 3106.1 General- Add "All marquees shall require a Consent to Encroach approval by the City Council";

(13)~~(16)~~Chapter 32, ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY, Section 3202.3 Encroachments 8 feet or more above grade- Add "Except for awnings and canopies, no encroachment shall be allowed without a Consent to Encroach approval by the City Council.";

(14)~~(17)~~Chapter 33, SAFEGUARDS DURING CONSTRUCTION, Section 3306 Protection of Pedestrians, Section 3306.2 Walkways – Add "A permit must be obtained for all such walkways from the Department of Public Works."

(15)~~(18)~~Chapter 34, EXISTING STRUCTURES, [EB] Section 3401 General, Section 3401.3 Compliance with other Codes- Replace ~~*"International Fire Code"* with the *"1997 NFPA 1 Fire Prevention Code"* and~~ *"International Private Sewage Disposal Code"* with the *"most recent regulations adopted by the State of Oklahoma Department of Environmental Quality"* ~~and *"ICC Electrical Code"* with *"2008 National Electrical Code"*~~;

(16)~~(19)~~Chapter 34, EXISTING STRUCTURES, [EB] Section 3403 Additions, Alterations or Repairs- Add at end of Section 3403.1 "The provisions of this code are not intended to limit the appropriate use of materials, appliances, equipment or methods of design or construction not specifically prescribed by this code, provided the building official determines that the proposed alternative materials, appliances, equipment or methods of design or construction are at least equivalent of that prescribed in this code in suitability, quality, strength, effectiveness, fire resistance, durability, dimensional stability, safety and sanitation. The building official may require that the evidence of proof be submitted to substantiate any claims that may be made regarding the proposed alternative."; and

(17)~~(20)~~Chapter 34, EXISTING STRUCTURES, Section 3412.2 ~~3410.2~~ Applicability –Delete "on which construction was begun at least ten (10) years prior to the date of adoption of this code by the State of Oklahoma [OR, ANY DATE MAY BE INSERTED BY A JURISDICTION THAT HAS THE LEGAL RIGHT TO DO SO, SUCH AS BUT NOT LIMITED TO COUNTIES AND MUNICIPALITIES] " ~~Structures existing prior to [DATE TO BE INSERTED BY THE JURISDICTION. NOTE: IT IS RECOMMENDED THAT THIS DATE COINCIDE WITH THE EFFECTIVE DATE OF BUILDING CODES WITHIN THE JURISDICTION], and add "Existing structures, in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this section or the provisions of Sections 3403 through 3407."~~

Sec. 5-204, 5-205. Reserved.

Sec. 5-206. Reserved.

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Sec. 5-207. Adoption of the ~~2006~~ 2009 International Mechanical Code as adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.

(a) Adoption includes ONLY Appendix A regarding Combustion Air Openings and Chimney Connector Pass-Throughs;

(b) Amend, delete or substitute within the following sections as indicated:

(1) Delete the Preamble referenced in Title 748:20-13-6 from the International Mechanical Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23;

(2)~~(1)~~ Chapter 3, Section 306.3 Appliances in attics. Exception 2 Delete "the passageway shall be not greater than 50 feet (1520 mm) in length." and replace with "or where not more than 20 feet length of the passageway is a minimum 30 inches high and 22 inches wide, the entire passageway shall be not greater than 50 feet in length.";

(3)~~(2)~~ Chapter 5, Section 504.6.1 Domestic clothes dryer ducts – After 504.6.1 ~~"Exhaust ducts for domestic clothes dryers shall be constructed of metal and shall have a smooth interior finish."~~ insert "Exception: Schedule 40 PVC pipe may be used if the installation complies with all of the following:

(a) The duct shall be installed under a concrete slab poured on grade;

(b) The under-floor trench in which the duct is installed shall be completely backfilled with sand or gravel;

(c) The PVC duct shall extend not greater than 1 inch above the indoor concrete floor surface;

(d) The PVC duct shall extend not greater than~~t~~ 1 inch above grade outside of the building; or

(e) The PVC ducts shall be solvent cemented".

Sec. 5-208. Adoption of the ~~2006~~ 2009 International Plumbing Code as adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.

(a) Adoption includes ONLY the following Appendices:

(1) Appendix B regarding Rates of Rainfall for Various Cities;

(2) Appendix C regarding Gray Water Recycling Systems;

(3) Appendix D regarding Degree Day and Design Temperatures;

(4) Appendix E regarding Sizing of Water Piping System;

(5) Appendix F regarding Structural Safety; and

(6) Appendix G regarding Vacuum Drainage System.

(b) Amend~~:~~ delete or substitute within the following sections as indicated:

(1) Delete the Preamble referenced in Title 748:20-15-6 from the International Plumbing Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.;

(2) Chapter 2, DEFINITIONS, Section 202 GENERAL DEFINITIONS – add "SERVICE SINK. In occupancy groups B, M, S and U a service sink is defined as any approved sink, basin or bowl that discharges to the building sewer and can be used in conjunction with a potable water faucet for the purpose of building cleaning and/or maintenance.";

(3)~~(1)~~ Chapter 3, GENERAL REGULATIONS, Section 312, Section 312.6 Gravity sewer test – Replace "public sewer" with "location of the building clean out.";

(4) Chapter 4, FIXTURES, FAUCETS AND FIXTURE FITTINGS, Section 403 MINIMUM PLUMBING FACILITIES, Section 403.1 Minimum number of fixtures – add "Exception: In occupancies other than assembly, business owners may elect to provide drinking water by a means other than a drinking fountain when the code calculated occupant load is 50 persons or less.";

~~(2) Chapter 4, FIXTURES, FAUCETS AND FIXTURE FITTINGS, Section 403, Table 403.1 "Minimum Number of Required Plumbing Fixtures". After footnote "d", add, " e. When a structure has an occupant load of less than 16 or the space is less than 1000 square feet, then a drinking fountain is not required, so long as some means is documented to provide drinking water to the occupants" and add " f. When a structure has an occupant load of less than 16 or the space is less than 1000 square feet, then a service sink is not required, so long as an alternative sink is provided with both a bowl size of at least 16" x 16" x 9" deep and a goose neck, swiveling faucet." ;~~

(5) Chapter 4, FIXTURES, FAUCETS AND FIXTURE FITTINGS, Section 403 MINIMUM PLUMBING FACILITIES, Section 403.2 Separate facilities –add new exception "4. In occupancies other than assembly, business owners may elect to provide a single user accessible toilet facility when the code calculated occupant load is 50 persons or less.";

(6)~~(3)~~ Chapter 4, FIXTURES, FAUCETS AND FIXTURE FITTINGS, Section 419 URINALS, Section 419.1 After CSA B45.5. Add "When a waterless urinal is installed, the installer is obligated to install a properly sized water line to each urinal location which could later be used for a water supplied urinal.":

(7)~~(4)~~Chapter 4, FIXTURES, FAUCETS AND FIXTURE FITTINGS, Section 424 FAUCETS AND OTHER FIXTURE FITTINGS, Section

424.5 after "tub/shower valve in accordance with Section 424.3" add "Exception: One and Two-Family Dwellings".

Sec. 5-209. Adoption of the ~~2008~~ 2011 National Electric Code –NFPA 70 as adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.

Amend, delete or substitute within the following sections as indicated:

(1) Delete the Preamble referenced in Title 748:20-9-6 Article 90 from the National Electrical Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.;

(2) ~~(1)~~Chapter 1, General, Article 110.5 Conductors – Add at end of paragraph "The use of aluminum conductors shall be prohibited except for exterior uses and for underground service feeders for manufactured homes.";

(3)~~(2)~~ Chapter 2, Wiring and Protection, Article 210.4(B) Disconnecting Means. Delete all text in the section and replace with "Where a multi-wire branch circuit supplies more than one device or equipment on the same yoke, a means shall be provided to disconnect simultaneously all ungrounded conductors supplying those devices or equipment at the point where the branch circuit originates;

(4)~~(3)~~Chapter 2, Wiring and Protection, Article 210.8(A)(3) Outdoors - expand exception provided in Article 426 by adding "as well as, exterior receptacles for outside holiday lighting, so long as the minimum height above adjoining ground area is 7 feet";

~~(4) Chapter 2, Wiring and Protection, Article 210.12 Arc-Fault Circuit Interrupter Protection. (B) All 120-volt, single-phase, 15- and 20-ampere branch circuits supplying outlets installed in dwelling unit bedrooms, shall be protected by a listed arc-fault circuit interrupter, combination-type, installation to provide protection of the branch circuit.;~~

(5) Chapter 2, Wiring and Protection, Article 210.23 (A) 15- and 20 Ampere Branch Circuits- add section "(A) (3) Dwelling Occupancies. Dwelling unit receptacle outlets installed in accordance with 210.52 and lighting outlets installed in accordance with 210.70 shall be limited to a maximum of 14 for 20 ampere and a maximum of 10 for 15 ampere branch circuits. Kitchen receptacle outlets installed in accordance with 210.52 (B)(3) and 210.52 (C) shall not exceed 5.;

(6) Chapter 2, Wiring and Protection, Article 230.70 (A)(1) Location. Add "The distance from the point of entrance of a building or structure to the service disconnecting equipment enclosure shall not exceed 24 inches measured horizontally or 60 inches measured vertically.";

(7) Chapter 3, Wiring Methods and Materials, Article 312 Add "312.8~~(A)~~ (4) Mounting Height. Enclosures for switches or over-current devices shall be installed so the bottom of the enclosure is not less than 600 mm (2 feet) above finish grade or working platform unless specifically listed or approved for an alternate mounting height.";

(8) Chapter 3, Wiring Methods and Materials, Article 334.10 Uses Permitted ~~In (1), after "One- and two-family dwellings" add "and their accessory structures" and~~ delete all of (3) and (4).

~~(9) Chapter 4, Equipment for General Use, Delete Article 406.11.~~

Sec.5-210. Adoption of the ~~2006~~ 2009 International Fuel Gas Code as adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.

(a) Adoption includes all of the Appendices, which are:

(1) Appendix A regarding Sizing and Capacities of Gas Piping;

(2) Appendix B regarding Sizing of Venting Systems serving Appliances equipped with Draft Hoods, Category 1 Appliances, and Appliances listed for Use and Type B Vents; and

(3) Appendix C regarding Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems.

(b) Amend, delete or substitute within the following sections as indicated:

(1) Delete the Preamble referenced in Title 748:20-11-6 from the International Fuel Gas Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23;

(2)~~(1)~~Chapter 3, GENERAL REGULATIONS, Section 305 INSTALLATION, Section 305.3 Elevation of ignition source. After "above the floor" add "surface on which the equipment or appliance rest";

(3)~~(2)~~Chapter 3, GENERAL REGULATIONS, Section 306 ACCESS AND SERVICE SPACE, Section 306.3 Appliances in attics. Exception: 2 delete "the passageway shall be not greater than 50 feet (1520 mm) in length." and replace with "or where not more than 20 feet length of the passageway is a minimum 30 inches high and 22 inches wide, the entire passageway shall be not greater than 50 feet in length.";

~~(3) Chapter 4, GAS PIPING INSTALLATIONS, Section 404 PIPING SYSTEM INSTALLATION, Section 404.9 Minimum burial depth. Replace "12 inches" with "18 inches".~~

Sec. 5-211. Adoption of the 2006 International Energy Conservation Code and the Appendix.

Sec. 5-212. Adoption of the 2009 International Residential Code for One and Two Family Dwellings as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.23.

(a) Adoption includes ONLY the following Appendices:
  (1) Appendix E regarding Manufactured Housing used as Dwellings;
  (2) Appendix G regarding Swimming Pools, Spas and Hot Tubs; and
  (3) Appendix K regarding Sound Transmission.

(b) Amend, delete or substitute within the following sections as indicated:
  (1) Delete the preamble referenced in Title 748:20-5-5 from the 2009 International Residential Code for One and Two Family Dwellings as amended and modified by the Uniform Building Code Commission pursuant to 59 O.S. § 1000.23.
  (2) Chapter 1, Section R102.7 Existing Structures Delete *"International Fire Code" and* all subsequent references and replace with *"1997 1 NFPA Fire Prevention Code"*;
  (3) Chapter 1, Section R103 DEPARTMENT OF BUILDING SAFETY and Section R103.1, Creation of enforcement agency—Replace *"Department of Building Safety"* with *"Development Services Division"*;
  (4) Chapter 1, Section R104.10.1 Areas prone to flooding—Delete "granting of a variance to such provisions by the board of appeals" and replace with "prior issuance of a Flood Plain Permit by the City of Norman Flood Plain Committee.";
  (5) Chapter 1, Section R105.2 Building: 1-Replace *"200 square feet"* with *"108 square feet"* and delete reference to meters;
  (6) Chapter 1, Section R105.2 Building: 2—Replace *"6 feet high"* with *"8 feet high."*;
  (7) Chapter 1, Section R105.2 Building: 3—Delete retaining wall sentence and replace with "Retaining walls shall be permitted and built per the City of Norman Engineering Standards, as amended.";
  (8) Chapter 1, Section R105.2 Building 5—Delete this section, Sidewalks and driveways.
  (9) Chapter 1, Section R105.3.1.1—Substantially improved or Substantially damaged existing buildings in areas prone to flooding—Delete reference to "Table R301.2(1)" and replace with "the City of Norman adopted flood hazard maps" and delete the reference to the "board of appeals" and replace with "the City of Norman Flood Plain Committee";
  (10) Chapter 1, Section R105.7 Placement of permit—Add at the beginning of sentence "For additions and alterations only";

(11)Chapter 1, add new R106.2.1 Landscape Requirements for One- and Two-Family Dwellings.

(a) As of May 12, 2008, within all urban residential plats, when a building permit for a new residence is issued, at least one tree must be planted on each lot designated for single-family or two-family use before a Certificate of Occupancy is issued.

(b) For lots larger than 10,000 square feet, two trees are required. One tree must be planted within the designated planting location and the other tree may be placed at any location on the lot. (Refer to Exhibits A—Traditional Utility Layout or B—Optional Utility Layout.) In no case will more than two trees be required.

(c) Corner lots require one tree per street frontage in accordance with the sight triangle specifications (refer to Exhibit C—Tree Location for Typical Corner Lot). If all of either street frontage is eliminated by the site triangle restrictions, the tree for that frontage may be placed at any location on the lot.

(d)Trees must be selected from a list approved by the City Forester (Refer to Exhibit D—City of Norman Approved Street Tree List) and be at least 2″ caliper (diameter measured 6″ above ground level). Species identification tags shall remain on the tree(s). As indicated in (b) above, there are two utility layouts that may be utilized to design a subdivision. It is the developer's option to choose either alternative. In subdivisions where utilities are designed in accordance with Exhibit A (no trees between sidewalk and street), the tree must be planted in the front yard of the lot within five feet of the sidewalk. In subdivisions where utilities are designed in accordance with Exhibit B (allows for trees between sidewalk and street), the preferred location for tree planting is midway between the curb and sidewalk. Said Exhibits are incorporated herein and made a part hereof and are on file in the office of the City Clerk.

(e) If planting conditions or weather would adversely affect the health of the tree(s), a paid receipt from the installer indicating the type of tree(s) purchased and projected planting date shall be provided to the City of Norman and a permanent Certificate of Occupancy can be issued.

(f) Trees that are planted within the right-of-way or front yard can be replaced if dead or diseased by the Property Owners/Homeowners Association if appropriate covenants have been enacted that grant maintenance responsibility to the association. Otherwise the trees are the responsibility of the property owner. Dead or diseased trees in poor condition should be replaced by the property owner.

(12) Chapter 1, Section R106.5—Retention of construction documents—Replace "construction documents" with "floor and site plans";

(13) Chapter 1, Section R109.1.4 Frame and masonry inspection—Delete "masonry" in title and text;

(14) Chapter 1—Add new "R109.1.5.2 Insulation inspection. Insulation inspection shall be made after the framing inspection but prior to installing wallboard materials. Wallboard materials include, but are not limited to, lath, plaster, gypsum wallboard, wood paneling, sheet metal and the like.";

(15) Chapter 1, Section 109.3 Inspection requests—Add "safe" in front of "access.";

(16) Chapter 1, Section R110.1 Use and occupancy—Delete Exception 2. "Accessory buildings and structures.";

(17) Chapter 1, Section R112 Board of Appeals—Delete Sections R112.2.1 and R112.2.2;

(18) Chapter 2, DEFINITIONS, Section R202 FIRE SEPARATION DISTANCE add—"Permanent "No Build" easements, which identify an area relative to adjoining property lines and are filed as permanent easements with the Cleveland County Clerk, may be considered when determining the fire separation distance.";

(19) Chapter 3, BUILDING PLANNING, Table R301.2(1) fill in blanks for Norman as "Ground Snow Load 10, Wind Speed 90 miles per hour, Topographic effects No, Seismic Design Category C, Weathering moderate, Frost Depth 12 inches, Termite moderate to heavy, Winter Design Temperature 13 degrees Fahrenheit, Ice barrier underlayment required No, Flood Hazard see FIRM maps, Air freezing Index 300, Mean Annual Temperature 61.3 degrees Fahrenheit", Add after footnote k "1. Bottom of footing to be at 18" below grade." place "1" after Frost Line depth in the table';

(20) Chapter 3, Section R301 Design Criteria, Table R301.5 footnote b. After "the plane of the truss." Add ", or the space is more than 10 feet from the point of entry to the attic space and no provision for attic storage is installed.";

(21) Chapter 3, Section R302 Fire-Resistant Construction, Replace Table R302.1 with the following Amended R302.1 Table.

"AMENDED TABLE R302.1 EXTERIOR WALLS"

EXTERIOR WALL ELEMENT		MINIMUM FIRE RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	(Fire-resistance rated)	1 hour with exposure from both sides	0 feet
	(Not fire-resistance	0 hours	> 3 feet

	rated)		
Projections	(Fire-resistance rated)	1 hour on the underside	0 feet
	(Not fire-resistance rated)	0 hours	> 3 feet
Openings	Not allowed	N/A	< 3 feet
	Unlimited	0 hours	> 3 feet
Penetration	ALL	Comply with Section R302.4	< 3 feet
		None Required	> 3 feet

(22) Chapter 3, Section R302 Exterior Wall Location, R302.1 "Exceptions" add "Exception 6—Open metal carport structures may be constructed within zero (0) feet of the property line without fire-resistive or opening protection when the location of such is approved as required by other adopted codes.";

(23) Chapter 3, Section R303.3 Bathrooms—Add at end of paragraph, "Separate window or artificial light and mechanical ventilation system provided through exception shall be required for enclosed/segregated toilet, bath or shower spaces." ALSO, at end of Exception, add "Attic spaces are not considered outside for purposes of ventilation.";

(24) Chapter 3, Section R311.7.4.3 Delete entire Section and replace with the following. "Open risers. Open risers are permitted, provided that the opening between treads does not permit the passage of a 4-inch diameter sphere. Exception: The opening between adjacent treads is not limited on stairs with a total rise of 30 inches or less.";

(25) Chapter 3, Section R314.3.1 Alterations, repairs and additions. Exception 2. Installation, alteration or repairs of plumbing or mechanical systems are exempt from the requirements of this section. Add the word "electrical" after "repairs of."

(26) Chapter 4, Section R403 Footings, Section R403.1 General—Add "Exception: Temporary buildings and unoccupied buildings not exceeding one story in height and 400 square feet in area shall be exempt from these requirements.";

(27) Chapter 4, Section R403 Footings Amend Figure R403.1(1) to require a minimum of 2, #4 steel bars in all footings;

(28) Chapter 4, Section R404 FOUNDATION AND RETAINING WALLS, Section R404.1.2.2 Add at end of section "In all cases Concrete and Masonry Foundation Walls or slabs, if placed directly to the footing, are to be attached to its footing with a minimum #3 vertical steel bar imbedded a minimum 12" into both the footing and the foundation wall and placed 6' o.c. and at every corner.";

(29) Chapter 4, Section R404 FOUNDATION AND RETAINING WALLS, Section R404.4 Delete Entire Section;

(30) Chapter 6 Wall Construction, Table R602.3.1, Delete text in footnote b. and Replace with "Studs to be laterally braced by a minimum ceiling joists, floor joists, or a ledger or beam holding ceiling or floor members."

(31) Chapter 13 GENERAL MECHANICAL SYSTEM REQUIREMENTS, Section M1305 APPLIANCE ACCESS, M1305.1 Appliance access for inspection service, repair and replacement—After "30 inches deep and 30 inches wide" add "and at least the height of the front of the appliance";

(32) Chapter 13 General Mechanical System Requirements, Section M1305 Appliance Access, M1305.1.3 Appliances in attics. Exception: 2 delete "the passageway shall be not more than 50 feet (1520 mm) in length." And replace with "or where not more than 20 feet length of the passageway is a minimum 30 inches high and 22 inches wide, the entire passageway shall be not greater than 50 feet in length.";

(33) Chapter 15, Section M1502 CLOTHES DRYER EXHAUST, M1502.4.1 add "Exception: Schedule 40 PVC pipe may be used if the installation complies with all of the following:

i. The duct shall be installed under a concrete slab poured on grade and arranged to drain to the building exterior.

ii. The underfloor trench in which the duct is installed shall be completely backfilled with sand or gravel.

iii. The PVC duct shall extend not greater than 1 inch above the indoor concrete floor surface.

iv. The PVC duct shall extend not greater thant 1 inch above grade outside of the building.

v. The PVC ducts shall be solvent cemented";

(34) Chapter 24, Fuel Gas, Section G2408 INSTALLATION, Section G2408.2 Elevation of ignition source. After "above the floor" Add "surface on which the equipment or appliance rest";

(35) Chapter 24, Fuel Gas, Section G2415 PIPING SYSTEM INSTALLATION, Section G2415.10 Minimal burial depth—Replace "12 inches" with "18 inches";

(36) Chapter 25 Plumbing Administration, Section P2503 Inspection and Tests, Section P2503.4 Building sewer testing—Delete "When required by local authority having jurisdiction," and Replace "public sewer" with "location of the building clean out,";

(37) Chapter 27 PLUMBING FIXTURES, Section P2713 BATHTUBS, delete Section P2713.3 Bathtub and whirlpool bathtub valves;

(38) Chapter 28 WATER HEATERS, Section P2803.6.1 Item 5. Replace text in Item 5 with "Discharge to an approved waste receptor or to the outdoors."

(39) Chapter 34, Electrical General Requirements, Section E3406 Electrical Conductors and Connections, Section E3406.2 Conductor material—Add at end of paragraph "The use of aluminum conductors shall be prohibited except for exterior uses and for underground service feeder for manufactured homes.";

(40) Chapter 36 Services, Section E3601 General Services, Section E3601.6.2 Service disconnect location - Add at the end of paragraph "The distance from the point of entrance of a building or structure to the service disconnecting equipment enclosure shall not exceed 24 inches measured horizontally or 60 inches measured vertically.";

(41) Chapter 37, BRANCH CIRCUIT AND FEEDER REQUIREMENTS, Section E3702 BRANCH CIRCUIT RATINGS, Section E3702.3 Fifteen- and 20-ampere branch circuits—Add at the end of the paragraph "Dwelling unit receptacle outlets installed in accordance with E3901.1 and lighting outlets installed in accordance with E3903.1 shall be limited to a maximum of 14 for 20 ampere and a maximum of 10 for 15 ampere branch circuits. Kitchen receptacle outlets installed in accordance with E3901.3.2 and E3901.4 shall not exceed 5.";

(42) Chapter 39 Section E3902 Ground-Fault and Arc-Fault Circuit-Interrupter Protection, Section E3902.3 Outdoor receptacles - expand exception provided in Section E4101.7 by adding "as well as, exterior receptacles for outside holiday lighting so long as the minimum height above adjoining ground area is 7 feet.";

(43) Chapter 39, Section E3902 GROUND-FAULT AND ARC-FAULT CIRCUIT-INTERRUPTER PROTECTION, Section E3902.7 Laundry, utility, and bar sink receptacles. Add "Exception: A single receptacle or duplex receptacle for two appliances located within dedicated space for each appliance that in normal use is not easily moved from one place to another, and that is cord and plug connected.";

(44) Chapter 39 Section E3907 CABINETS AND PANELBOARDS, Add Section 3907.9 Mounting Height. Enclosures for switches or overcurrent devices shall be installed so the bottom of the enclosure is not less than 600 mm (2 feet) above finish grade or working platform unless specifically listed or approved for an alternate mounting height.;

(45) Chapter 42 SWIMMING POOLS, Section 4206 EQUIPMENT INSTALLATION, Section 4206.5.1 Servicing. After "other maintenance" Add "unless otherwise approved, the maximum distance from the deck surface to the bottom of the luminaire face shall not exceed 24 inches.";

(46) Appendix G Section AG105 BARRIER REQUIREMENTS, Replace the text in Section AG105.2 Outdoor swimming pool -4. with "Where the barrier is composed of horizontal and vertical members and the distance between the tops of the two lowest horizontal members is less than 45

inches (1143 mm), then spacing between vertical members shall not exceed 1¾ inches (44 mm) in width, and any horizontal members shall have a nominal depth of no more than 1¾ inches (44mm) so as not to create a foothold. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1¾ inches (44 mm) in width.

Sec.5-213 Adoption of the 2009 International Existing Building Code as adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23

(a) Amend, delete or substitute within the following sections as indicated:

(1) Delete the Preamble referenced in Title 748:20-7-6 from the International Existing Building Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.

Sec.5-214 Adoption of the 2009 International Fire Code as adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23

(a) Amend, delete or substitute within the following sections as indicated:

(1) Delete the Preamble referenced in Title 748:20-3-6 from the International Fire Code as amended and adopted by the Oklahoma Uniform Building Code Commission pursuant to 59 O.S. 1000.23.

§ 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.

ADOPTED this _____day of

_____, 2013.

_____

(Mayor)

NOT ADOPTED this _____day of

_____, 2013.

_____

(Mayor)

ATTEST:

_____

(City Clerk

City of Norman, OK

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

Master

File Number: R-1314-44

File ID:	R-1314-44	**Type:**	Resolution	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 47	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	09/11/2013
File Name:	Parkgreen 2025			**Final Action:**	

Title: RESOLUTION NO. R-1314-44: 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 3, 4, AND 5, BLOCK 1, UNIVERSITY PLAZA ADDITION AND THE AREA FORMERLY KNOWN AS BOYD VIEW PARK, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE HIGH DENSITY RESIDENTIAL DESIGNATION AND REMOVE THE SAME FROM THE PARKLAND DESIGNATION AND THE COMMERCIAL DESIGNATION. (NEAR THE SOUTHEAST CORNER OF LINDSEY STREET AND CLASSEN BOULEVARD)

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-44; and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according thereto

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 47

Attachments: Text File R-1314-44.pdf, R-1314-44, 2025 Map, Staff Report, Millennium Update Memo, Predevelopment R-1314-44.pdf, 10-10-13 PC Minutes, Minutes of Planning Commission Court Reporter.pdf

Project Manager: Jane Hudson, Principal Planner

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	10/10/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	11/12/2013		Pass

Action Text: A motion was made by Commissioner Sherrer, seconded by Commissioner Boeck, that this Resolution be Recommended for Adoption at a subsequent City Council Meeting to the City Council , due back on 11/12/2013. The motion carried by the following vote:

Text of Legislative File R-1314-44

Body

SUMMARY OF REQUEST: The applicant has submitted a request to rezone an undeveloped tract of land from C-2, General Commercial District, RM-6, Medium Density Apartment District, and A-2, Rural Agricultural District to a Planned Unit Development (PUD) for a student based housing project. The land under review was set aside on the Norman 2025 Land Use and Transportation Plan as High Density Residential, Commercial and Parkland; this proposal will designate the entire property as High Density Residential.

The 2025 Plan identifies two criteria that must be examined before a land use change is approved.

1. There has been a change in circumstances resulting from development of properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest.

In recent years there have been several multi-family/student housing developments in the vicinity of this proposed development.

To the east of this property, located at the southwest corner of Lindsey Street and 12th Avenue SE, is East Village, a Planned Unit Development. This development consists of commercial, office and both single family and multi-family residential components. There are three four-story buildings located on the east side of the development that house the multi-family units and commercial uses. There are roughly ninety apartment units in this development, approximately thirty units per building on almost 2.75 acres. There are forty-three single family lots on the west side of the development, behind/to the west of the commercial component.

To the south of this proposed multi-family development, along the west side of Classen Boulevard is another multi-family development, The Edge. The Edge multi-family site has approximately one hundred ninety-eight units, fourteen three-story buildings on roughly twelve acres.

To the west of this planned development, on the southeast corner of Lindsey Street and Jenkins Avenue is a new student housing facility. The student housing facility is a University dormitory development. The facility is a five-story building with some retail on the ground floor.

2. There is a determination that the proposed change would not result in adverse land use or adverse traffic impacts to surrounding properties or the vicinity. The University of Oklahoma is located about three-quarters of a mile to the west of this proposal. There is a busy commercial corner roughly one-half mile to the east; there is commercial on three of those four corners. This development is being proposed as a centrally located site to the University and commercial uses in the vicinity. The ease of access to the University as well as commercial to the east makes this a good site for walking and biking to work, school and amenities. There are three access points for this development, helping to eliminate the possible traffic congestion points. With three access points along existing arterial streets designated on the 2025 Land Use and Transportation Plan, there are options for ingress and egress.

STAFF RECOMMENDATION: This area in Norman has changed over the last few years with higher intensity zoning uses, creating an acceptable area for additional multi-family development. Staff recommends approval of Resolution No. R-1314-44.

At their meeting of October 10, 2013, the Planning Commission recommended adoption of this resolution by a vote of 5-1.

Resolution

R-1314-44

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 3, 4, and 5, BLOCK 1, UNIVERSITY PLAZA ADDITION AND THE AREA FORMERLY KNOWN AS BOYD VIEW PARK, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE HIGH DENSITY RESIDENTIAL DESIGNATION AND REMOVE THE SAME FROM THE PARKLAND DESIGNATION AND THE COMMERCIAL DESIGNATION. (Near the Southeast Corner of Lindsey Street and Classen Boulevard)

§ 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 November 16, 2004, reviewed and adopted the NORMAN 2025 Land Use and Transportation Plan, with an effective date of December 16, 2004; and

§ 3. WHEREAS, Parkgreen Living, L.L.C., has requested that the following described property be moved from the Parkland Designation and Commercial Designation and placed in the High Density Residential Designation for the hereinafter described property, to wit:

Tract I:
Lots Three (3), Four (4) and Five (5), in Block One (1), of UNIVERSITY PLAZA ADDITION, to Norman, Cleveland County, Oklahoma, according to the recorded plat thereof.
AND
Tract III:
Commencing at the North West corner of Lot 1, Block 7, BOYD VIEW NO. 1 ADDITION to the City of Norman, Cleveland County, State of Oklahoma,
Thence North 27°17'00" West a distance of 227.20 feet;
Thence South 89°47'00" East a distance of 328.14 feet;
Thence North 54°37'29" East a distance of 352.13 feet;
Thence South 43°05'08" East a distance of 110.49 feet;
Thence South 54°37'29" West a distance of 472.8 feet;
Thence South 76°00'00" West a distance of 207.23 feet to the Point of Beginning.
According to the Quit Claim Deed filed in Book 5198, Page 80.

Said tract contains 6.85 acres more or less.

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

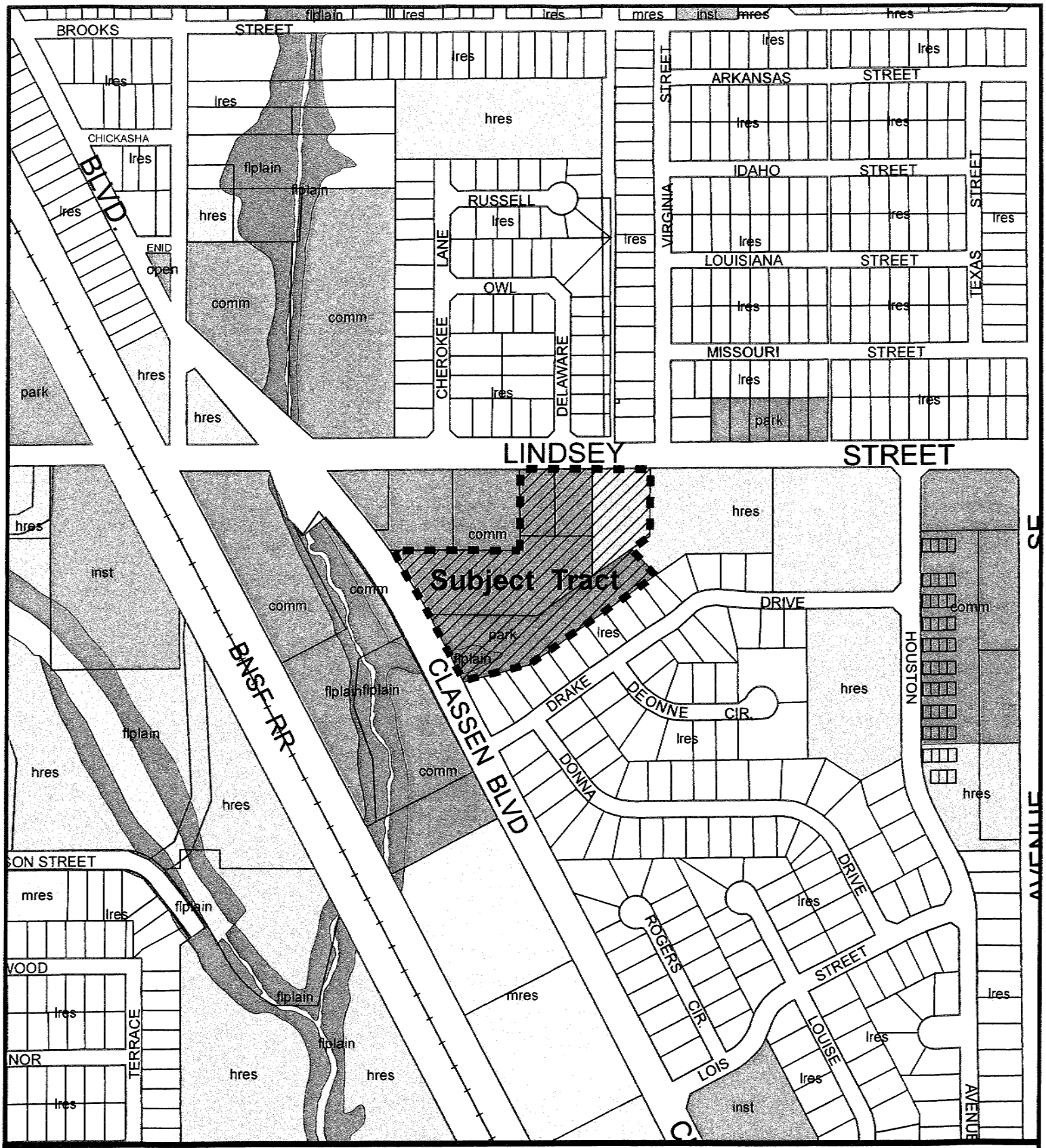
§ 4. That the Council of the City of Norman recognizes the need to control the future growth of the City of Norman; and, that after due consideration has determined that the requested amendment to the NORMAN 2025 Land Use and Transportation Plan should be adopted, and does hereby approve the requested designation.

PASSED AND ADOPTED this _____day of_____, 2013.

_____
(Mayor)

ATTEST:

_____
(City Clerk)



Norman 2025 Land Use Plan

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

October 2, 2013

0 200 400 Ft.

Subject Tract

Zoning

RESOLUTION NO. R-1314-44 ITEM NO. 5a

STAFF REPORT

ITEM: Parkgreen Living, L.L.C., requests amendment of the NORMAN 2025 Land Use and Transportation Plan from Parkland Designation and Commercial Designation to High Density Residential Designation for property generally located near the southeast corner of East Lindsey Street and Classen Boulevard.

SUMMARY OF REQUEST: The applicant has submitted a request to rezone an undeveloped tract of land from C-2, General Commercial District, RM-6, Medium Density Apartment District, and A-2, Rural Agricultural District to a PUD, Planned Unit Development for a student based housing project. The land under review was set aside on the Norman 2025 Land Use and Transportation Plan as High Density Residential, Commercial and Parkland; this proposal will designate the entire property as High Density Residential.

The 2025 Plan identifies two criteria that must be examined before a land use change is approved.

1. ***There has been a change in circumstances resulting from development of properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest.*** In recent years there have been several multi-family/student housing developments in the vicinity of this proposed development.

    - To the east of this property, East Village, a Planned Unit Development, is located at the southwest corner of Lindsey Street and 12th Avenue SE. This development consists of commercial, office and residential components in three four-story buildings. There are roughly ninety apartments in this development, approximately thirty units per building on almost 2.75 acres.
    - To the south of this proposed multi-family development, along the west side of Classen Boulevard, there is another multi-family development, The Edge. The Edge multi-family site has approximately one hundred ninety-eight units, fourteen three-story buildings on roughly twelve acres.
    - To the west of this planned development, on the southeast corner of Lindsey Street and Jenkins Avenue is a new student housing facility. The student housing facility is a University based/controlled development. The facility is a five-story building with some retail on the ground floor.

2. ***There is a determination that the proposed change would not result in adverse land use or adverse traffic impacts to surrounding properties or the vicinity.*** The University of Oklahoma is located about three-quarters of a mile to the west of this proposal. There is a busy commercial corner to the east roughly one-half mile, there is commercial on three of the four corners. This development is being proposed as a centrally located site. The ease of access to the University as well as commercial to the east makes this a good site for walking and biking to work, school and amenities. There are three access points for this development, helping to eliminate the possible traffic congestion points. With three access points along existing arterial streets designated on the 2025 Land Use and Transportation Plan, there are options for ingress and egress.

STAFF RECOMMENDATION: This area in Norman has changed over the last few years with higher intensity zoning uses, creating an acceptable area for additional multi-family development.

Staff recommends approval of Resolution No. R-1314-44.

office memorandum

Date: October 8, 2013

To: Chairman and Members
Norman Planning Commission

From: Jane Hudson, Principal Planner JH
Ken Danner, Subdivision Development Manager KD.

Subject: Planning Commission Agenda Item Nos. 5a, 5b and 5d
Resolution No. R-1314-44 and Ordinance No. O-1314-18
Preliminary Plat for Millennium Addition, a Planned Unit Development

The Norman Board of Parks Commissioners, at its meeting of October 3, 2013, on a vote of 8-0, recommended fee in lieu of park land dedication.

The Norman Flood Plain Permit Committee, at its meeting of October 7, 2013, approved Flood Plain Permit No. 528 for the extension of a box structure so that Classen Boulevard can be widened, the construction of a public sidewalk adjacent to Classen Boulevard and the detention area that will serve the Millennium Addition, a Planned Unit Development.

cc: Shawn O'Leary, Director of Public Works
Susan Connors, Director of Planning and Community Development

City of Norman Predevelopment **August 22, 2013**

Applicant Parkcrest Builders Group Ltd

Location SE corner of Lindsey St and Classen Blvd

Case Number PD 13-23

Time 6:30 PM

Attendee	Stakeholder	Address	email	phone
Sean Rieger	Applicant's attorney	136 Thompson Dr. Norman	sp@riegerllc.com	329-6070
Neil Robinson	Applicant's engineer	Cardinal Engineering 3226 Bart Connor Dr Norman	nr@cardinalengineers.com	579-0655
Bill Swain	Applicant's surveyor	Cardinal Engineering 3226 Bart Connor Dr Norman	bills@cardinalengineers.com	579-0655
Brad Worster	Applicant's real estate agent	JR Fulton 132 Santa Fe Norman	brad@jrfulton.com	701-0200
Sheri Vera	Neighbor	2831 Chelsea Dr		
Ted Teske	Neighbor	1149 E Brooks		
Harris Wilson	Commercial neighbor	Braum's Ice Cream and Dairy Stores	hwilson@braums.com	229-3260
Jade Gilbert	Neighbor	Summerfield Village Apts 906 E Lindsey, Norman		321-5757
Ken Danner	Public Works			366-5458
Leah Messner	City Attorney's office			217-7748
Susan Atkinson	City Facilitator			366-5392
Terry Floyd	City Mgr's Office			366-5446

Application Summary. The applicants are seeking a Preliminary Plat, a *Norman 2025 Land Use Plan* amendment, and PUD zoning for a 6.9-acre project in Central Norman. The parcels included are currently zoned C-2, RM-6 and A-2. The current *Norman 2025 Land Use Plan* designation is Commercial and Multi-Family.

Applicant's Opportunity. The applicants are seeking to develop around 196 units of upscale student housing on approximately seven acres of vacant land east of the intersection of Classen Blvd and Lindsey Street, approximately 3/4 of a mile from the University of Oklahoma campus. The development would have two entrances: one on Classen and one on Lindsey.

The development would include combinations of 2-4 BR units, with approximately 700 parking spaces, a ratio of 3.7 spaces per unit. Parking will be accommodated primarily by the use of a parking structure. In addition, given the site's proximity to OU, developers anticipate a high volume of walking and bicycling among future tenants. They plan a significant number of bike racks and bike storage facilities on site TBD.

The tallest structure in the development would be a maximum of 5 stories and no more than 55 feet tall.

In addition to standard interior amenities for residents such as clubhouse, fitness center and internet cafe, exterior amenities including basketball volleyball and horseshoe courts, playing field, walking trail, and a dog park are proposed to be informally open to the public.

Neighbors' Questions/Comments.

Need for More Apartments. A neighbor asked why construction of more student apartments was needed when OU's enrollment had been flat for several years.

> **Attorney's Response.** Attorney responded that lenders were supporting development because all involved in the project believed there was a need to "refresh the market" periodically.

Rented by BR or Unit. Neighbor asked how apartments would be rented by the unit or by the room.

> **Attorney's Response**. Attorney responded that for now the plan was to rent them by the unit.

Connect to Existing Commercial Development. Commercial neighbors and City staff asked if there would be the possibility of making internal connections to adjacent commercial uses so that tenants could walk to nearby stores.

> **Attorney's Response.** Yes, it would be possible to make internal linkage to Braum's and the Conoco Convenience store.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

OCTOBER 10, 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 10th day of October 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.

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

* * *

Item No. 1, being:
ROLL CALL

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

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 David Riesland, Traffic Engineer Roné Tromble, Recording Secretary Kathryn Walker, Asst. City Attorney Rick Hoffstatter, GIS Analyst I Terry Floyd, Development Coordinator

* * *

Item No. 5, being:
SE CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD

5A. R-1314-44 – PARKGREEN LIVING, L.L.C. REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM PARKLAND DESIGNATION AND COMMERCIAL DESIGNATION TO HIGH DENSITY RESIDENTIAL DESIGNATION FOR PROPERTY GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD.

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

5B. O-1314-18 – PARKGREEN LIVING, L.L.C. REQUESTS REZONING FROM C-2, GENERAL COMMERCIAL DISTRICT, RM-6, MEDIUM DENSITY APARTMENT DISTRICT, AND A-2, RURAL AGRICULTURAL DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT, FOR PROPERTY GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. PUD Narrative – The Millenium Addition
4. Green Space Exhibit
5. Pool Amenity Exhibit

5C. O-1314-19 – PARKGREEN LIVING, L.L.C. REQUESTS CLOSURE OF ALL THE UTILITY EASEMENTS LOCATED IN LOTS 3, 4, AND 5, BLOCK 1 OF UNIVERSITY PLAZA ADDITION, AND ALL OF LOT 3 AND A 10-FOOT UTILITY EASEMENT ALONG THE NORTH 234.75 FEET OF THE WEST LINE OF LOT 2, BLOCK 2 OF BOYD VIEW ADDITION NO. 2, GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Petition to Vacate Easements
4. Legal Description
5. Exhibit of Easements

5D. PP-1314-7 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY PARKGREEN LIVING, L.L.C. (CARDINAL ENGINEERING) FOR MILLENIUM ADDITION, A PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Preliminary Site Plan
6. Greenbelt Commission Comments

PLEASE SEE THE TRANSCRIPT OF THIS PORTION OF THE MEETING PREPARED BY ASSOCIATED REPORTING, LTD.

PRESENTATION BY STAFF:

1. Jane Hudson presented the staff report and recommendation.

PRESENTATION BY THE APPLICANT:

1. Sean Rieger, 136 Thompson Avenue

AUDIENCE PARTICIPATION:

1. David Kinnard, 942 Chautauqua Avenue

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Andy Sherrer moved to recommend adoption of Resolution No. R-1314-44, Ordinance No. O-1314-18, Ordinance No. O-1314-19, and PP-1314-7, the Preliminary Plat for MILLENIUM ADDITION, A Planned Unit Development, to City Council. Dave Boeck seconded the motion.

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

YEAS	Jim Gasaway, Andy Sherrer, Dave Boeck, Tom Knotts, Chris Lewis
NAYS	Cindy Gordon
ABSENT	Curtis McCarty, Roberta Pailes, Sandy Bahan

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1314-44, Ordinance No. O-1314-18, Ordinance No. O-1314-19, and Preliminary Plat No. PP-1314-7 to City Council, passed by a vote of 5-1.

* * *

Meeting of the City of Norman Planning Commission held on October 10, 2013, discussion pertaining to SE corner of East Lindsey Street and Classen Boulevard.

Item 5A, R-1314-44, Parkgreen Living, LLC, requests amendment of the NORMAN 2025 Land Use and Transportation Plan from Parkland Designation and Commercial Designation to High Density Residential Designation for property generally located near the southeast corner of East Lindsey Street and Classen Boulevard.

Item 5B, O-1314018, Parkgreen LLC, requests rezoning from C-2, General Commercial District, RM-6, Medium Density Apartment District, and A-2, Rural Agricultural District, to PUD, Planned Unit Development, for property generally located near the southeast corner of East Lindsey Street and Classen Boulevard.

Item 5C, O-1314-19, Parkgreen Living, LLC, requests closure of all of the utility easements located in Lots 3, 4 and 5, Block 1 of University Plaza Addition, and all of Lot 3 and a 10-foot utility easement along the north 234.75 feet of the west line of Lot 2, Block 2 of BOYD VIEW ADDITION NO. 2, generally located near the southeast corner of East Lindsey Street and Classen Boulevard.

6:04PM Item 5D, PP-1314-7, Consideration of a Preliminary Plat submitted by Park green Living, LLC, (Cardinal Engineering) for Millenium Addition, a planned unit development, to City Council

6:41PM

Commissioners in attendance:
Chris Lewis, Chairman
Cindy Gordon
Jim Gasaway
6:41PM Tom Knotts
Dave Boeck
Andy Sherrer

6:41PM BE IT REMEMBERED, that heretofore and on the 10th day of October, 2013, the aforementioned item was brought up before the Planning Commission, and the following occurred, to-wit:

6:41PM **BY MS. HUDSON:** Good evening. As you stated, you do have four applications before you tonight for this project. I will be discussing the Norman 2025 Land Use and Transportation Plan Amendment, as well as the rezoning request. The 6:43PM existing land-use in this area for the subject tract is Commercial High Density residential and there's some park land. There's Low Density Residential to the south, additional High Density Residential to the east, Low Density Residential to the north, and then you have the 6:43PM Commercial on the west side. If proposed, it would bring this tract up to the High Density Residential designation, as well.

For the rezoning, you've got a combination of 6:43PM zonings on this tract. You've got A-2, C-2, and RM-6, with R-2 to the north and south, some R-1 to the east and then, again, the Commercial to the west, the existing land-use Residential and Commercial.

:44PM This is a photo of the site looking to Lindsey

down on the other end of the site there. This is from the west looking east. This is just another shot there from the west to the east. This is the detention area there existing currently, which is the Parkland. And then this is the site looking south. This is looking west to Braum's. This is the single-family home that will be removed.

We did have some protest which reached 6.3%. Staff does recommend approval for this. It's Resolution 1314-44 and Ordinance 1314-18. I would be happy to answer any questions. The applicant's representative is here, as well.

BY MR. LEWIS: Are there any questions for the applicant?

Seeing none, would the applicant like to make a presentation?

BY MR. RIEGER: Thank you, Mr. Chairman. Sean Rieger, representing the applicant in this case. I do want to clarify one thing. I thank Ms. Hudson for that presentation. There is only one protester. They own all of those lots. So it is one letter of one protest that came in on this project.

This is the Millenium Addition. And I want

to, first, recognize we have a court reporter here tonight. We've done that before. It's merely for expediency. We have some contract deadlines we have to meet on this project for the purchase of land and other natures -- of that nature. So we've done it once before here. I've seen other communities do it actually quite a bit, where they have an outside transcriber that will do it quicker, and it get us through the pipeline quicker. So that is the purpose of that tonight. But I know that looks a little different, but that's why we're doing it.

I want to thank staff, first and foremost, on this project. This is a complex project that we have worked with staff for a number of months now in every department, Ms. Connors' department, Mr. O'Leary's department. Parks Department has had a heavy role in this project. Many of the departments, and we have been in many meetings for the past three months with staff doing this, and I want to thank them very much because they've helped us to make it a better project, as often happens when we work very well with staff. And it comes tonight with their full support and recommendation and approval. So I want to thank

them very much.

It is the Millenium Addition, and this is a project that we're very proud of. It's a project that has seen extensive development over recent months. I'll take you through multiple sides and to show you what it is. First, the location, as Jane said -- First, I want to point out it is on two urban arterials. We've had discussions before of multifamily projects that have been within neighborhoods or in smaller corridors. Not here. We are on two major corridors right on the southeastern area of town there. It is completely surrounded in zoning by multifamily. You see it here. This is the current zoning. The site, you see outlined in red, off to the northwest corner is C-2 Commercial. Basically, there's a Braum's. And, actually, I've just realized I did the wrong outline on that. There is actually a Braum's right here and a Conoco right there. So C-2 Commercial off the edge -- C-2 Commercial and flood plain, a pretty extensive flood plain along the west edge across the street from us. R-2 duplexes are throughout the area to the south. RM-2 duplexes and multiplexes. RM-6 apartments over here. A

6:47PM public park right here, the Faculty Heights Park. We're going to talk about that in just a moment. And R-2 duplexes to the north. The U-Haul facility is right over here. And the OU facilities facility is right there. So we are completely surrounded by multifamily on this project. It's really a great site to have continued multifamily.

The overall location, the aerial context, you see here in the aerial, we're off to the southeast side of Classen right here and Lindsay Street right here. And, from that interaction over to Jenkins and Lindsey, is .56 miles. And we're very proud of that location, in that we've all been down that stretch of Lindsay lately, and it's a beautiful corridor now, a boulevard with very wide walks and trails, and pedestrian and biking areas, and the duck pond just north of it. So we're very excited to be right next to that. I'm want to show you why, in just a moment, that we very much embrace that life style. That connects us right over to Legacy Trail, which has really been a rapidly progressing project throughout our community. So, from this site, you're going to be able to go right down this

road for a half a mile and get to Legacy Trail and go from the future Ruby Grant Park all the way down to Highway 9. So it's really a wonderful location.

As to the immediate surroundings, again, you see it here. It is basically, right now, a field. There is one older house, basically a 1950 small, wood-structure house, not of any historical significance or notable in any way. That, of course, would come down. The Braum's is right here. The Conoco is right here. This is Classen right across the street here. This is the flood plain and U-Haul. To the south is all basically multifamily duplexes, this entire neighborhood, a long time ago. These are a number of decades ago that all of this was produced. You see here the RM-6 multifamily apartments. Again, duplexes to the north and the Lindsey arterial. So we have pretty significant buffering all around the facility.

This right here, what you're looking at, was a park. It used to be what's called Boyd View Park, and we're going to talk about that tonight quite a bit. It is no longer a park. This Commission and City Council removed it as a park

in a land swap with the owner and took title to other lands in return for giving this back to the owner. And so it became a part of this project with some conditions that we have fully met and exceeded, and I'll show you that tonight.

The Preliminary Plat, we rarely talk about this, but it's a one-plat, one-lot item. So all of the structure is within. We maintain it. We take care of it. We build it. The City doesn't have any responsibilities within that site. You're not building any streets. You're not maintaining any streets. It's all on us.

This is the site plan, and let's take a close look at it. This is, of course a looking-downward view on the site. We basically have Lindsey Street across the top. This is Braum's right here. This is Conoco right here. Here's the duplexes across the south. And here's Classen Boulevard right over here.

What you're being asked tonight to approve is a PUD. We're all familiar with PUDs, Planned Unit Developments. It's a PUD concept that would allow for 197 units of residential, 705 beds, on a 6.85 acre site. That equates to about 28 units per acre. The parking provided is one-to-one.

That's a ratio we've talked about before of one parking space per bedroom, and actually that greatly exceeds the typical multifamily parking requirement in Norman, which is more of a 1.8 per unit concept. This is one per bedroom. And, actually, some extra parking is provided up here on the upper right of the facility because this is where the leasing office is and where the public will primarily come to lease and see the facility. And so there's some extra parking right up on that edge.

What you're looking at here, the yellow areas are the residential areas. So the yellow is the residential buildings, and the darker yellow is the actual units. The lighter yellow is the corridors, internal corridor circulation. So internal circulation within these buildings to the residences, and it is five levels, five levels of living units stacked on top of each other. What I want you to, also, notice is the significant articulation around that facade. We kind of talk about that sometimes, as architects, and there's significant articulation and a great deal of interplay going in and out of that edge condition you see right there. So this is not

just one straight shot of an exterior elevation. It's a lot of articulation back and forth.

As to the circulation on site, you see an entry right here, and then you see an entry up here. So there are basically two primary entries into this development from Lindsey and Classen Street. They are gated, gated beyond this initial point for public up here. And, of course, we would meet the gating requirements and the turn-around requirements and the emergency vehicle requirements of the City of Norman in doing that. So then you come into the facility under either of those locations. And then there is a main circulation path right here and vehicular right down there. That, also, is service parking. The site is fenced along that edge right there. And then, as residents come into this facility, they, then can go into the parking garage, five levels of parking. Part of it is more or less subgrade as this site slopes. So it dives into the hillside or the slope -- not hillside, but into the fire-free zone. I'm going to show you an image in just a moment -- in a minute that will show you. It doesn't really look like five stories, but that is the primary

area of parking for the residents, five stories in height.

The apartments then, also, work around courtyards. You see them right here, right here, and the primary courtyard right here, which I'm going to show you a significant detail of. One of the main features of this project, as you're seeing it now, is on that south edge. On the south edge is the green space, the more -- the larger green space. Of course, within the areas, we have the courtyards, and then we have this main primary feature. But along the south is where it used to be Boyd View Park. And Boyd View Park was a drainage ditch, a poorly viewed one, at that. It was basically a meaningless park. It was really worthless, and it had no plans to ever be developed. It was not in the Master Park Plan or anything. So what happened in the swap of land is that, in essence, this strip was deemed to be continued as an open space for the residents to the south, for the Boyd View neighborhood to the south. And you can see the developer has done that. It's only fenced along the north side of it, so it's fully accessible from the south. I'm going to show you another

detail in just a minute. But that's a significant feature of that development. So, it's basically a development that is buffered along the south edge by all of that green space and the parking area and is buffered along this edge by the main entry, Lindsey across the north, Classen across the southwest. Really careful planning, I would say, has taken us to that point.

The green space along the south edge, this was a really key feature, and we've been working with staff on this feature for several months, going back with the Parks Department. And they're very happy with this. I was at a Parks Board the other night -- about a week or so ago -- on this feature right here. And we needed to go in front of Parks and discuss with them what we were doing, and they fully blessed it. They were very proud of it. They liked it. As one Parks Commissioner said, "This is a win-win." Well, I want to say it's a win-win-win. And I want to tell you why. Because what we're asking you to approve tonight is called a fee in lieu of. So while we're building that, we're, also, asking you to give us the right to pay you about $30,000

in fees for a public park. And those fees would be used in Faculty Heights Park -- is the preliminary -- I don't make that call, but that's what staff has envisioned, is that they would take those fees and enhance Faculty Heights Park, which is across the street on Lindsey. And so the neighborhood is an enhanced Faculty Heights Park. The Boyd View neighborhood to the south gets access into this green space and all of these facilities. The residents get access into to this green space, and their spaces within the complex. The City pays nothing for that. The City gets $30,000 for enhancement of other parks. The Millenium maintains and builds this entire green space. And the green space basically is the detention area. Again, this is a dry detention area. We've seen these around Norman. They become wet during the actual rain. They dry out within a few hours. And, by the next day, they're playable. That size of that detention area would probably accommodate two under-9-age soccer fields. So you could actually have youth soccer fields in that detention area. There are no improvements planned. It's basically flat, but it will be a flat and playable field.

To the other side of this, sand volley ball and then sort of a lawn area for croquet or Bocce ball, things of that nature. Then you see a basketball court over at the other end and a gazebo area out at that end, as well. Around the entire thing is a walking trail that goes throughout it. And one of the Parks Commissioners was very excited about that. As she looked at it, she said this neighborhood down here can just come up and walk and extend all the way around this park and walk back out. So there's accessibility. There's not a fence there. There's not a gate there. The fencing and gating happens on the north side of it, on our side of it. So it's really a tremendous feature and a very unique feature. I've never been able to show you one like that.

This is what it looks like. This is the entry area off of Lindsey. So we have that leasing office. If you remember, I showed you that off the corner of Lindsey. And we have five stories of residences. You can see the different textures, the different materials and the articulation along the facade, the heavy corner support to really give it a nice decorative cap

element at the top. And we're calling it the Millenium. So that's the exterior on Lindsey.

This is the view from in front of Braum's on Lindsey. And you can see, they've sketched in -- This is the Braum's eave. So if you were standing out in front of Braum's and looking, this is what you would see.

So this is the frontage along Lindsey over here, and this is the parking garage that I showed you. The parking garage only one has face of it appearing to the public. The rest is wrapped by the residential units. But one face of it does appear on the exterior, and that's the face of it along the west side. But, as you can see, it really is only about four levels that you will see as it dives a little bit into the site down here. But they've used significant decorations and materials to tie it into the facility, and you don't really see the angular layering of the parking facility.

This is what it looks like from Classen. Again, the same motif, the same elements, the same texturing, and masonry. It is basically masonry and stucco, is, in essence, what those materials are. And, again, you see a lot of

interplay. That's always been discussed with projects like this: Do we have enough articulation? Do we have enough interplay, going back and forth, so that we're not just looking at one monolithic space. And we're certainly not. You can see it there. That's as much as I've seen in any other project that has been couched.

This is the materials board and color palette. It, really, is self-explanatory. The colors -- there will be different colors, different textures, different masonries and stuccos that would be applied to the exterior.

Location. Let's talk a lot about that. I've often been asked, when I bring projects like this: Are you on the CART route? And I must admit that, oftentimes, we're not. This one is. This one is on the CART route. It is on the East Lindsey route. You see the location right there, and you see the East Lindsey route as it spans around this area. So, once you get right out of the front side of this building, you are walking right into the Lindsey route, getting on a CART, and then you're going all over town. And I would note that many of the other multifamily complexes down in Southeast Norman that we've looked at and

6:59PM we've approved are not. You see CART has never gone down there. I remember one project in particular, it was the Cottage at Imhoff project where one Council member, challenged us and said, 7:00PM "I'll approve it if you'll bring CART down to that area." That was down on Imhoff. And we looked into it, and it was going to be $300,000 to extend the route down there, and we were not able to do it. That project got approved, but my 7:00PM point being that, while the Southeast area of Norman is not accessible to CART, this site is directly on it.

Bikes. This particular developer has a very strong affinity to a culture of bicycles. In 7:00PM fact, they provide a bike-sharing program within their facility. And you didn't probably see it or notice it on the site plan, but this is a sliver of the site plan, and they have what they've called a bicycle garden part that sits 7:00PM here, covered, secured storage, and they provide a bike-sharing program. So they want people out on their bikes, using a bicycle. If they're not using CART, they'll be using bicycles. And they are very confident in that, that they can enhance 7:01PM that culture. And, again, is this is a good

location for that? Well, absolutely. Norman has an adopted bike route. We never talk about it because I don't really ever have a project that uses that, but this one does. And we're actually directly on the bike route. That's the adopted Norman bike route plan right there. We're sitting right on it, right on what is called an advanced rider bike route. So we very much have accommodated that. And you can see right here why that is an advanced route because of what's happening on Lindsey and because of that corridor. We're right on top of it, again, connecting right over to Lindsey and right over to Legacy Trail.

This is one of the primary features of this community, and it really just is stunning, I think, when you look at what they're proposing here. This is the main feature right outside the clubhouse area. It's the main pool area. It has a 100-foot lap pool, water volley ball, spa, water basketball. It has, basically, light and water towers out on the end of the pool. It has a hammock lawn, multiple hammock areas. It has a two-sided outside fireplace feature, two different outdoor kitchens. I could go on and on

here, but you're getting the flavor of it. It really is a pretty immaculate and stunning facility that I think a lot of people would greatly appreciate it.

This is the club. Inside, right on the end of that pool area is inside a full fitness gym, tanning studio, Yoga, things of that nature, and a full kind of cafe club, where, of course, you would have the ability to meet and greet with your other fellow residents. Study areas and computer rooms. The main leasing office, again, off Lindsey over here. The mail room for all the residents. And all of this, again, goes out into the swimming pool area. All the corridors are internal, so the residents are circulating internally into these facilities. It's a very safe and secure environment for those residents.

I've shown you this slide before, but it comes up when we discuss multifamily projects. I'm going to keep preaching this, as often as we can, that multifamily is not to be demonized. It's something that the Urban Land Institute, the Sierra Club, the American Institute of Architects -- everybody has preached to us and studied to us that multifamily and higher density in terms of

residence is a very important key aspect of the community, and it's one that is continually sought after, especially with the newer generations.

And I've shown you this before, but I'm going to keep talking about it, as well. One of our adopted policies in the City of Norman is that we are to grow to a population of 137,000 people by the year 2025. The US census had us at 110,000 in 2010. So, in fifteen years, we've got to add 26,000 residents. Where are you going to put them? If we did it by just single-family homes, then you're going to consume -- to do that, you're going to consume 2700 acres, which is about 4.2 square miles, and you see what that looks like on the City of Norman. It's not sustainable. And, by the way, I was just looking at this today: Our building permit most recent report, we're clicking off probably on track of 3- to 500 homes a year, and it varies greatly. But we're nowhere near the 6- to 800 or so that we were clicking off before about 2002 or 2003. So let's just say you're doing 300 homes a year. Well, that's roughly two and a half residents per home. That's about 600 -- 700 residents. Well,

7:04PM you've got to add about 1700 residents a year every year to meet that goal of our adopted policy. You have to add 1700 residents. We're not building enough single-family homes to do that at all, not even close. So what are we building to accommodate that? We should be building multifamily.

Traffic, I want to certainly highlight that. This was studied very carefully by the traffic engineers for the complexity of it. And that is the chart -- You're used to talking about levels of service. It was really quite striking when we've looked at this. The levels of service is the same, A and B across the board. No change. In fact, the staff report says there are no negative impacts on traffic. And, really, that is because we are right next to two different arterials. We can utilize two different entries from the complex, and we really can spread that traffic quite easily.

It's a big economic investment in Norman. It's really, I think, very welcoming, when I hear that somebody from outside of our state wants to come in and invest this kind of a project and money into our community. This is a

7:05PM $39,000,000 project. The estimated building permit fee just for the privilege to build in our community is going to be roughly $580,000 just to break ground, just get the permit to say, "You 7:05PM can go start construction." The annual estimated County property taxes which go to our schools and go to our county are roughly $496,000 every single year. So it is a very intense economic impact on our community.

7:06PM 2025, I've shown you this before. There is one I have not shown you before that I get to show you tonight. I've never been able to use this one, but I have tonight. And it's 2.14, and it says: "Explore and encourage opportunities 7:06PM for both on- and off-street bicycle and pedestrian facilities for the community to work, school, shopping, between neighborhoods, and/or other destinations." That's an adopted policy of our community, and, tonight, we have a project 7:06PM that we're bringing to you with a bike-sharing program on the bike route, next to a route that takes them to the Legacy Trail. We can fulfill that policy and goal, which I don't think I've ever been able to show you one that we could 7:06PM fulfill that.

7:06PM Staff fully supports this project. Again, we thank them very much for their work on it. As they've said, they recommend approval. The Parks Board, unanimous approval, a win-win, a very 7:06PM significant element of this project was that.

We ask for your support tonight. We thank you very much for your consideration for it. We're glad to be here to talk about it. This is the Millenium. We call it the next generation. You know, the Chamber has the Norman Next Program, which I know Commissioner Sherrer is very proud of, and this is really sort of in that vein. This is the next generation for Norman, and it's one that I think we can appreciate and adopt. And, with that, I will open it up to questions.

I thank you very much.

BY MR. LEWIS: Thank you.

Do any Commissioners have questions for Mr. Rieger?

Seeing none, I do know we have audience comments.

Mr. Kinnard, if you could state your name and address for the record.

BY MR. KINNARD: Hi, I'm David Kinnard. I live at 942 Chautauqua, and I'm a landlord in the

neighborhood of the Millenium, or the proposed site for the Millenium. You know, the presentation was remarkable. You know, it's a beautiful building, but my only concern is that this is a by-the-bedroom student apartment complex, or as guys as bald and old as I am would call it, an osa roll [phonetically], a single-room occupancy sort of a plan, which is fine, but, in the last ten years, the OU student population has remained flat. There has been over 5,000 bedrooms built in the last ten years that would compete with this marketplace. And when I did a survey on the first day of classes, there were 500 vacant bedrooms that I could figure out among these complexes which cater to the by-the-bedroom student population.

The annual rent increase in Norman is about 2% per year. So there's not a lot -- Despite the fact that we do have our goals for population growth, there's not a lot of pressure in for-rents in Norman. So what I'm concerned about is: Are enough students to keep this thing running? Is there enough students to keep this one running plus the other umpty-ump number of these complexes that are in existence already in

Norman, which, you know, if you remember, I think it was back two years ago, one went bankrupt and went up for Sheriff's sale, the Crimson Park. And so perhaps this one will succeed, but will others fail because there just isn't enough to go around, as my survey on the first day of class which is, theoretically, the day that these complexes are at their highest occupancy rate.

And so that's sort of it. And you know, as someone who has owned property on the east side of Norman for the last twenty-five years, it's been refreshing to see things getting better and getting better over the last ten or fifteen years. But it's, also, a repository for very old complexes in very tough condition that, you know, if there's more pressure on the rents, will continue to, you know, take in people that, you know, are just seeking the cheapest place possibly to live or incurring greater vacancy and abandoned units. And, you know, as much as I would like to see something like this go up in Norman, I just don't know how we're going to be able to, you know, support any more of these rent-by-room student complexes. And, for some reason, you know, this seems like the new bubble.

You know, this is -- You know, everyone knows how cheap mortgage money is and how cheap the rates are. And, for some reason, you know, they've been fueling a lot of money for these rent-by-room complexes, including the new one they just put up called the Grove, right? Which is, also, struggling for occupancy. So that's sort of it.

You know, it's a beautiful presentation. I wish it were one- and two-bedroom apartments that were looking to not go chase after the student population because even OU is sort of at risk. You know, I've got -- Yesterday, I was reading a Wall Street Journal, and they were talking about these MOCs, which is massive online courses. So, you know, you can take a course at Harvard online and not have to go drive to -- you know, not have to rent an apartment by OU and get college credit for it. There's risks in education. There's risks in Norman. There's risks on the east side. There's risks on every complex they've been building the last ten years that ends up being one of these rent-by-bedroom apartment complexes. And that's my concern.

The location is super. You know, with the

current trends in development in Norman, somebody is going to take it. They're going to build something like that, and it's going to cater to a different population. And, you know, if I were King of Norman, I would wait for the next guy to come around. But, you know, that's my opinion, and I wanted to share it with you. Thank you very much.

BY MR. LEWIS: Thank you so much.

Are there any discussions from the Planning Commission?

BY MR. BOECK: So that was the one comment?

BY MR. LEWIS: That was the one comment.

Do we have any other comments in the audience?

No. There was not.

BY MR. BOECK: I guess he has voiced some of my concerns, is we've got lots of student-oriented apartment complexes, and everybody knows that my interest, as an aging in place, is in intergenerational housing. And we didn't see any unit layout, so all I heard was stuff about students. And I kind of agree with that guy. I'm ready to see complexes that will address the needs of Norman's future. So that's my concern.

BY MR. LEWIS: Mr. Rieger, would you like to

address that?

BY MR. RIEGER: I would. Let me talk about that. First and foremost, I'm going to be pretty stern. It is not the role of government to determine market share. We're here to talk about land-use. And I didn't hear anything said in Mr. Kinnard's discussion about land-use. In fact, he said it was a perfect site. No questions, no comments, no concerns about land-use. And let's go down the path. If you go down the path of determining market share and want some of this, but not some of that, where does that end and is it a good policy? One of the things he says in his letter is that, if you adopt this, then he says that he will be discouraged from improving his property. Really? I disagree with that completely. If you, as a policy board -- if our City says that we're going to cap a certain use -- and we'll talking about whether this is that certain use or not -- but, if we're going to cap a certain use, if we're going to be the supply-side dictator, if we're going to say we don't want any more in that, what have you done? Have you encouraged him to improve his property? Of course, not. Of

course, not. Why would I improve my property in East Norman if I knew that our community had said, "No more. I'm not going to allow any more." Well, that would be pretty stupid of me, then, to go spend thousands of dollars to improve my property if I have you protecting me from any competition. In fact, the whole philosophy of our government, of our country, is to encourage competition. We have something called the Sherman Act. It's a federal law. You know what the Sherman Act says? It says that you can do nothing to create a monopoly. That's when the Justice Department prosecutes Microsoft. And why do they do that? They do that because the philosophy of our country is that competition is good, and monopolies are bad. Not only is the government prohibited from trying to do anything to create monopolies or counter competition, but, you, as a private citizen can be prosecuted for it. But that's the argument. The argument of Mr. Kinnard and others is that, "Hey, we've had enough. Let's stop it because my rent rates are going to go down." Well, the Sherman Act says you can't do that. Our whole philosophy as a country says you can't do that. In fact, what

makes it better -- what makes Southeast Norman better and all of those complexes is not for you to shut down the supply side because that's sure not going to make it better. Why would it? Why would they do anything? No. What makes them better is make them compete with newer models. Put them in a position that they see this, and they say, "You know, I've got to do something different. I've got to actually improve my property to be competitive with that." It's competition, and it's not a dangerous word. It's a necessary word. It's necessary for everybody.

And let's go further with that. If our community says we're going to shut it down, we're not going to have any more multifamily projects that, boy, make it difficult for the neighborhood to compete and lower his rents, okay, then what does that mean? We're going to say our only choices in Norman are for the older products, for the older versions of housing. If you want something new, go to Bricktown. If you want something new, go to Edmond, go somewhere else. But you're not going to find it in Norman because we have shut down the supply. Is that a good policy to adopt? Of course, not. But that's the

argument that those would have you believe is good. Absolutely not. The argument that is good is accept the projects as they come. Believe me, these projects look incredibly closely at their analysis of winning. I guarantee you that. I'm closing one next week that the lenders are looking at every fine detail of whether they want to loan $40,000,000. There's no flippant review of that. They know what they're doing. And the point with that is the market knows what it's doing. The government, with all due respect, does not, but the market does, and the market solves those problems and puts competition in the market and makes gentlemen like Mr. Kinnard react to it in a very positive, forward-moving way for our community.

Thank you very much.

BY MR. LEWIS: Thank you.

Mr. Sherrer, did you have a comment?

BY MR. SHERRER: No, but you talked me into it. I do believe, you know, we all come with our -- who we are and what we do on a daily basis. And I think it's no secret that I serve as a lender, as a banker. I do agree with Mr. Rieger's last comment there. There is truly a vetting process

that goes through certainly a project of this size. From a viability perspective, I don't think that really is probably the question, certainly not for some period of time into the future. Any lender is going to look at it from that perspective. And so I think, from a market respective, I don't think that there's that risk.

I'm really excited about this project because I've sat here and I've listened to the comments that we've made over the last few years. The ability to have bike storage, that close to campus, and an overlook of the commercial properties nearby that seem to be pretty happy, at least no protests as it relates to the overall project. One single protest, period. I don't remember the last time we had a large complex like this where it was so minimal. I think next to the CART path -- I think the masonry work that appears to be part of this project -- there's a lot of positives here that I think we need to make sure we take into consideration while we're thinking about what's the best thing to do going forward.

Certainly, I understand Mr. Boeck's concern and the people that spoke tonight, but I think,

really, from a general market perspective, and, obviously, probably -- I think we need to let the market bear what is the right -- what's the right number of these kinds of units. Certainly, some analysis or some study that the City could provide on some period of time, I certainly would think would be very -- I think that would be accepted and looked at very fondly from both a lender perspective or from a person that's looking at doing a new project, but I don't think looking at an individual project and making that decision is really fair. If we want to take a macroeconomic look at multifamily housing within our community, I might support that and certainly ask the Council to maybe consider something of that nature. But to look at an individual project and then try to make that -- penalize them or approve them based on that criteria, I think, is a little short-sided, and, frankly, I think a project like this that's done a lot of what we've asked for so many months and so many times, I think is certainly not something we would want to do.

So I support this project. I think it's a project that really makes a lot of sense,

7:19PM especially in that part of Norman.

BY MR. LEWIS: Thank you.

Any other comments or discussions from the Commission?

7:19PM Mr. Knotts.

BY MR. KNOTTS: Oh, okay. So Sean continues to bring this point up that we're trying to increase the population by so many, and he knows -- he knows that student population is not part of that 7:19PM population that we're trying to increase. This project is headed toward students, and I don't think it's our position to assess risk. So, you know, if that's the way it happens, but I would prefer that, in the future, we would have 7:20PM arguments that are based on real fact rather than trying to create some kind of need that we don't have.

BY MR. LEWIS: Are there any other comments or questions or discussion?

7:20PM Mr. Boeck.

BY MR. BOECK: I will respond and say I'm not trying to limit or adjudicate development. What I'm looking at in terms of -- you know, the East Side already has a zillion apartment complexes. :20PM The west side has a zillion apartment complexes.

What I'm looking at is in terms of when I drive through Oklahoma City, all the apartment complexes that are fenced because they became Section 8 202 housing complexes because of the nature of our market where we can depreciate something out over seven years and then sell it off, and sell it off, and sell it off. That's my concern, is in terms of how we develop a holistic approach. You know, it is a nice looking project, but I don't think questioning whether, you know, a project -- Well, whether a project is in the best interest -- You know, you were talking about best land-use. Well, everybody wants to get the most money for their land and the most development for their land. I'm not sure that our markets are set up -- you were talking as a banker -- of actually, you know, looking at a hundred-year plan for something that will last. We look at fifty-year plans for something to last. So I just bring it up because, yes, student housing is -- there's a lot of student housing here. If the complex was designed to be a mixed use, a mixed generational kind of complex, where people would come into town and buy into it or rent it, I wouldn't have

a problem with it. It just seemed like it was presented as student housing, bicycles, great, bus, great, but I want to see housing that thinks about whether a family with two kids, or a senior couple, or a couple with four kids wants to live in a place, is encouraged to live in a place, likes the place. That's the type of housing that I want to see, and I just didn't see that presented. So that was my only comment.

BY MR. LEWIS: Throughout this entire process, I've been thinking of what truly describes this project, and the words that keep coming to mind, regardless of what aspect of the project it is, it is esthetically pleasing. Many of you know and many that are here on a regular basis know I travel quite a bit throughout the country and throughout the world. And when we talk about shutting down new building in a community, I can tell you, firsthand, when I go into a community where new building permits are shut down, I stay in hotels that are sixty years old that I would not even come close to staying in the City of Norman. So, to the point of, will this drive current development in the City of Norman to improve? Absolutely. Will it offer something

that is not being currently offered in the City of Norman, not only to students, but to single adults, to married families? Absolutely.

I go back to my initial comment in wrapping up my overall comment concerning this project. It offers almost every amenity one would want. If you want biking, it's there. If you want public transportation, it's there. If you want parking, it's there. When I, first, read the proposal, I was concerned about the parking, and then I saw a parking garage. That, in the City of Norman for any apartment complex, is almost unheard of. In fact, I don't know of one apartment complex in the City of Norman that has a parking garage.

So, again, I go back to saying this is an outstanding project for the City of Norman. From a marketplace, it is going to drive the economy forward, not only from the capital investment, but, also, from the investment of the residents that are going to live there. So I will definitely support this.

Roné, if we have a proposal.

BY MS. TROMBLE: Yes, sir.

BY MR. LEWIS: A motion? Do I have a motion for approval?

7:24PM **BY MR. SHERRER:** Motion to approve.

BY MR. LEWIS: Do we have a second?

BY MR. BOECK: I will second.

BY MR. LEWIS: Mr. Boeck.

7:24PM Roné, if you'll call the roll for us.

BY MS. TROMBLE: Mr. Gasaway.

BY MR. GASAWAY: Yes.

BY MS. TROMBLE: Mr. Sherrer?

BY MR. SHERRER: Yes.

7:24PM **BY MS. TROMBLE:** Ms. Gordon?

BY MS. GORDON: No.

BY MS. TROMBLE: Mr. Boeck?

BY MR. BOECK: Yes.

BY MS. TROMBLE: Mr. Knotts?

7:24PM **BY MR. KNOTTS:** Yes.

BY MS. TROMBLE: Mr. Lewis?

BY MR. LEWIS: Yes.

BY MS. TROMBLE: The motion passed five to one, Mr. Chairman.

7:25PM **BY MR. LEWIS:** Thank you.

[Excerpt of meeting concluded at 7:25 p.m.]

**** C E R T I F I C A T E ****

STATE OF OKLAHOMA)
)SS:
COUNTY OF CLEVELAND)

BE IT KNOWN THAT, I reported the Planning Commission Meeting on the 10th day of October, 2013, in Norman, Oklahoma; THAT I am a Certified Shorthand Reporter in and for said State; THAT the foregoing excerpt of said Planning Commission Meeting was transcribed by me and is a true and accurate record of my stenograph notes so taken at said Meeting; THAT I am neither attorney for or counsel for, nor related to or employed by, any of the participants; and, FURTHER, THAT I am not a relative or employee of any participant hereto, or financially interested in the business of said meeting. WITNESS MY HAND AND SEAL, this the 18th day of October, 2013.

JOYCE H. JONES, CSR #737

Joyce H. Jones
State of Oklahoma
Certified Shorthand Reporter
CSR # 737
My Certificate Expires DEC 31 2013

City of Norman, OK

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

Master

File Number: O-1314-18

File ID:	O-1314-18	**Type:**	Zoning Ordinance	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 48	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	09/11/2013
File Name:	Parkgreen Rezone			**Final Action:**	

Title: CONSIDERATION OF ORDINANCE NO. O-1314-18 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 REMOVE LOTS THREE (3), FOUR (4), AND FIVE (5), BLOCK ONE (1), OF UNIVERSITY PLAZA ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-2, GENERAL COMMERCIAL DISTRICT; TO REMOVE LOT THREE (3) AND PART OF LOT TWO (2), BLOCK TWO (2), OF BOYD VIEW ADDITION NO. 2 FROM THE RM-6, MEDIUM DENSITY APARTMENT DISTRICT; AND TO REMOVE THE FORMER BOYD VIEW PARK FROM THE A-2, RURAL AGRICULTURAL DISTRICT; AND PLACE THEM IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (NEAR THE SOUTHEAST CORNER OF LINDSEY STREET AND CLASSEN BOULEVARD)

Notes: ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-18 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-18 upon Final Reading as a whole.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 48

Attachments: Text File O-1314-18.pdf, O-1314-18, Exhbiit A PUD Narrative, Exhibit A - Open Space Rendering, Exhibit A Pool amenities, Location Map, Staff Report O-1314-18, Millennium Update Memo, Protest Map, Millenium Protest Letter, 10-10-13 PC Minutes, Minutes of Planning Commission Court Reporter.pdf

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	10/10/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	10/22/2013		Pass
	Action Text:	A motion was made by Commissioner Sherrer, 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 10/22/2013. The motion carried by the following vote:					
1	City Council	10/22/2013	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-1314-18

Body

SYNOPSIS: The applicant has submitted a request to rezone an undeveloped tract of land from C-2, General Commercial District, RM-6, Medium Density Apartment District, and A-2, Rural Agricultural District, to PUD, Planned Unit Development District, for a student based housing project. The land under review was set aside on the NORMAN 2025 Land Use and Transportation Plan as High Density Residential, Commercial and Parkland; this proposal will designate the property as High Density Residential.

ANALYSIS: The particulars of this PUD include:

USE: The development as proposed will consist of 197 units and 705 beds for a student housing development. With the close proximity to the University the project will be focused on the University population. The location will be best suited for students, faculty and staff to walk or ride bicycles to the University, as well as neighboring commercial entities.

DESIGN: This is a gated apartment community. The entries are designed to City standards. Per the proposed PUD Narrative the structures may not exceed five stories of habitable space, plus the additional height needed for roof structure, any mechanical equipment and associated construction. Exterior materials will consist of eighty percent masonry on all elevations. The exterior material may include brick, stone, stucco or manufactured materials such as synthetic stone, panel stucco or cement board. There will be three access points for the development. There will be one access point on Lindsey Street, centered between Barkley Street and Virginia Street. The second and third access points will be off Classen Boulevard. There is an existing access point on the northwest side of the property which flows into the commercial development to the west of this proposal; a small section of the residential development will be accessed from this point.

OPEN SPACE: In addition to the open spaces noted within the development there is a large open space area incorporated into the amenities/park area located along the southern portion of this development, previously Boyd View Park.

The applicant, as part of this proposal, will install a fifty-four inch reinforced concrete pipe located in the eastern portion of this property. This drainage pipe will be installed in the southern boundary of the property and connect to the existing reinforced concrete box located at Classen Boulevard. This will allow fill activity outside the proposed detention area and within the amenities/park area. As a result, the proposed amenities as shown on the preliminary site development plan can be constructed.

PARKING: There is a parking garage provided for this development. Some of the residents will be able to park in the parking garage and walk across the attached walkway to their building. In addition to the parking garage there is parking distributed throughout the development. The PUD states there will be a 1:1 bed to parking ratio. There will be 731 parking spaces on-site. There will be 705 parking spaces for 705 beds. There are twelve parking spaces for the clubhouse. The remaining parking is supplementary.

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

SIGNAGE: All signage shall be in conformance with the City of Norman's Sign Ordinance. 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."

FENCING: This development includes an area that was previously designated as parkland, Boyd View Park. The parkland is in a flood zone and was included as part of the drainage system for developments to the east and north of this property. This area was never suited for a park. The western portion of the parkland will incorporate the needed detention for this site. This development is utilizing this previously undeveloped parkland for a new park area that the neighboring single-family and two-family, as well as adjacent multi-family developments can use. The area along the southern portion of the development abuts two-family homes with existing fences along the rear of their property. The Zoning Ordinance states that these types of developments should screen/fence as a buffer between less intense zoning districts. In this case staff suggests the applicant not fence the south and east sides of the park area as this will close off the proposed park/amenity area to adjacent residential developments. However, there is a security fence, as shown on the site plan, which surrounds the apartment portion of the development; this will secure the gated community from visitors at the park.

OTHER AGENCY COMMENTS

PARKS BOARD In addition to the proposed park area on-site the developer has proposed a fee-in-lieu for parkland. At the October 3, 2013 Park Board Meeting, Board of Parks Commissioners accepted staff's recommendation for fee-in-lieu of land for this development.

PUBLIC WORKS 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. The unimproved portion of Classen Boulevard adjacent to this property will be improved to City standards and a five-foot sidewalk will be installed adjacent to Classen Boulevard.

This proposal appeared before the Flood Plain Committee on October 7, 2013 for approval of the extension to the reinforced concrete box in connection with Classen Boulevard and the proposed detention area, west of the proposed amenities. The application was approved unanimously.

TRAFFIC A Traffic Impact Study was submitted, reviewed by staff and found to be acceptable.

STAFF RECOMMENDATION: This proposed PUD provides adequate regulations and zoning requirements for a multi-family development. As well as providing a new park area for the adjacent properties.

Staff recommends approval of Ordinance No. O-1314-18. At their meeting of October 10, 2013, the Planning Commission, by a vote of 5-1, recommended adoption of this ordinance.

O-1314-18

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 REMOVE LOTS THREE (3), FOUR (4), AND FIVE (5), BLOCK ONE (1), OF UNIVERSITY PLAZA ADDITION TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-2, GENERAL COMMERCIAL DISTRICT; TO REMOVE LOT THREE (3) AND PART OF LOT TWO (2), BLOCK TWO (2), OF BOYD VIEW ADDITION NO. 2 FROM THE RM-6, MEDIUM DENSITY APARTMENT DISTRICT; AND TO REMOVE THE FORMER BOYD VIEW PARK FROM THE A-2, RURAL AGRICULTURAL DISTRICT; AND PLACE THEM IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (Near the Southeast Corner of Lindsey Street and Classen Boulevard)

§ 1. WHEREAS, Parkgreen Living, L.L.C., has made application to have the subject property removed from the C-2, General Commercial District, the RM-6, Medium Density Apartment District, and the A-2, Rural Agricultural District, and placed in the PUD, Planned Unit Development 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 remove the following described property from the C-2, General Commercial District and place the same in the PUD, Planned Unit Development District, to wit:

Tract I:
Lots Three (3), Four (4), and Five (5), in Block One (1), of UNIVERSITY PLAZA ADDITION, to Norman, Cleveland County, Oklahoma, according to the recorded plat thereof.

§ 5. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to remove the following described property from the RM-6, Medium Density Apartment District, and place the same in the PUD, Planned Unit Development District, to wit:

Tract II:
All of Lot Three (3) and part of Lot Two (2), in Block Two (2), of BOYD VIEW ADDITION NO. 2, to Norman, Cleveland County, Oklahoma, according to the recorded plat thereof; that part Lot 2 being described as:
Beginning at the Northwest corner of said Lot Two (2), in Block Two (2);
Thence South 00°07'00" West along the West line of said Lot Two (2) a distance of 234.73 feet;
Thence North 54°37'29" East a distance of 49.13 feet;
Thence North 00°07'00" East a distance of 20.20 feet to a point on the North line of said Lot Two (2);
Thence North 89°53'00" West along the said North line a distance of 40.00 feet to the Point of Beginning. According to the Corrected Lot Line Adjustment filed in Book 1189, Page 497.

§ 6. That Section 460 of Chapter 22 of the Code of the City of Norman, Oklahoma, is hereby amended so as to remove the following described property from the A-2, Rural Agricultural District, and place the same in the PUD, Planned Unit Development District, to wit (formerly known as Boyd View Park):

Tract III:
Commencing at the North West corner of Lot 1, Block 7, BOYD VIEW NO. 1 ADDITION to the City of Norman, Cleveland County, State of Oklahoma,
Thence North 27°17'00" West a distance of 227.20 feet;
Thence South 89°47'00" East a distance of 328.14 feet;
Thence North 54°37'29" East a distance of 352.13 feet;
Thence South 43°05'08" East a distance of 110.49 feet;
Thence South 54°37'29" West a distance of 472.8 feet;
Thence South 76°00'00" West a distance of 207.23 feet to the Point of Beginning. According to the Quit Claim Deed filed in Book 5198, Page 80.

Said Tracts I, II, and III contain 6.85 acres, more or less.

§ 7. 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 (Exhibit A), approved by the Planning Commission on October 10, 2013, and supporting documentation submitted by the applicant and approved by the Planning Commission, and made a part hereof.

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

ADOPTED this _____ day of

_____, 2013.

_____
(Mayor)

ATTEST:

_____
(City Clerk)

NOT ADOPTED this _____day of

_____, 2013.

_____
(Mayor)

THE MILLENNIUM ADDITION

NORMAN, OKLAHOMA

APPLICANT:
PARKGREEN LIVING, LLC

APPLICATION FOR 2025 PLAN CHANGE
PLANNED UNIT DEVELOPMENT
PRELIMINARY PLAT

Originally submitted on 9 September 2013
Revised and resubmitted 2 October 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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B. Proposed Preliminary Site Development Plan
C. Allowable Density and Required Parking
D. Proposed Open Space Areas

I. INTRODUCTION

THE MILLENNIUM ADDITION project is a proposed Planned Unit Development in Ward 7 of the City of Norman on the generally vacant land on the SE corner of Classen and Lindsey. The project will be an upscale multi-family housing facility containing approximately 197 units on a site that is roughly 6.85 acres.

The current zoning for this infill property is a blend of C-2 (General Commercial) and RM-6 (Medium Density Apartment), with another portion of the site currently a drainage ditch zoned A-2 (Rural Agricultural). The majority of properties in the general area are rentals and multifamily (primarily either duplexes or apartments) with the properties immediately abutting the parcel on the north and west being commercial (Braum's and Conoco).

The project is located approximately one half of a mile east of the University of Oklahoma. It is likely that with such proximity many of the residents would be associated with the University as students, faculty, or staff, and thus many of the residents are expected to walk or ride bicycles to the University. Therefore, there will be significant bicycle racks and storage facilities on the premises and a highly prominent focus on bicycle accommodations and usage.

Community amenities will include a clubhouse with a fitness center, social lounge, wireless Internet café and study areas. Outdoor amenities include a full-size pool and versatile areas that will provide additional space for recreational and social activities including but not limited to volleyball, walking trail, horseshoe courts, and playing fields. The outdoor park type amenities developed immediately adjacent to the Boyd View neighborhood to the south will be accessible to the Boyd View neighborhood.

The parking provided will far exceed the requirements for typical Norman multifamily zoning. To meet this higher parking ratio, a central parking structure will provide parking to residents with multi-level access allowing many to park on the same floor in which they live. There will be two primary access points from the property onto adjacent principal arterials, with one entrance on Lindsey and one entrance on Classen. There will be a second entrance on Classen into the Property, which is an existing access point that also serves Braums to the north.

The sloped topography of the property provides great opportunities for taller structures to be built while minimizing the vertical presence. The tallest buildings will be five stories and will be set back from abutting multifamily properties by using parking and recreational amenities as buffers.

It is the MILLENNIUM ADDITION for the Millennial generation and will be a proud presence at the corner of Lindsey and Classen.

II. PROPERTY DESCRIPTON/GENERAL SITE CONDITIONS

A. Location

The Property lies in Ward 7 on the south side of East Lindsey Street and east side of Classen Boulevard, near the intersection of those two Principal Arterial corridors in Norman, Oklahoma.

B. Existing Land Use and Zoning

The Subject Property is currently 2025 Planned under three different uses: High Density Residential, Commercial, and Park (although recently the City Council abandoned the Boyd View Park that was formerly on the Property and thus the Park designation is no longer applicable). The Property is currently zoned under three different districts: RM-6 Medium Density Apartment District, C-2 General Commercial District, and A-2 Rural Agricultural District. The Property is mostly vacant platted parcels, and unoccupied except for one single family house of roughly 1200 SF in size that was built in circa 1950.

To the south of the Property is a 1960's era R-2 Two Family Dwelling district. To the west and north are abutting lots occupied by a Braums market and a Conoco convenience store. Lindsey Street, the Indian Heights and the Faculty Heights Additions are to the north of the Property. To the east is a 1980's era apartment complex zoned RM-6 Medium Density Apartment district.. To the west is the Classen Boulevard arterial and then across that right of way are flood plain and a UHAUL commercial site.

C. Elevation and Topography

The site has some slope to it, which will allow for better multi-story planning as the structures integrate with the varied elevations. A small portion of the Property in the far southwestern corner of it is in the FEMA 100-year flood plain. That area of the Property will not have any vertical structures located therein and will be used as an area for storm water detention. The Applicant will apply for a flood plain permit to address storm water detention and any other planned facilities in the flood plain zone.

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, electricity, telecommunications, and others) are currently located adjacent to, or in

very near proximity to, the boundaries of the Property. Many of the services exist along the Lindsey and Classen Urban Principal Arterials. The Applicant is concurrently applying for vacation of various utility easements that currently extend across the property and that will be relocated and reconfigured to serve the new development.

F. Fire Protection Services

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

G. Traffic Circulation and Access

Primary vehicular access to the site will be provided by way of the two immediately abutting Urban Principal Arterials of East Lindsey Street and Classen Boulevard. The drives and access corridors within the Property will be private.

III. DEVELOPMENT PLAN AND DESIGN CONCEPT

The Addition is planned to accommodate multifamily residential uses. The Exhibits attached hereto, and as submitted by the project civil engineer, Cardinal Engineers, are incorporated herein by reference and further depict the development criteria.

A. Multifamily Residential District

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

1. Uses; Design

The purpose for the PUD is to allow for multifamily residential living under the following development regulations:

a. Density: The Addition may be developed up to a maximum of 197 units, up to a maximum of 705 beds, on the roughly 6.85 acre site, which calculates to roughly 28.8 units per acre. The proposed units and breakdown of each is as shown on attached **EXHIBIT C.** However, the units per acre may increase as long as the proposed number of bedrooms does not increase, and thus the Developer may 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.

b. Height: Structures may not exceed five stories of habitable building levels, plus additional heights for roof structures, stair towers, mechanical units, building rooftop equipment, and other non-habitable building elements.
c. Impervious Area: the total amount of impervious area, including all building footprints and impervious hard-paved areas shall not cover more than seventy five (75) percent of lot area, or as necessary to accommodate all impervious surfaces as shown and planned on the proposed Preliminary Site Development Plan as submitted herewith, whichever is greater.
d. 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 features such as, office, fitness, residents' private movie theater, game room, library, lounge, meeting room, swimming pool and accessory buildings, model unit, maintenance and equipment rooms, exterior recreational facilities, etc. Accessory buildings not exceed the height of the principal residential buildings and shall be in harmony with the adjacent buildings.
e. Athletic and recreational courts, sidewalks, and other site plan amenities and facilities are allowed as support uses within the residential district.
f. All minimum building setbacks shall be maintained as per the City Council approved Preliminary Site Development Plan, which is attached herewith and incorporated herein as shown on **EXHIBIT B.**
g. Exterior materials for the Project shall be as follows: A minimum of 80% masonry on all elevations (which may include brick, stone, stucco, or manufactured materials such as synthetic stone, panel stucco, or cement board) (percentage of masonry excludes windows, doors, and related trim). All materials shall be high-quality and require minimum maintenance.

2. Parking

Parking will be accommodated with common area surface and structured parking facilities within the district. The Applicant is providing substantial parking far in excess of the City of Norman requirements for multi-family housing. Parking is shown as providing roughly 731 spaces for the 197 units, including 705 beds, resulting in over 3.6 spaces per unit and over I space for every bed. Parking shall be required as a minimum of one space per each bedroom.

3. Dumpster and Trash Enclosures

A trash compactor(s) and its enclosure(s) 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. Trash facilities will be built to city standards.

B. Miscellaneous Development Criteria

1. Site Plan and Final Plat

The preliminary site development plan for the multifamily 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 Cardinal Engineering and will be located as shown on **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, such as shown on the site plan, except that the park type amenities as developed abutting the Boyd View neighborhood will be accessible to the Boyd View neighborhood and not restricted by fencing. 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.

5. Traffic access/circulation/parking and sidewalks

The access to the PUD will be from East Lindsey Street and from Classen Boulevard. Landscape buffers will accommodate all City of Norman traffic division sight triangle requirements. All internal drives will be

private and will have adequate circulation provided for the fire department and City Waste Management Services. The entryways to the Addition may be gated for private restricted vehicular access, so long as the gated entryways are designed to City of Norman standards and allow for emergency personnel access as per requirements of the City of Norman.

All interior sidewalks will be at least four feet wide and provide adequate access to the buildings along with all project amenities. A five-foot wide City sidewalk, constructed to City of Norman Standards, will be provided generally along Lindsey Street and Classen Boulevard to the extent there are current gaps in such as the Property abuts those arterials.

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. 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 Addition. Consequently, fee in lieu of will provide an opportunity for the City to apply additional funds to other area parks.

In addition, it is noted that the City Council previously abandoned the use of the former City of Norman Boyd View Park as a park in light of the difficulties of creating a City park at that location. This development will provide open space along the southern edge of the Property which will include storm water facilities and/or park type amenities that will be accessible to the Boyd View neighborhood.

EXHIBIT A

Proposed Preliminary Plat

(Full sized drawing submitted in separate copy to City Staff)

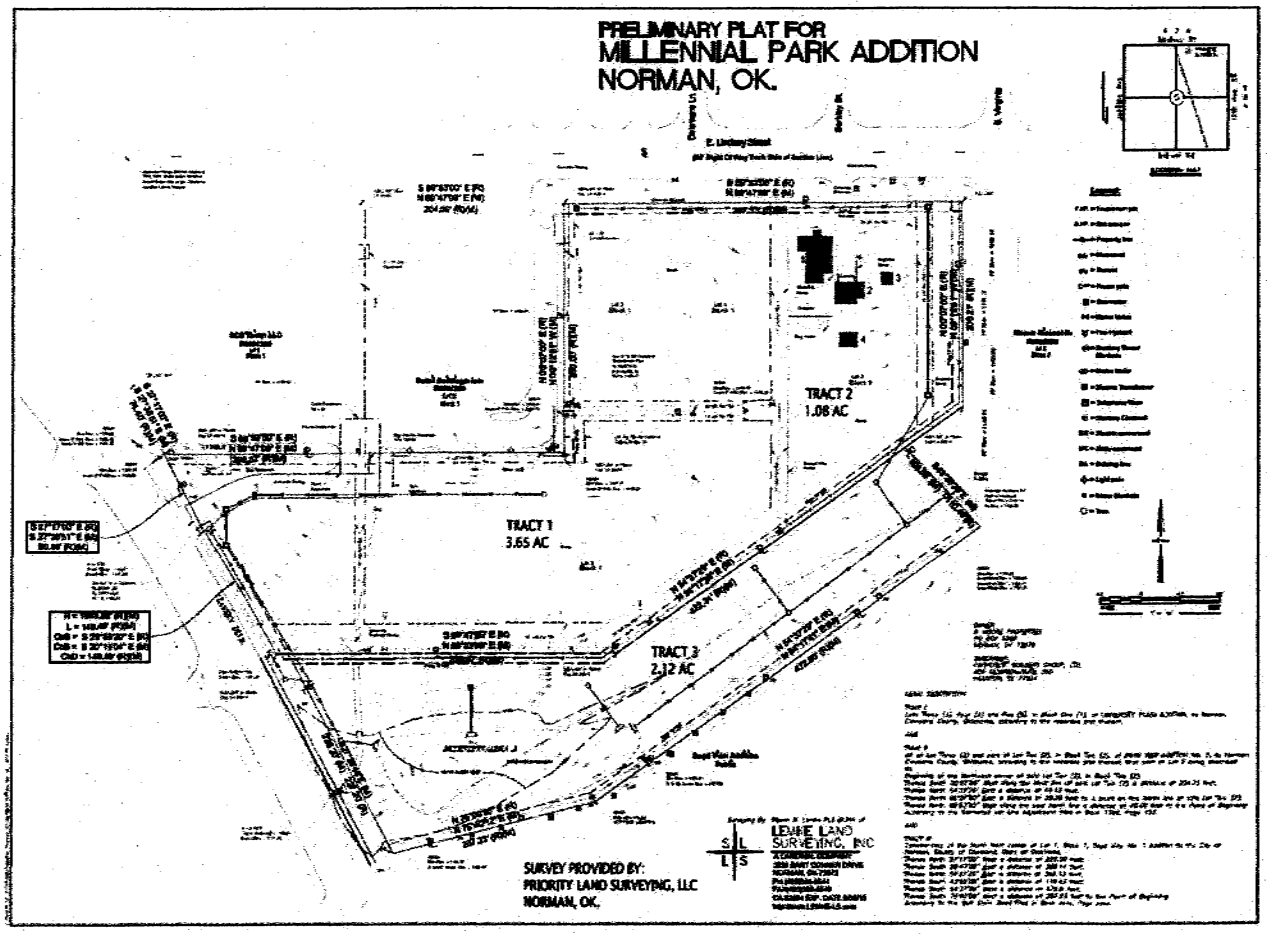


EXHIBIT B

Proposed Preliminary Site Development Plan
(Full sized drawing submitted in separate copy to City Staff)

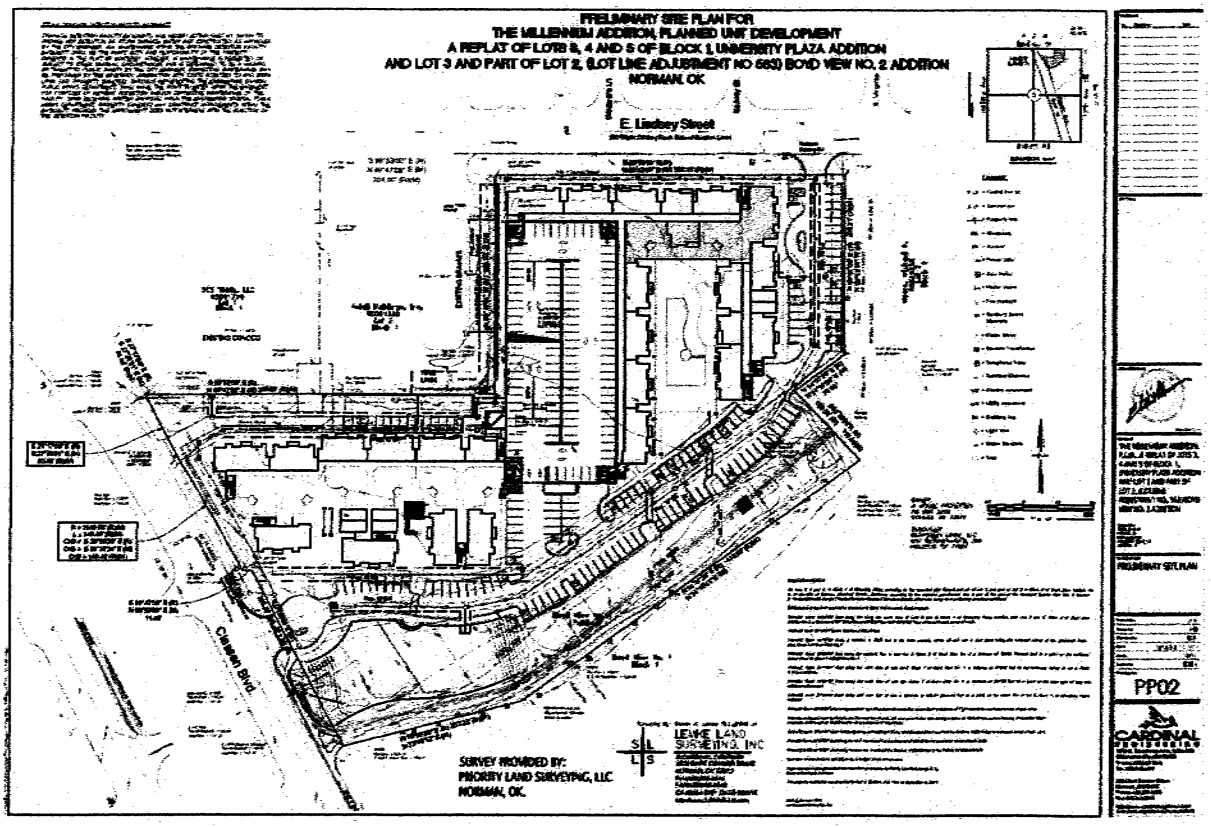


EXHIBIT C

Allowable Density and Required Parking

APARTMENT UNIT DATA:

UNIT	DESCRIPTION	CONDITIONED AREA	NUMBER OF UNITS	NUMBER OF BEDS	UNIT NET RENT.	UNIT GROSS SF.	TOTAL NET RENT.	TOTAL UNIT GROSS
A	4 BDRM/ 4 BATH	1405 SQ. FT.	65	260	1405	1467	91,325	95,355
B	2 BDRM/ 2 BATH	900 SQ. FT.	19	38	900	946	17,100	17,974
C	4 BDRM/ 4 BATH	1,601 SQ. FT.	38	152	1,601	1689	61,066	64,182
E	5 BDRM/ 5 BATH	1,693 SQ. FT.	45	225	1,693	1756	76,185	79,020
D	EFFICIENCY/ 1BATH	375 SQ. FT.	30	30	375	375	11,250	11,250
TOTAL			197	705			256,926	267,781

BEDROOM COUNT:

UNIT SIZE	NUMBER OF UNITS	NUMBER OF BEDS	PERCENT OF TOTAL
EFF	30	30	4.20%
2 BD	19	38	5.4%
4 BD	103	412	58.4%
5 BD	45	225	32%
TOTAL		705	100%

PARKING REQUIRED: 1/1 RATIO

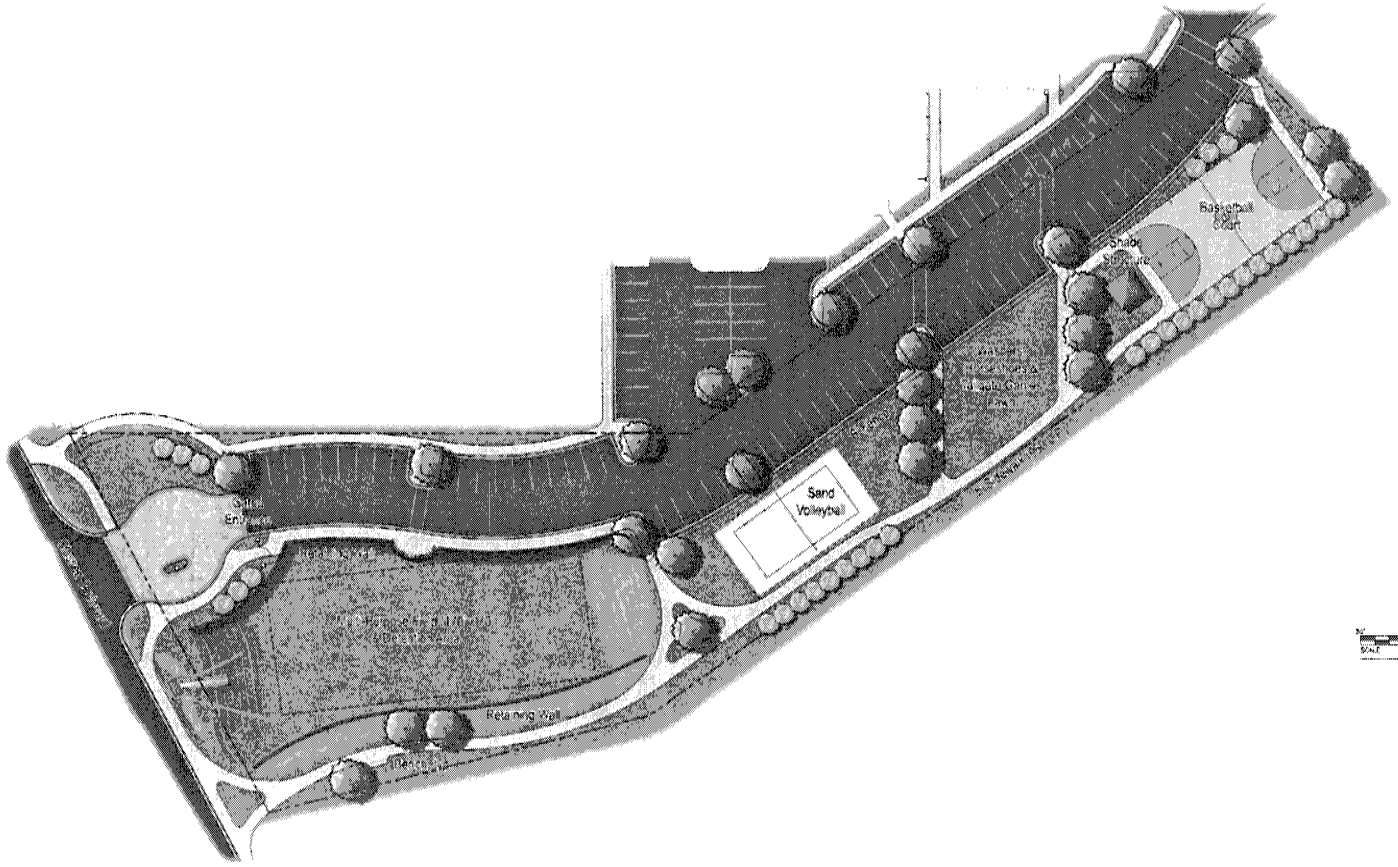
NUMBER OF BEDS: 705 - PARKING REQ'D 705 + 12 SPACES FOR CLUBHOUSE = 717

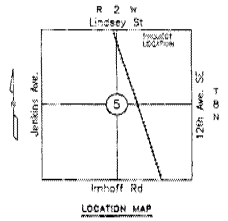
GARAGE PARKING:
115.4 SPACES PER FLOOR
5 LEVELS OF PARKING FOR 577 SPACES

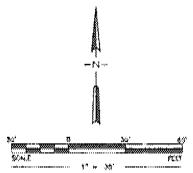
PARKING PROVIDED:
SURFACE PARKING: 154 SPACES
PARKING GARAGE PARKING: 577 SPACES
TOTAL PARKING: 731 SPACES

EXHIBIT D
Proposed Open Space Areas

GREEN SPACE EXHIBIT FOR
THE MILLENNIUM
NORMAN, OK.







DRAFT
NOT FOR CONSTRUCTION OR BIDDING

THE MILLENNIUM

900 E. LINDSEY
NORMAN, OK

RAWCREEN LIVING, LLC
HOUSTON, TX

GREEN SPACE EXHIBIT

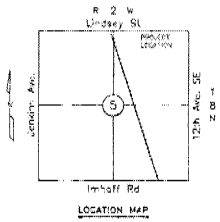
1716
NLD
EDR
SEPTEMBER 2013
1"=30'
REVIEW

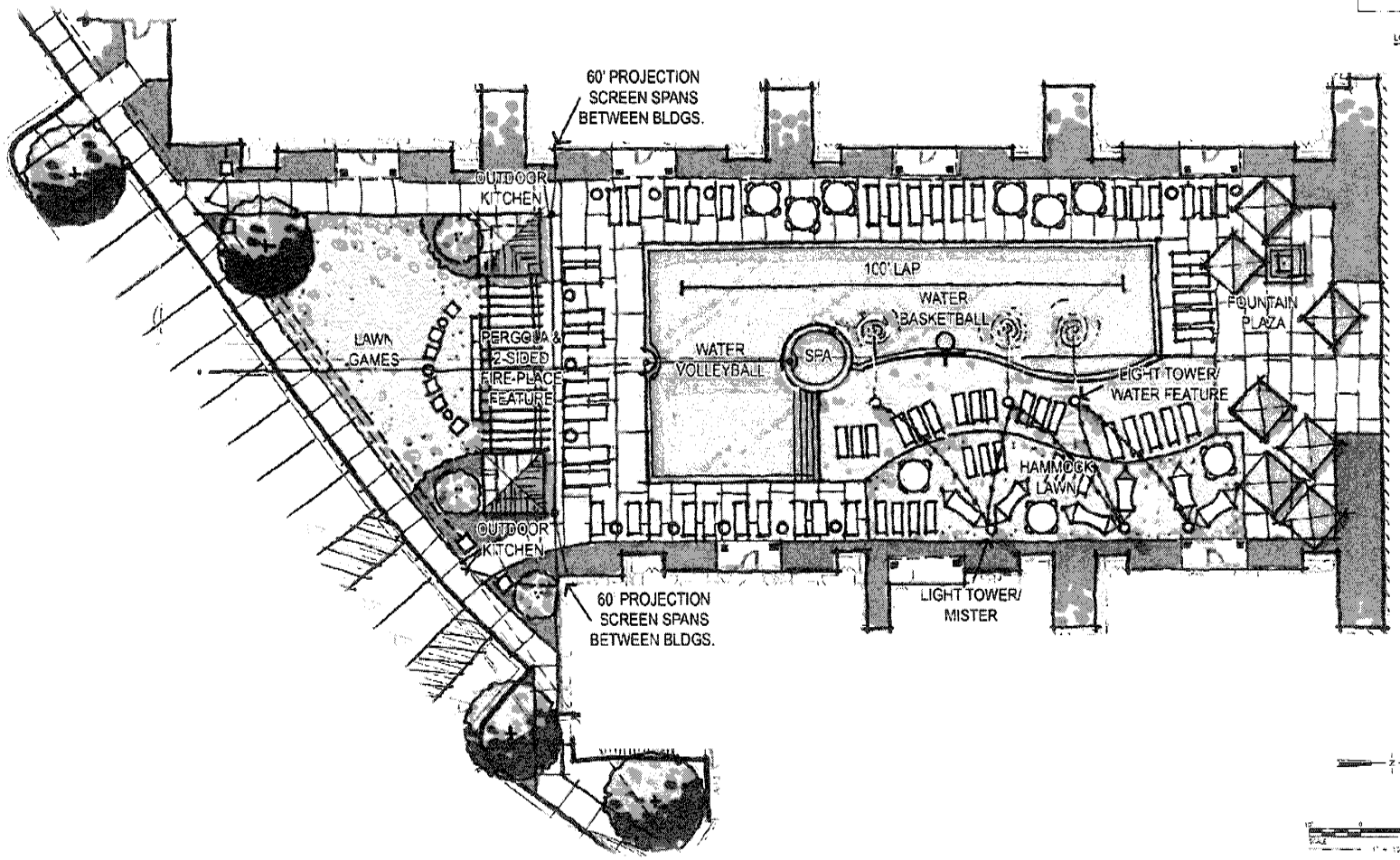
PP05

CARDINAL
ENGINEERING
1315 N. Broadway Ave., Suite 300
Oklahoma City, OK 73102
Phone 405 842 1766
Fax 405 843 4687

3224 Bart Conner Drive
Norman, OK 73072
Phone 405 579 0655
Fax 405 366 8049

POOL AMENITY EXHIBIT FOR
THE MILLENNIUM
NORMAN, OK.





DRAFT
NOT FOR CONSTRUCTION OR PERMITS

THE MILLENNIUM

500 E. LINDSEY
NORMAN, OK

PARKSIDE LIVING, LLC
HOUSTON, TX

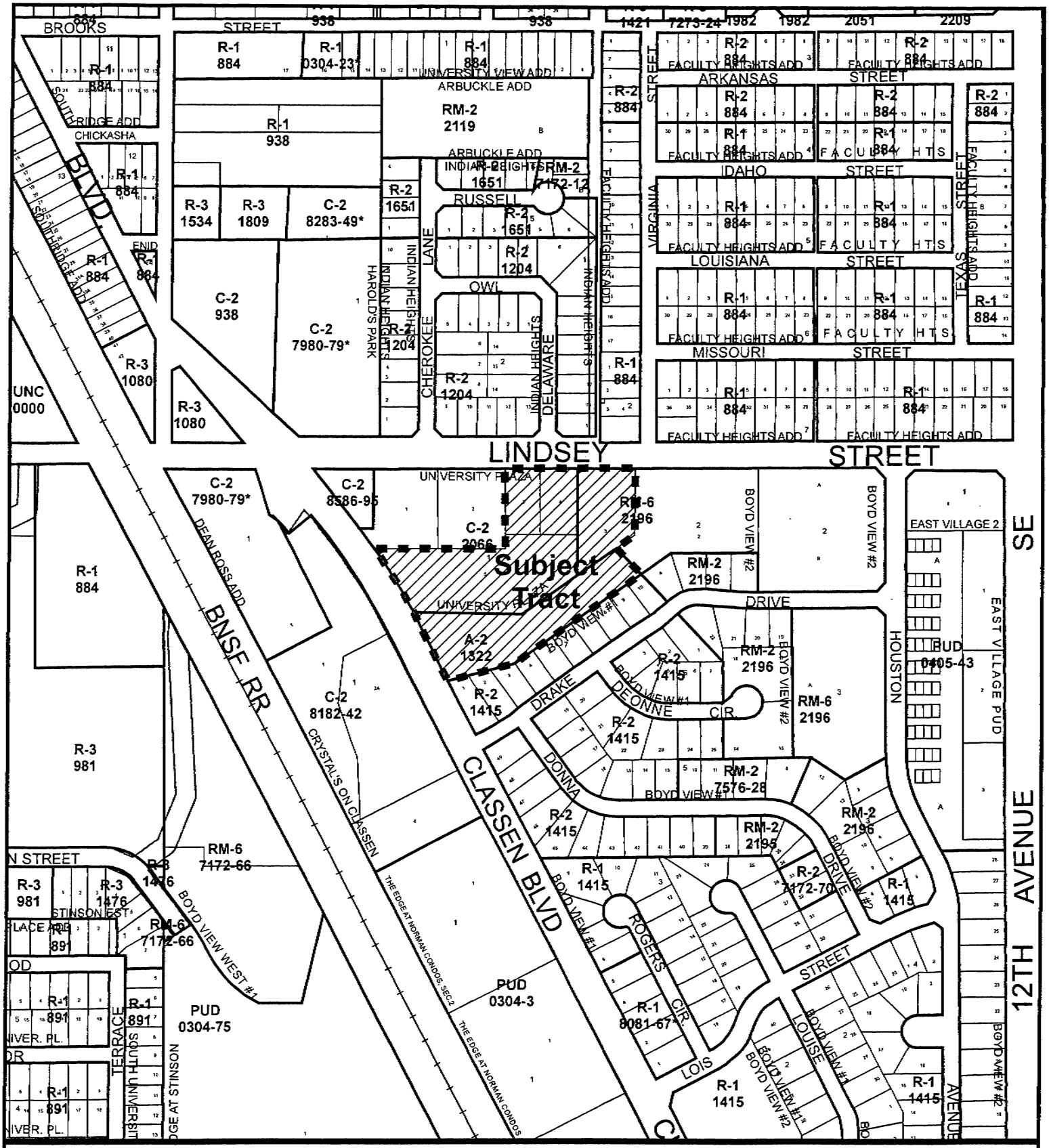
POOL AMENITY EXHIBIT

SEPTEMBER 2013

PP06

CARDINAL ENGINEERING

48-17



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

August 6, 2013

0 200 400 Ft.

Subject Tract

Zoning
48-18

J:\ArcGIS10 MapTemplates\8x11 - LocationMapArcMap10.mxd

ORDINANCE NO. O-1314-18 ITEM NO. 5b

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Parkgreen Living, L.L.C.
REQUESTED ACTION	Rezoning to PUD, Planned Unit Development District
EXISTING ZONING	C-2, General Commercial District RM-6, Medium Density Apartment District A-2, Rural Agricultural District
SURROUNDING ZONING	North: R-2, Two Family Dwelling District, R-1, Single Family District East: RM-6, Medium Density Apartment District, RM-2, Low Density Apartment District South: R-2, Two Family Dwelling District West: C-2, General Commercial District
LOCATION	Near the southeast corner of East Lindsey Street and Classen Boulevard
SIZE	6.85 acres, more or less
PURPOSE	Multi-Family Residential Community and Related Amenities
EXISTING LAND USE	Vacant on the west side, a single family home on the east portion
SURROUNDING LAND USE	North: Single Family and Two Family East: Apartments South: Single Family and Two Family West: Commercial

SYNOPSIS: The applicant has submitted a request to rezone an undeveloped tract of land from C-2, General Commercial District, RM-6, Medium Density Apartment District, and A-2, Rural Agricultural District to a PUD, Planned Unit Development for a student based housing project. The land under review was set aside on the Norman 2025 Land Use and Transportation Plan as High Density Residential, Commercial and Parkland; this proposal will designate the property as High Density Residential.

ANALYSIS: The particulars of this PUD include:

1. **USE:** The development as proposed will consist of 197 units and 705 beds for a student housing development. With the close proximity to the University the project will be focused on the University population. The location will be best suited for students, faculty and staff to walk or ride bicycles to the University

2. **DESIGN**: This is a gated apartment community. The gates are designed to City standards. The structures may not exceed five stories of habitable space, plus the additional height needed for roof structure, any mechanical equipment and associated construction. Exterior materials will consist of eighty percent masonry on all elevations. The exterior material may include brick, stone, stucco or manufactured materials such as synthetic stone, panel stucco or cement board. There will be three access points for the development. There will be one access point on Lindsey Street, centered between Barkley Street and Virginia Street. The second and third access points will be off Classen Boulevard. There is an existing access point which flows into the commercial development to the west of this proposal; a small section of the development will be accessed from this point.

3. **OPEN SPACE:** In addition to the open spaces noted within the development there is a large open space area incorporated into the amenities/park area located along the southern portion of this development.

4. **PARKING**: There is a parking garage provided for this development. Some of the residents will be able to park in the parking garage and walk across the attached walkway to their building. In addition to the parking garage there is parking distributed throughout the development. The PUD states there will be 1/1 parking ratio, bed to parking ratio. There will be 731 parking spaces on-site. There will be 705 parking spaces for 705 beds. Proposed are twelve parking spaces for the clubhouse. The remaining parking is supplementary.

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

6. **SIGNAGE:** All signage shall be in conformance with the City of Norman's Sign Ordinance. 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."

7. **FENCING:** This development has included an area that was previously designated as parkland. That parkland was in a flood zone and also included a portion of a drainage system. Portions of that area were not adequately suited for a park. The western portion of the previous parkland not suitable for use as a park area will incorporate the needed detention for this site. With that said, this development has utilized this previous parkland for a new park area that the neighboring single-family and two-family, as well as adjacent multi-family developments can benefit. The area along the southern portion of the development abuts two-family homes with existing fences along the rear of their property. The Zoning Ordinances states these types of developments should screen/fence as a buffer between less intense zoning districts. In this case staff suggests the applicant not fence the south and east sides of the property as this will close off the proposed park/amenity area to adjacent residential developments. However, there is a wrought iron security fence, as shown on the site plan, which surrounds the development; this will secure the gated community from visitors at the park.

OTHER AGENCY COMMENTS

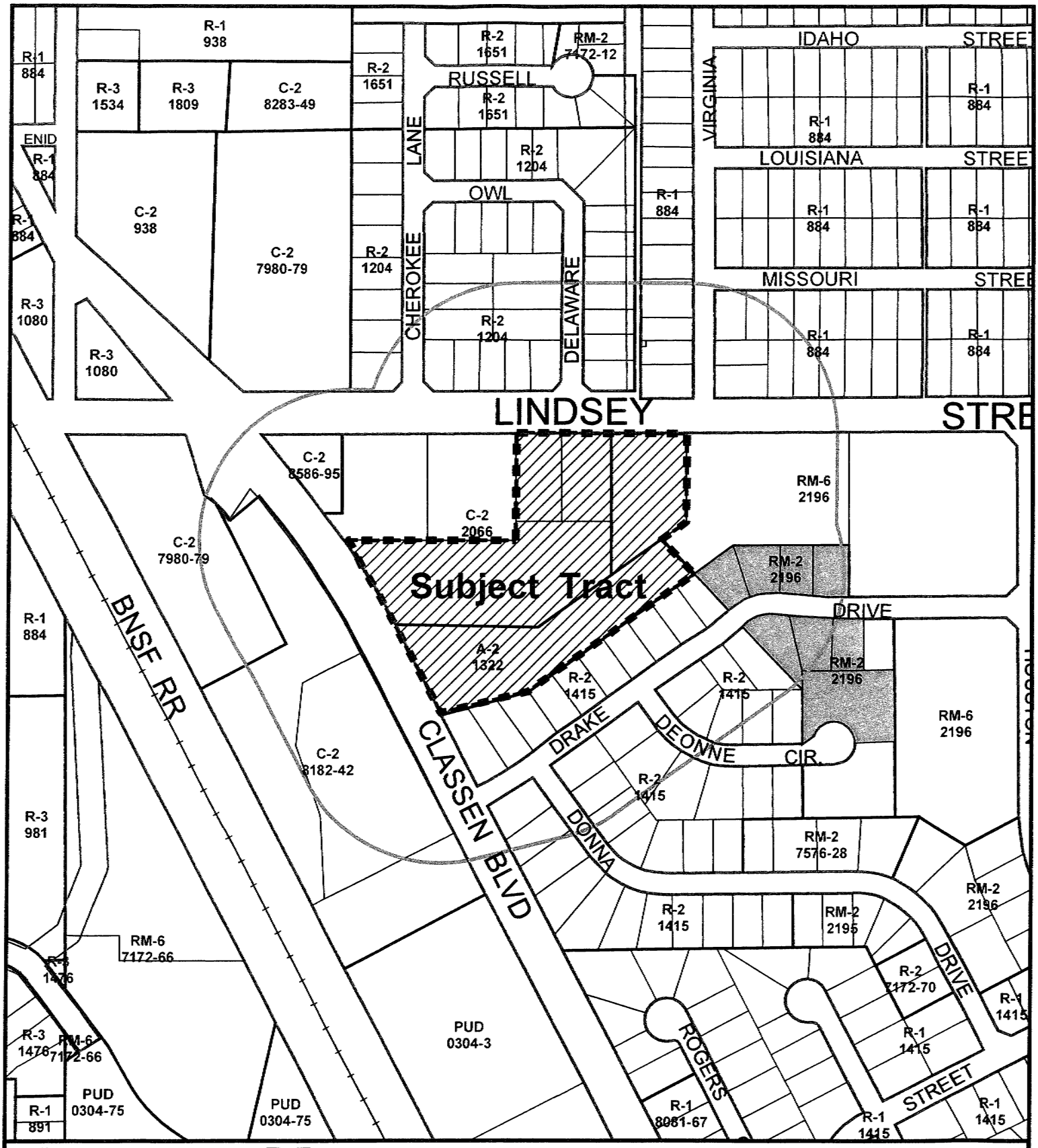
- **PARKS BOARD** In addition to the proposed park area on-site the developer has proposed a fee-in-lieu for parkland. However, the application is moving forward without a Parks Board decision as they meet after the printing of the Planning Commission Agenda. Staff will provide additional information at the Planning Commission meeting.

- **PUBLIC WORKS** 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. A portion of Classen Boulevard will be improved to City standards. Within that same location a five foot sidewalk will be installed adjacent to Classen Boulevard.

- **TRAFFIC** A Traffic Impact Study was submitted, reviewed by staff and found to be acceptable.

STAFF RECOMMENDATION This proposed PUD provides adequate regulations and zoning requirements for a multi-family development. As well as providing a new park area for the adjacent properties.

Staff recommends approval of Ordinance No. O-1314-19.



Protest Map

6.3% Protest Within Notification Area

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

N
W E
S

Scale: 1" = 300'
October 8, 2013

Subject Tract
Protest
Notification Area

48-22

To: City of Norman Planning Commission, meeting October 10, 2013

Re: **Parkgreen Living, L.L.C. NOTICES OF REQUEST FOR NORMAN 2025 LAND USE AND TRANSPORTATION PLAN AMENDMENT AND REZONING, dated September 18, 2013**

Dear Commissioners:

I protest the proposed Land Use Plan amendment and rezoning. Norman does not need 700 additional student bedrooms now:

- In the last 10 years, OU student population has been flat: 2002 fall on-campus enrollment was 23,800 and 2012 was 24,100.
- 5,100 student bedrooms were built during this time: Reserve at Stinson, Edge, Campus Lodge, Traditions, Cottages, and Grove.
- On the first day of classes, there were 500 vacant beds at the student by-the-bed complexes.
- Since 2006, average annual rent rate increases of around 2% per year among the student complexes do not indicate an under-supply of this kind of housing.
- There is lots of uncertainty about the future size of the OU student population
    - OU Tuition and Fees increases (e.g. 7% in 2011/12) have dramatically outpaced inflation last several years
    - Massive Open Online Courses (MOOCs) and University-offered online-only degrees are gaining popularity.
- These and other by-the-bed student complexes are designed specifically as SROs (single room occupancy) for young students, typically sophomores. Once the demand from this group is met, it is unclear to whom these will be rented, as these are not clearly suitable for families, leaving low income renters as a likely option. This could alsolower the rents and occupancy at many of the east-side complexes and duplexes serving this group, for example Turnberry, Aston Place, Glen Oaks, and Sinclair Circle, discouraging investment to improve them and also encouraging an influx of less desirable renters throughout the metro area to relocate to Norman, as was the case in Norman during the late 80's.

Sincerely,

David H. Kinnard

Norman citizen and owner of Summer Pointe and Springfield Apartments

942 Chautauqua

FILED IN THE OFFICE OF THE CITY CLERK ON 10-7-2013 (dr)

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

OCTOBER 10, 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 10th day of October 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.

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

* * *

Item No. 1, being:
ROLL CALL

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

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 David Riesland, Traffic Engineer Roné Tromble, Recording Secretary Kathryn Walker, Asst. City Attorney Rick Hoffstatter, GIS Analyst I Terry Floyd, Development Coordinator

* * *

Item No. 5, being:
SE CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD

5A. R-1314-44 – PARKGREEN LIVING, L.L.C. REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM PARKLAND DESIGNATION AND COMMERCIAL DESIGNATION TO HIGH DENSITY RESIDENTIAL DESIGNATION FOR PROPERTY GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD.

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

5B. O-1314-18 – PARKGREEN LIVING, L.L.C. REQUESTS REZONING FROM C-2, GENERAL COMMERCIAL DISTRICT, RM-6, MEDIUM DENSITY APARTMENT DISTRICT, AND A-2, RURAL AGRICULTURAL DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT, FOR PROPERTY GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. PUD Narrative – The Millenium Addition
4. Green Space Exhibit
5. Pool Amenity Exhibit

5C. O-1314-19 – PARKGREEN LIVING, L.L.C. REQUESTS CLOSURE OF ALL THE UTILITY EASEMENTS LOCATED IN LOTS 3, 4, AND 5, BLOCK 1 OF UNIVERSITY PLAZA ADDITION, AND ALL OF LOT 3 AND A 10-FOOT UTILITY EASEMENT ALONG THE NORTH 234.75 FEET OF THE WEST LINE OF LOT 2, BLOCK 2 OF BOYD VIEW ADDITION NO. 2, GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Petition to Vacate Easements
4. Legal Description
5. Exhibit of Easements

5D. PP-1314-7 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY PARKGREEN LIVING, L.L.C. (CARDINAL ENGINEERING) FOR MILLENIUM ADDITION, A PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Preliminary Site Plan
6. Greenbelt Commission Comments

PLEASE SEE THE TRANSCRIPT OF THIS PORTION OF THE MEETING PREPARED BY ASSOCIATED REPORTING, LTD.

PRESENTATION BY STAFF:

1. Jane Hudson presented the staff report and recommendation.

PRESENTATION BY THE APPLICANT:

1. Sean Rieger, 136 Thompson Avenue

AUDIENCE PARTICIPATION:

1. David Kinnard, 942 Chautauqua Avenue

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Andy Sherrer moved to recommend adoption of Resolution No. R-1314-44, Ordinance No. O-1314-18, Ordinance No. O-1314-19, and PP-1314-7, the Preliminary Plat for MILLENIUM ADDITION, A Planned Unit Development, to City Council. Dave Boeck seconded the motion.

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

YEAS	Jim Gasaway, Andy Sherrer, Dave Boeck, Tom Knotts, Chris Lewis
NAYS	Cindy Gordon
ABSENT	Curtis McCarty, Roberta Pailes, Sandy Bahan

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1314-44, Ordinance No. O-1314-18, Ordinance No. O-1314-19, and Preliminary Plat No. PP-1314-7 to City Council, passed by a vote of 5-1.

* * *

City of Norman, OK

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

Master

File Number: PP-1314-7

File ID:	PP-1314-7	**Type:**	Preliminary Plat	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 49	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	09/11/2013
File Name:	Millennium Addition Prelim Plat			**Final Action:**	

Title: CONSIDERATION OF A PRELIMINARY PLAT FOR MILLENNIUM ADDITION, A PLANNED UNIT DEVELOPMENT. (GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD)

Notes: ACTION NEEDED: Motion to approve or reject the preliminary plat for Millennium Addition, a Planned Unit Development.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 49

Attachments: Text File Millenium Prelim.pdf, Attachment A.pdf, Location Map, Preliminary Plat Millenium, Transportation Impacts, Stf-rept. prelim-plat-Millennium Addn.pdf, Supplemental Memo re Floodplain and Parks Board, Site Plan, Greenbelt Comments Millenium, 10-10-13 PC Minutes, Minutes of Planning Commission Court Reporter.pdf

Project Manager: Ken Danner, Subdivision Manager

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	10/10/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	11/12/2013		Pass

Action Text: A motion was made by Commissioner Sherrer, seconded by Commissioner Boeck, that this Preliminary Plat be Recommended for Adoption at a subsequent City Council Meeting to the City Council , due back on 11/12/2013. The motion carried by the following vote:

Text of Legislative File PP-1314-7

body

BACKGROUND: This item is a preliminary plat for Millennium Addition, a Planned Unit Development, a replat of part of Boyd View No. 1 and No. 2 Addition and University Plaza Addition and is generally located near the southeast corner of East Lindsey Street and Classen Boulevard. The preliminary plat consists of 6.85 acres

and one lot and block with 197 apartment units. The owner proposes to develop a multi-story residential development. There are two proposed access points to Classen Boulevard and a single access to East Lindsey Street.

The Norman Board of Parks Commissioners, at its meeting of October 3, 2013, recommended fee in lieu of park land dedication. The Flood Plain Permit Committee, at its meeting of October 7, 2013, approved Flood Plain Permit No. 528 for the extension of the drainage structure under Classen Boulevard, including installation of public sidewalk and the detention area serving the Millennium project.

Planning Commission, at its meeting of October 10, 2013, recommended to City Council that the NORMAN 2025 Land Use and Transportation Plan be amended from park Land and Commercial Designation to High Density Residential Designation and approval of Ordinance No. O-1314-44, placing this property in the Planned Unit Development District. Also, at its same meeting, recommended approval of the preliminary plat for Millennium Addition, a Planned Unit Development, a replat of part of Boyd View No. 1 and No. 2 Addition and University Plaza Addition.

DISCUSSION: The 705 bedroom/197 unit apartment residential development in this preliminary plat are expected to generate approximately 2,348 trips per day. The traffic capacity on the affected roadways exceeds the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated on these facilities. Please see Attachment A.

Because of the development's size and traffic generation potential, the applicant was required to conduct a comprehensive traffic impact study. The study was completed by Lee Engineering, LLC, and was submitted in September, 2013.

The study location is east of Classen Boulevard and south of Lindsey Street. The proposal includes one access to Lindsey Street located between Barkley Street and Virginia Street. As for access to Classen Boulevard, the site will utilize the existing access located behind the Braum's restaurant and the Conoco service station/convenience store as well as a second access to Classen Boulevard further south of this existing access.

The existing traffic signal located at the Lindsey Street intersection with Classen Boulevard will adequately service existing, background, and future traffic volumes. No improvements are required at this intersection. All existing access points will function as unsignalized approaches to both Lindsey Street and Classen Boulevard. No turn lanes are required to serve anticipated site traffic volumes. Staff concurs with the analyses as presented. No traffic impact fees have been identified for which this development will be responsible.

Driveway spacing along Lindsey Street will not be in accordance with the guidelines offered in the City of Norman's Engineering Design Criteria (EDC). The streets that intersect the north side of Lindsey Street are all low-volume streets serving single-family residential development between Lindsey Street and Brooks Street. The proposed access to Lindsey Street is to be between Barkley Street and Virginia Street. While the spacing does not meet the requirements in the EDC, the traffic study showed that there will be no conflicts between turning vehicles at either of these existing streets or the proposed access to the south. As such, staff supports a variance for access to Lindsey Street. The proposed driveway to Classen Boulevard is far enough away from the existing driveway located immediately behind Braum's and the Conoco station to satisfy the EDC, and, as such, no variance is necessary. This driveway is needed to fully serve the 2.13 acres that was added to the previous plat for this area.

City Council, at its meeting of August 13, 2013, authorized the sale/trade of Boyd View Park to the adjacent landowner, in light of the difficulties of development of a public park in this location, and the possibility, through deed restriction, of requiring the future developer to provide private open space and park-like amenities that will be accessible to the public, and particularly the adjacent Boyd View neighborhood. This approach provided additional open space and park-like amenities in the Millennium Addition accessible to the adjacent Boyd View neighborhood that would not otherwise have been developed or provided by the City under the City's Parks Master Plan. The Parks Board endorsed the concept.

Also, City Council approved Contract No. K-1314-43 by and between the City of Norman and III Moore

Properties, LTD for property acquisition in connection with the Cedar Lane Widening Project and transfer of Boyd View Property and reserving future development requirements for the Boyd View Property.

On August, 21, 2013, a Quit Claim Deed was filed of record with the Cleveland County Clerk transferring Boyd View Park Property to III Moore Properties, LTD.

Public improvements for this property consist of the following:

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

Drainage. Storm water will be conveyed to the proposed privately maintained detention facility. A 54" reinforced storm sewer pipe will be extended from an existing 54" corrugated metal pile located east of the project. This conveys storm water from a drainage area located north of East Lindsey Street. It will be installed on the southern portion of the property and connect to the 5'x6' reinforced concrete box at Classen Boulevard. This will eliminate the need for the existing drainage channel. As a result, the amenities can be installed that will be used for their project and Boyd View neighborhood.

Sanitary Sewers. Sanitary sewer mains are existing.

Sidewalks. Sidewalks will be constructed adjacent to a portion of Classen Boulevard. There is an existing sidewalk adjacent to East Lindsey Street.

Streets. East Lindsey Street is existing. A portion of Classen Boulevard will be widened in accordance with approval plans and City paving standards.

Water Mains. There is an existing sixteen-inch (16") water main adjacent to Classen Boulevard and a twelve-inch (12") water main adjacent to East Lindsey Street. Water mains will be installed in accordance with approved plans and City and Department of Environmental Quality standards to serve fire hydrants and provide a looped system.

Public Dedications. All rights-of-way and easements will be dedicated to the City with final platting.

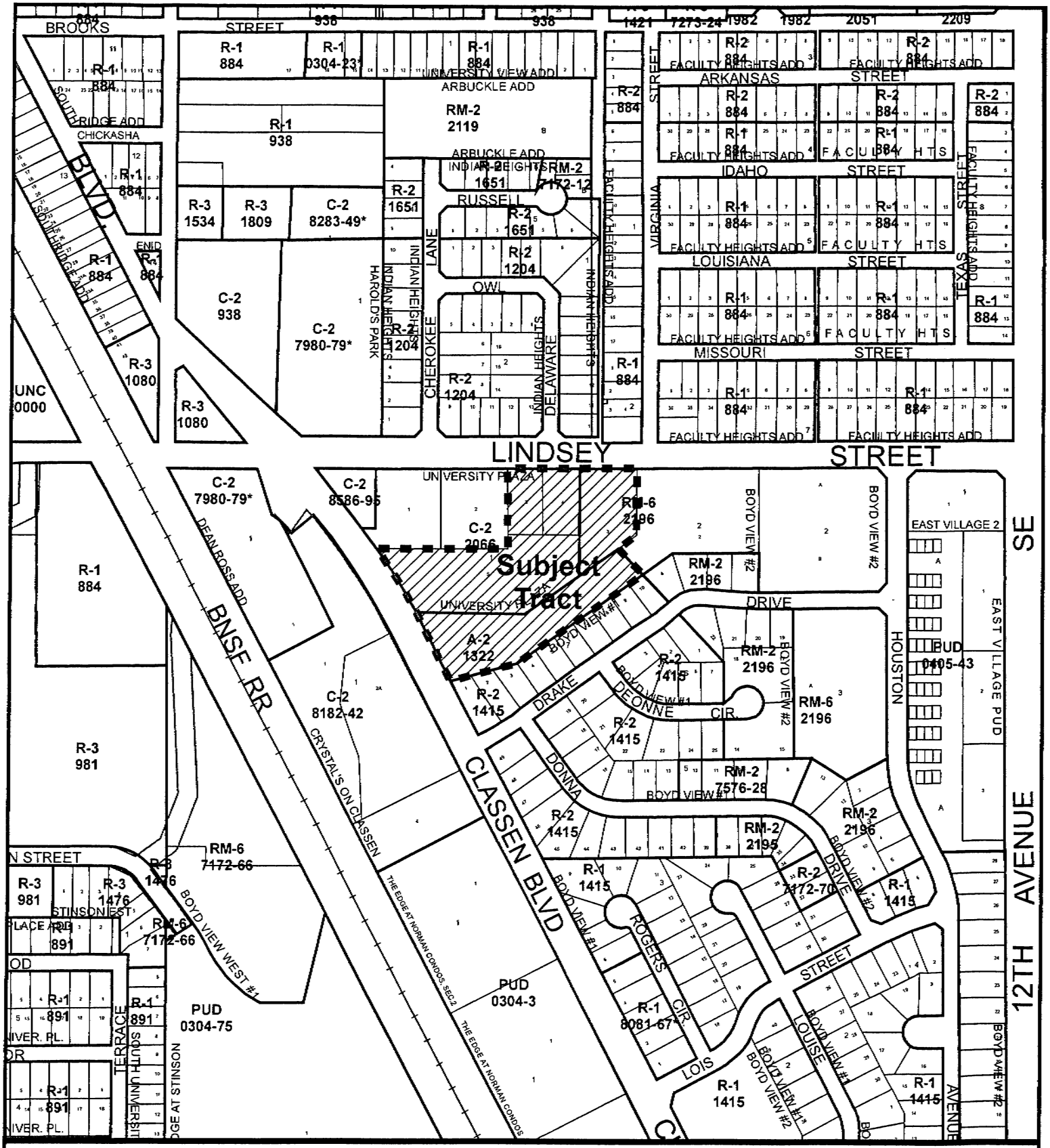
STAFF RECOMMENDATIONS: Based upon the above information, Staff recommends approval of the preliminary plat for Millennium Addition, a Planned Unit Development, a Replat of part of Boyd View No. 1 and No. 2 Addition and University Plaza Addition.

ATTACHMENT A

Preliminary Plat

Millennium Addition

STREET	NO. OF LANES	PROPOSED DEVELOPMENT (Veh/day)	EXISTING TRAFFIC (Veh/day)	TOTAL PROJECTED TRAFFIC (Veh/day)	ROADWAY CAPACITY L.O.S. "E"	% CAPACITY USED (EXISTING)	% CAPACITY USED (PROJECTED)
Lindsey St	4	1,291	18,930	20,221	34,200	55.35	59.13
Classen Blvd	3	1,057	14,305	15,362	25,650	55.77	59.89



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.

August 6, 2013

0 200 400 Ft.

Subject Tract

Zoning

49-2

G:\ArcGIS10 Map Templates\8x11_LocationMapArcMap10.mxd

CITY OF NORMAN
Development Review Form
Transportation Impacts

DATE: October 2, 2013 **STAFF REVIEW BY:** David R. Riesland, P.E.
City Traffic Engineer

PROJECT NAME: Millennium Addition **PROJECT TYPE:** Residential
Owner: Parkgreen Living, LLC
Developer's Engineer: Cardinal Engineering
Developer's Traffic Engineer: Lee Engineering

SURROUNDING ENVIRONMENT (Streets, Developments)
Commercial zoning is located north and west of the proposed site with multi-family and single-family residential to the north, south, and east. Classen Boulevard is the main north/south roadway. Lindsey Street is the main east/west roadway.

ALLOWABLE ACCESS:
This project seeks one access to Lindsey Street and one additional access to Classen Boulevard. Neither requests will satisfy the requirements in the City's Engineering Design Criteria, but staff supports both variance requests.

EXISTING STREET CHARACTERISTICS (Lanes, Speed Limits, Sight Distance, Medians)
Lindsey Street: 4 lanes (existing and future). Speed Limit - 35 mph. No sight distance problems. No medians.
Classen Boulevard: 3 lanes (existing)/4 lanes (future). Speed Limit - 35 mph. No sight distance problems. No medians.

ACCESS MANAGEMENT CODE COMPLIANCE: **YES** ☐ **NO** ■

The access point to Lindsey Street does not have insufficient corner clearance. However, staff supports a variance in this case.

TRIP GENERATION

Time Period	Total	In	Out
Weekday	2,348	1,174	1,174
AM Peak Hour	180	36	144
PM Peak Hour	219	142	77

TRANSPORTATION IMPACT STUDY REQUIRED? **YES** ■ **NO** ☐

Traffic Impact Study prepared by Lee Engineering, LLC, of Oklahoma City, Oklahoma.

RECOMMENDATION: **APPROVAL** ■ **DENIAL** ☐ **N/A** ☐ **STIPULATIONS** ☐

Recommendations for Approval refer only to the transportation impact and do not constitute an endorsement from City Staff.

The 705 bedroom/197 unit apartment residential development in this preliminary plat are expected to generate approximately 2,348 trips per day. The traffic capacity on the affected roadways exceeds the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated on these facilities.

Because of the development's size and traffic generation potential, the applicant was required to conduct a comprehensive traffic impact study. The study was completed by Lee Engineering, LLC, and was submitted in September, 2013.

The study location is east of Classen Boulevard and south of Lindsey Street. The proposal includes one access to Lindsey Street located between Barkley Street and Virginia Street. As for access to Classen Boulevard, the site will utilize the existing access located behind the Braum's restaurant and the Conoco service station/convenience store as well as a second access to Classen Boulevard further south of this existing access.

The existing traffic signal located at the Lindsey Street intersection with Classen Boulevard will adequately service existing, background, and future traffic volumes. No improvements are required at this intersection. All existing access points will function as unsignalized approaches to both Lindsey Street and Classen Boulevard. No turn lanes are required to serve anticipated site traffic volumes. Staff concurs with the analyses as presented. No impact fees have been identified for which this development would be responsible.

Driveway spacing along Lindsey Street will not be in accordance with the guidelines offered in the City of Norman's Engineering Design Criteria (EDC). The streets that intersect the north side of Lindsey Street are all low-volume streets serving single-family residential development between Lindsey Street and Brooks Street. The proposed access to Lindsey Street is to be between Barkley Street and Virginia Street. While the spacing does not meet the requirements in the EDC, the traffic study showed that there will be no conflicts between turning vehicles at either of these existing streets or the proposed access to the south. As such, staff supports a variance for access to Lindsey Street. The proposed driveway to Classen Boulevard is far enough away from the existing driveway located immediately behind Braum's and the Conoco station to satisfy the EDC, and, as such, no variance to the EDC is necessary. This driveway is needed to fully serve the 2.13 acres that was added to the previous plat for this area.

PRELIMINARY PLAT ITEM NO. 5d

PP-1314-7

STAFF REPORT

ITEM: Consideration of a Preliminary Plat for MILLENNIUM ADDITION, A PLANNED UNIT DEVELOPMENT (a Replat of Boyd View No. 1 and No. 2 Additions and University Plaza Addition).

LOCATION: Generally located near the southeast corner of East Lindsey Street and Classen Boulevard.

INFORMATION:

1. Owner. III Moore Properties, LTD
2. Developer. Parkgreen Living, LLC
3. Engineer. Cardinal Engineering

HISTORY:

1. October 30, 1961. Planning Commission recommended to City Council that this property be placed in A-2, Rural Agricultural District.
2. December 12, 1961. City Council adopted Ordinance No. 1322 placing this property in A-2, Rural Agricultural District.
3. November 20, 1962. Planning Commission recommended to City Council that a portion of this property be placed in R-2, Two-Family Dwelling District and removed from A-2, Rural Agricultural District.
4. December 19, 1962. City Council adopted Ordinance No. 1415 placing a portion of this property in R-2, Two-Family Dwelling District and R-3, Multi-Family Dwelling District and removing it from A-2, Rural Agricultural District.
5. February 19, 1963. Planning Commission approved the preliminary plat for Boyd View Addition

6. April 5, 1963. Planning Commission recommended to City Council that the final plat for Boyd View No. 1 Addition be approved.

7. November 14, 1968. Planning Commission recommended to City Council that a portion of this property be placed in C-2, General Commercial and removed from R-3, Multi-Family Dwelling District.

8. December 12, 1968. Planning Commission approved the preliminary plat for Boyd View No. 2 Addition.

9. January 21, 1969. City Council adopted Ordinance No. 2066 placing a portion of this property in R-3, Multi-Family Dwelling District.

10. July 17, 1969. Planning Commission recommended to City Council that a portion of this property be placed in RM-6, Medium Density Apartment District and removed from R-2, Two-Family Dwelling District.

11. August 26, 1969. City Council adopted Ordinance No. 2196 placing a portion of this property in RM-6, Medium Density Apartment District and removing it from R-2, Two-Family Dwelling District.

12. December 11, 1969. Planning Commission recommended to City Council the final plat for Boyd View No. 2 Addition be approved.

13. December 23, 1969. City Council approved the final plat for Boyd View No. 2 Addition.

14. January 7, 1970. The final plat for Boyd View No. 2 Addition was filed with the Cleveland County Clerk.

15. January 8, 1976. Planning Commission, on a vote of 6-0, approved the preliminary plat for University Plaza Addition.

16. January 8, 1981. The approval for the preliminary plat for University Plaza Addition became null and void.

17. November 13, 1997. Planning Commission, on a vote of 8-0, approved the preliminary plat for University Plaza Addition.

18. November 13, 1997. Planning Commission, on a vote of 8-0, recommended City Council that the final plat for University Plaza Addition be approved.

19. December 9, 1997. City Council approved the final plat for University Plaza Addition.

20. May 6, 1998. The final plat for University Plaza Addition was filed of record with the Cleveland County Clerk.

21. August 13, 2013. City Council adopted Resolution No. R-1314-23 declaring Boyd View Park as unsuitable for use as a park and declaring such use to be abandoned.

22. August 13, 2013. City Council approved Contract No. K-1314-43 by and between the City of Norman and III Moore Properties, LTD for property acquisition in connection with the Cedar Lane Widening Project and transfer of Boyd View Property and reserving future development requirements for the Boyd View Property.

23. August 21, 2013. Quit Claim Deed was filed of record with the Cleveland County Clerk transferring the Boyd View Property to III Moore Properties, LTD.

24. October 3, 2013. The Norman Board of Parks Commissioners is scheduled to consider a fee in lieu of park land dedication. Results of that consideration will be presented separately.

25. October 7, 2013. The Flood Plain Permit Committee is scheduled to consider Flood Plain Permit No. 528 with respect to extending a drainage structure for the purpose of widening Classen Boulevard.

26. October 10, 2013. The applicant has made a request to amend the NORMAN 2025 Land Use and Transportation Plan from Park Land and Commercial Designation to High Density Residential Designation.

27. October 10, 2013. The applicant has made a request to place this property in the PUD, Planned Unit Development and remove it from A-2, Rural Agricultural District, RM-6, Medium Density Apartment District and C-2, General Commercial District.

IMPROVEMENT PROGRAM:

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

2. Sanitary Sewers. Sanitary sewer mains are existing. Some existing sanitary sewer mains may be relocated or abandoned.

3. Sidewalks. There are existing sidewalks adjacent to East Lindsey Street. The northern 230 feet has existing sidewalk. Approximately, 200 feet of sidewalk will be constructed adjacent to Classen Boulevard.

4. Storm Sewers. Storm water runoff will be conveyed to a proposed privately-maintained detention facility. There is a proposal to eliminate an existing channel and install drainage pipe to convey the storm water under Classen Boulevard and use the above property for recreational purposes. The existing 5' x 6' reinforced concrete box will be extended to allow widening of Classen Boulevard and installation of sidewalk.

5. Streets. East Lindsey Street is existing. A portion of Classen Boulevard is existing. Approximately 240 feet of street improvements will be constructed south of the existing improvements.

6. Water Mains. Water mains have been installed to serve proposed fire hydrants. Some of the existing interior water mains servicing fire hydrants will be relocated or abandoned. There is an existing twelve-inch water main adjacent to East Lindsey Street and a sixteen-inch water main adjacent to Classen Boulevard. The interior water lines will connect to the 12-inch water main and 16-inch water main creating a looped system.

PUBLIC DEDICATIONS:

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

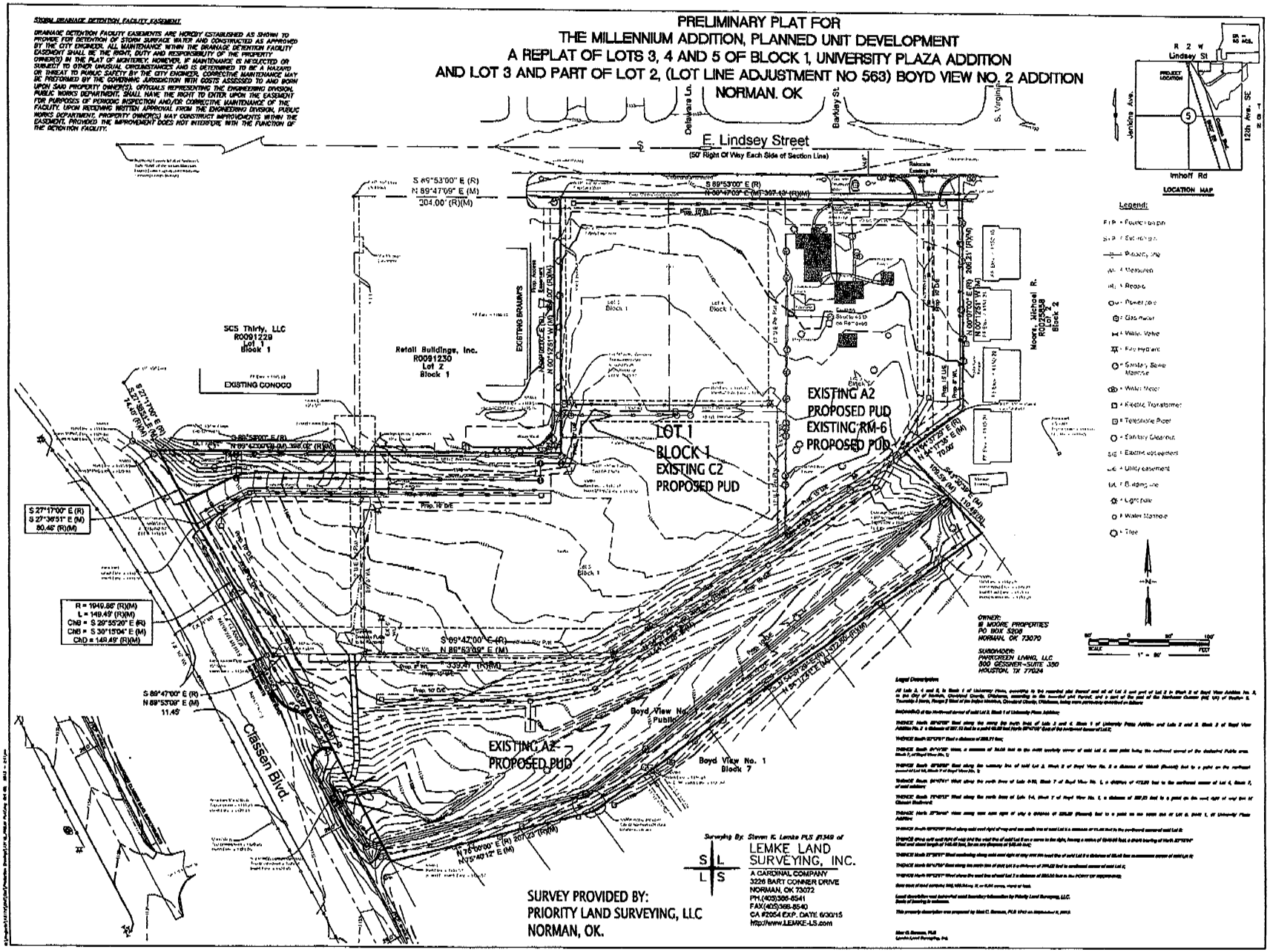
2. Right-of-Way. All required rights-of-way will be dedicated to the City on the final plat.

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

STAFF COMMENTS AND RECOMMENDATION: The project will consist of 197 units with multi-story buildings and parking garage on 6.85 acres. This will be a gated community. The drive approach on the southern portion of the development providing ingress and egress to Classen Boulevard will be gated and meets the standard that has been approved by City Council. There is an existing drive on Classen Boulevard that has been utilized by the Conoco and Braum's facilities and a portion of this project will have access to it. The ingress and egress to East Lindsey Street will be gated, but the gates will be located within the development. This development will provide open space along the southern portion of the property which includes storm water facilities with park type amenities that will be accessible to the Boyd View neighborhood. Staff recommends approval of the preliminary plat for Millennium Addition, a Planned Unit Development, subject to the approvals of the NORMAN 2025 Land Use and Transportation Plan amendment, Resolution No. R-1314-44 and Ordinance No. O-1314-18.

ACTION NEEDED: Recommend approval or disapproval of the preliminary plat for Millennium Addition, a Planned Unit Development, to City Council.

ACTION TAKEN:_____


PRELIMINARY PLAT FOR
THE MILLENNIUM ADDITION, PLANNED UNIT DEVELOPMENT
A REPLAT OF LOTS 3, 4 AND 5 OF BLOCK 1, UNIVERSITY PLAZA ADDITION
AND LOT 3 AND PART OF LOT 2, (LOT LINE ADJUSTMENT NO 563) BOYD VIEW NO. 2 ADDITION
NORMAN, OK
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 MONTEREY. HOWEVER, IF MAINTENANCE IS NEGLECTED OR SUBJECT TO OTHER UNUSUAL CIRCUMSTANCES AND IS DETERMINED TO BE A HAZARD OR THREAT TO PUBLIC SAFETY BY THE CITY ENGINEER, CORRECTIVE MAINTENANCE MAY BE PREFORMED BY THE GOVERNING JURISDICTION WITH COSTS ASSESSED TO AND BORN UPON SAID PROPERTY OWNER(S). OFFICIALS REPRESENTING THE ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT, SHALL HAVE THE RIGHT TO ENTER UPON THE EASEMENT FOR PURPOSES OF PERIODIC INSPECTION AND/OR CORRECTIVE MAINTENANCE OF THE FACILITY. UPON RECEIVING WRITTEN APPROVAL FROM THE ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT, PROPERTY OWNER(S) MAY CONSTRUCT IMPROVEMENTS WITHIN THE EASEMENT, PROVIDED THE IMPROVEMENT DOES NOT INTERFERE WITH THE FUNCTION OF THE DETENTION FACILITY.
E. Lindsey Street
(50' Right Of Way Each Side of Section Line)
Delaware Ln.
Barkley St.
S. Virginia
S 89°53'00" E (R)
N 89°47'09" E (M)
204.00' (R)(M)
SCS Thirty, LLC
R0091229
Lot 1
Block 1
EXISTING CONOCO
Retail Buildings, Inc.
R0091230
Lot 2
Block 1
EXISTING BRAUNS
Moore, Michael R.
R0025858
Lot 2
Block 2
LOT 1
BLOCK 1
EXISTING C2
PROPOSED PUD
EXISTING A2
PROPOSED PUD
EXISTING RM-6
PROPOSED PUD
S 27°17'00" E (R)
S 27°36'51" E (M)
80.46' (R)(M)
R = 1949.86' (R)(M)
L = 149.49' (R)(M)
ChB = S 29°55'20" E (R)
ChB = S 30°15'04" E (M)
ChD = 149.49' (R)(M)
S 89°47'00" E (R)
N 89°53'09" E (M)
11.45'
Classen Blvd.
Boyd View No. 1
Public
Boyd View No. 1
Block 7
EXISTING A2
PROPOSED PUD
N 76°00'00" E (R) 207.23' (R)(M)
N 75°40'12" E (M)
Legend:
Surveying By: Steven K. Lemke PLS #1349 of
LEMKE LAND SURVEYING, INC.
A CARDINAL COMPANY
3226 BART CONNER DRIVE
NORMAN, OK 73072
PH.(405)366-8541
FAX(405)366-8540
CA #2054 EXP. DATE 6/30/15
http://www.LEMKE-LS.com
SURVEY PROVIDED BY:
PRIORITY LAND SURVEYING, LLC
NORMAN, OK.
OWNER:
M MOORE PROPERTIES
PO BOX 5208
NORMAN, OK 73070
SUBDIVIDER:
PARKGREEN LIVING, LLC
800 GESSNER-SUITE 350
HOUSTON, TX 77024
Legal Description
R 2 W
Lindsey St
Jenkins Ave.
12th Ave. SE
Imhoff Rd
LOCATION MAP
THE MILLENNIUM ADDITION, P.U.D. A REPLAT OF LOTS 3, 4 AND 5 OF BLOCK 1, UNIVERSITY PLAZA ADDITION AND LOT 3 AND PART OF LOT 2 (LOT LINE ADJUSTMENT NO. 563) BOYD VIEW NO. 2 ADDITION, NORMAN, OK
PRELIMINARY PLAT
September 27, 2013
REVIEW
PP01
CARDINAL
ENGINEERING
1016 N. Broadway Ave., Suite 300
Oklahoma City, OK 73102
Phone 405.842.1044
Fax 405.843.4487
3226 Bart Conner Drive
Norman, OK 73072
Phone 405.377.0433
Fax 405.366.8540
http://www.cardinalengineers.com
CA # 2054, expiration date 04.30.2013

office memorandum

Date: October 8, 2013

To: Chairman and Members
Norman Planning Commission

From: Jane Hudson, Principal Planner JH
Ken Danner, Subdivision Development Manager KD.

Subject: Planning Commission Agenda Item Nos. 5a, 5b and 5d
Resolution No. R-1314-44 and Ordinance No. O-1314-18
Preliminary Plat for Millennium Addition, a Planned Unit Development

The Norman Board of Parks Commissioners, at its meeting of October 3, 2013, on a vote of 8-0, recommended fee in lieu of park land dedication.

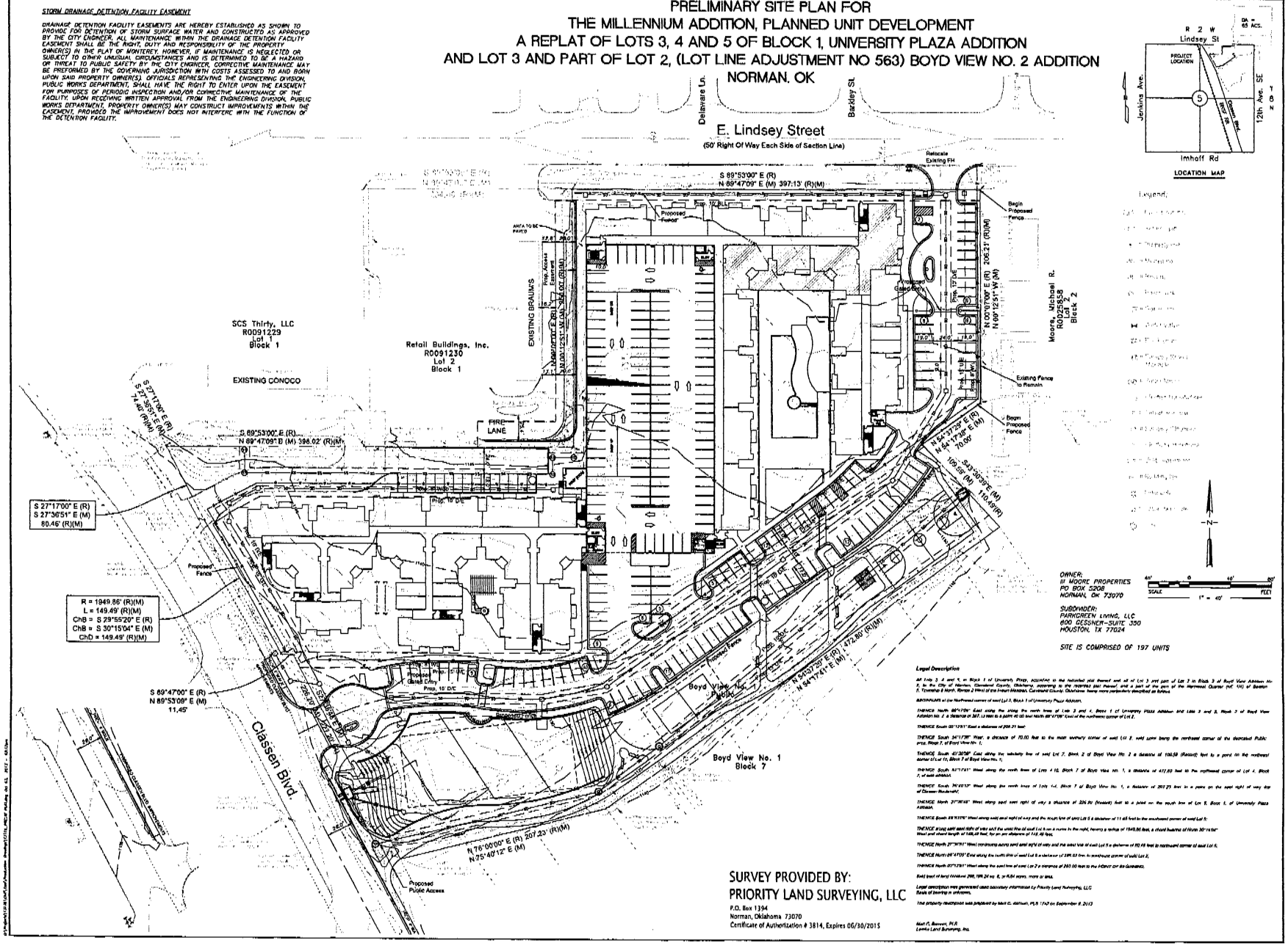
The Norman Flood Plain Permit Committee, at its meeting of October 7, 2013, approved Flood Plain Permit No. 528 for the extension of a box structure so that Classen Boulevard can be widened, the construction of a public sidewalk adjacent to Classen Boulevard and the detention area that will serve the Millennium Addition, a Planned Unit Development.

cc: Shawn O'Leary, Director of Public Works
Susan Connors, Director of Planning and Community Development

PRELIMINARY SITE PLAN FOR
THE MILLENNIUM ADDITION, PLANNED UNIT DEVELOPMENT
A REPLAT OF LOTS 3, 4 AND 5 OF BLOCK 1, UNIVERSITY PLAZA ADDITION
AND LOT 3 AND PART OF LOT 2, (LOT LINE ADJUSTMENT NO 563) BOYD VIEW NO. 2 ADDITION
NORMAN, OK

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 MONTEREY. HOWEVER, IF MAINTENANCE IS NEGLECTED OR SUBJECT TO OTHER UNUSUAL CIRCUMSTANCES AND IS DETERMINED TO BE A HAZARD OR THREAT TO PUBLIC SAFETY BY THE CITY ENGINEER, CORRECTIVE MAINTENANCE MAY BE PREFORMED BY THE GOVERNING JURISDICTION WITH COSTS ASSESSED TO AND BORN UPON SAID PROPERTY OWNER(S). OFFICIALS REPRESENTING THE ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT, SHALL HAVE THE RIGHT TO ENTER UPON THE EASEMENT FOR PURPOSES OF PERIODIC INSPECTION AND/OR CORRECTIVE MAINTENANCE OF THE FACILITY. UPON RECEIVING WRITTEN APPROVAL FROM THE ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT, PROPERTY OWNER(S) MAY CONSTRUCT IMPROVEMENTS WITHIN THE EASEMENT, PROVIDED THE IMPROVEMENT DOES NOT INTERFERE WITH THE FUNCTION OF THE DETENTION FACILITY.



Legal Description

All Lots 3, 4 and 5, in Block 1 of University Plaza, Addition to the Municipality and thereof, and all of Lot 3 and part of Lot 2 in Block 2 of Boyd View Addition, to the City of Norman, Cleveland County, Oklahoma, according to the recorded plat thereof, and a part of the part of the Northeast Quarter (NE 1/4) of Section 7, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows:

BEGINNING at the Northwest corner of said Lot 3, Block 1 of University Plaza Addition;

THENCE North 89°47'09" East along the south lines of Lots 2 and 1, Block 1 of University Plaza Addition and Lots 3 and 2, Block 2 of Boyd View Addition No. 2 a distance of 397.13 feet to a point 40.00 feet North 89°47'09" East of the northwest corner of Lot 2;

THENCE South 00°12'51" East a distance of 206.21 feet;

THENCE South 54°17'38" West, a distance of 70.00 feet to the most westerly corner of said Lot 2, said point being the northeast corner of the dedicated Public area, Block 7, of Boyd View No. 1;

THENCE South 43°30'58" East, along the westerly line of said Lot 2, Block 2 of Boyd View No. 2 a distance of 109.59 (Record) feet to a point on the northwest corner of Lot 10, Block 7 of Boyd View No. 1;

THENCE South 54°17'41" West along the north lines of Lots 4-10, Block 7 of Boyd View No. 1, a distance of 472.80 feet to the northwest corner of Lot 4, Block 7, of said addition;

THENCE South 76°00'00" West along the north lines of Lots 1-4, Block 7 of Boyd View No. 1, a distance of 207.20 feet to a point on the east right of way line of Classen Boulevard;

THENCE North 27°30'48" West along said east right of way a distance of 326.80 (Record) feet to a point on the south line of Lot 5, Block 1, of University Plaza Addition;

THENCE South 89°53'00" West along said east right of way and the south line of said Lot 5 a distance of 11.45 feet to the southwest corner of said Lot 5;

THENCE along said east right of way and the west line of said Lot 5 on a curve to the right, having a radius of 1949.86 feet, a chord bearing of North 30°15'04" West and chord length of 149.49 feet, for an arc distance of 149.49 feet;

THENCE North 27°17'00" West continuing along said east right of way and the west line of said Lot 5 a distance of 80.46 feet to northwest corner of said Lot 5;

THENCE North 89°47'09" East along the north line of said Lot 5 a distance of 396.02 feet to southwest corner of said Lot 3;

THENCE North 00°12'51" West along the west line of said Lot 3 a distance of 260.00 feet to the POINT OF BEGINNING;

Said tract of land containing 206,198.24 sq. ft. or 4.84 acres, more or less.

Legal description was generated using boundary information by Priority Land Surveying, LLC
Basis of bearing is unknown.

This property description was prepared by Mark C. Allshuh, PLS 1747 on September 9, 2013

Mark C. Bennett, PLS
Lomke Land Surveying, Inc.

SURVEY PROVIDED BY:
PRIORITY LAND SURVEYING, LLC
P.O. Box 1394
Norman, Oklahoma 73070
Certificate of Authorization # 3814, Expires 06/30/2015

REVISIONS

No	Description	Date

09-27-2013

PROJECT
THE MILLENNIUM ADDITION, P.U.D., A REPLAT OF LOTS 3, 4 AND 5 OF BLOCK 1, UNIVERSITY PLAZA ADDITION AND LOT 3 AND PART OF LOT 2, (LOT LINE ADJUSTMENT NO. 563) BOYD VIEW NO. 2 ADDITION

LOCATION
900 E. LINDSEY
NORMAN, OK
PREPARED FOR
FAIRGREEN LIVING, LLC
HOUSTON, TX

DRAWING TITLE
PRELIMINARY SITE PLAN

Project No.	13118
Drawn By	BMH
Checked By	EOR
Date	September 27, 2013
Scale	1"=40'
Revised For	REVIEW
Order No.	

PP02

CARDINAL ENGINEERING
1016 N. Broadway Ave., Suite 300
Oklahoma City, OK 73102
Phone 405.842.1066
Fax 405.843.4667

3724 Bart Conner Drive
Norman, OK 73072
Phone 405.579.0655
Fax 405.366.8540
http://www.cardinalengineering.com
CA # 7034, expiration date 06.30.2015

49-12

GBC 13-25

Applicant: Parkcrest Builders Group, Ltd (student apartments)
Location: On the southeast corner of East Lindsey and Classen.
Proposal: Land Use Plan Amendment and Preliminary Plat

Greenbelt Commission Final Comments - GBC 13-25
Meeting of August 19, 2013

The Greenbelt Commission sends the application forward with no additional comments.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

OCTOBER 10, 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 10th day of October 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.

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

* * *

Item No. 1, being:
ROLL CALL

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

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 David Riesland, Traffic Engineer Roné Tromble, Recording Secretary Kathryn Walker, Asst. City Attorney Rick Hoffstatter, GIS Analyst I Terry Floyd, Development Coordinator

* * *

Item No. 5, being:
SE CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD

5A. R-1314-44 – PARKGREEN LIVING, L.L.C. REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM PARKLAND DESIGNATION AND COMMERCIAL DESIGNATION TO HIGH DENSITY RESIDENTIAL DESIGNATION FOR PROPERTY GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD.

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

5B. O-1314-18 – PARKGREEN LIVING, L.L.C. REQUESTS REZONING FROM C-2, GENERAL COMMERCIAL DISTRICT, RM-6, MEDIUM DENSITY APARTMENT DISTRICT, AND A-2, RURAL AGRICULTURAL DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT, FOR PROPERTY GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. PUD Narrative – The Millenium Addition
4. Green Space Exhibit
5. Pool Amenity Exhibit

5C. O-1314-19 – PARKGREEN LIVING, L.L.C. REQUESTS CLOSURE OF ALL THE UTILITY EASEMENTS LOCATED IN LOTS 3, 4, AND 5, BLOCK 1 OF UNIVERSITY PLAZA ADDITION, AND ALL OF LOT 3 AND A 10-FOOT UTILITY EASEMENT ALONG THE NORTH 234.75 FEET OF THE WEST LINE OF LOT 2, BLOCK 2 OF BOYD VIEW ADDITION NO. 2, GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Petition to Vacate Easements
4. Legal Description
5. Exhibit of Easements

5D. PP-1314-7 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY PARKGREEN LIVING, L.L.C. (CARDINAL ENGINEERING) FOR MILLENIUM ADDITION, A PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Preliminary Site Plan
6. Greenbelt Commission Comments

PLEASE SEE THE TRANSCRIPT OF THIS PORTION OF THE MEETING PREPARED BY ASSOCIATED REPORTING, LTD.

PRESENTATION BY STAFF:

1. Jane Hudson presented the staff report and recommendation.

PRESENTATION BY THE APPLICANT:

1. Sean Rieger, 136 Thompson Avenue

AUDIENCE PARTICIPATION:

1. David Kinnard, 942 Chautauqua Avenue

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Andy Sherrer moved to recommend adoption of Resolution No. R-1314-44, Ordinance No. O-1314-18, Ordinance No. O-1314-19, and PP-1314-7, the Preliminary Plat for MILLENIUM ADDITION, A Planned Unit Development, to City Council. Dave Boeck seconded the motion.

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

YEAS	Jim Gasaway, Andy Sherrer, Dave Boeck, Tom Knotts, Chris Lewis
NAYS	Cindy Gordon
ABSENT	Curtis McCarty, Roberta Pailes, Sandy Bahan

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1314-44, Ordinance No. O-1314-18, Ordinance No. O-1314-19, and Preliminary Plat No. PP-1314-7 to City Council, passed by a vote of 5-1.

* * *

City of Norman, OK

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

Master

File Number: O-1314-19

File ID: O-1314-19 **Type:** Zoning Ordinance **Status:** Non-Consent Items

Version: 1 **Reference:** Item No. 50 **In Control:** City Council

Department: Public Works Department **Cost:** **File Created:** 09/11/2013

File Name: Parkgreen UE Closure **Final Action:**

Title: CONSIDERATION OF ORDINANCE NO. O-1314-19 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING ALL OF THE UTILITY EASEMENTS LOCATED IN LOTS 3, 4, AND 5, BLOCK 1 OF UNIVERSITY PLAZA, AND ALL OF LOT 3 AND A 10-FOOT UTILITY EASEMENT ALONG THE NORTH 234.75 FEET OF THE WEST LINE OF LOT 2, BLOCK 2, BOYD VIEW ADDITION NO. 2, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Notes: ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-19 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-19 upon Final Reading as a whole.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 50

Attachments: Text File O-1314-19.pdf, Memo Vacation, Petition to Close UE, Radius Map O-1314-19, O-1314-19, Location Map, Staff Report, 10-10-13 PC Minutes, Minutes of Planning Commission Court Reporter.pdf

Project Manager: Ken Danner, Subdivision Manager

Entered by: rone.tromble@normanok.gov **Effective Date:**

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	10/10/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	10/22/2013		Pass

Action Text: A motion was made by Commissioner Sherrer, 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 10/22/2013. The motion carried by the following vote:

1	City Council	10/22/2013	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-1314-19

body

BACKGROUND: The applicant has requested closure of the designated utility easements within the above stated developments. Boyd View Addition No. 2 was filed of record January 7, 1970 and University Plaza Addition was filed of record May 6, 1998.

DISCUSSION: This applicant intends to replat the properties and develop the properties in a different configuration than what has been previously platted. The above utility easements are in conflict with the new proposal.

The applicant has submitted a new preliminary plat and site plan showing proposed utility and drainage easements with their respective improvements. The existing utilities and easements serving the existing commercial properties (Conoco and Braum's) will not be impacted by this request. Existing utilities within the proposed closures will be either relocated or abandoned at the cost of the applicant. This action will be the responsibility of the applicant to negotiate with the utility companies.

RECOMMENDATION: This request is running concurrently with the preliminary plat application for Millennium Addition, the proposed new subdivision. Staff is not opposed to the request. The developer is in the process of drafting and dedicating new easements to replace the easements to be closed. Those new easement dedications will be on the same Council agenda as second reading of this ordinance for Council consideration and acceptance. Planning Commission, at its meeting of October 10, 2013, recommended approval of the closure of utility easements.

office memorandum

DATE: September 9, 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

SUBJECT: Request to Vacate Public Utility Easements

I am in receipt of a request to vacate all public utility easements in Lots 3, 4, and 5, Block 1, Boyd View Addition, and Lot 3, Block 2, University Plaza Addition. The application fee has been paid. The applicant is submitting the request to vacate simultaneously with consideration of a Planned Unit Development and Preliminary plat of the area and is reconfiguring the easements.

In accordance with Resolution No. R-8182-66, I am forwarding the request; location map; radius map; 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

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

TELEPHONE: 405.329.6070 FACSIMILE: 405.329.7103

9 September 2013

Ms. Brenda Hall, City Clerk
City of Norman
201 West Gray
Norman, OK 73069

RE: Requesting vacation of public easements

Dear Ms. Hall:

On behalf of PARKGREEN LIVING, LLC ("**Parkgreen**"), please accept this as our request for the City of Norman to take action to permanently close and vacate existing public utility easements that lie on Property in the general vicinity of East Lindsey Street and Classen Boulevard. The subject existing easements are more specifically shown on the attached **EXHIBIT A**.

The subject Property is being submitted simultaneously herewith for consideration of approval of a Planned Unit Development and Preliminary Plat. Through that process, Parkgreen intends to redevelop the Property into a multifamily housing complex. The redevelopment of the Property and new plat of the Property will reconfigure the public easements on the Property. Out of an abundance of caution for title purposes, we are moving for formal vacation of all prior public easements that will no longer align with the proposed development plans.

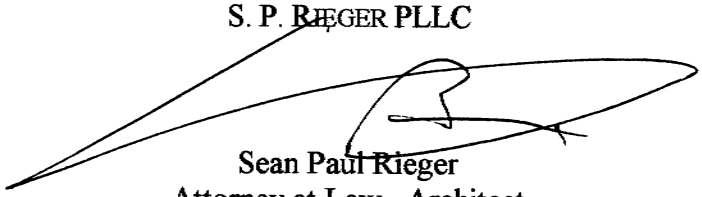
Any utilities that do lie within any of the proposed vacated easements will be relocated accordingly at Developer's cost and moved to locations that properly serve the development and any neighbors that utilize them.

Therefore, our request is for the City to permanently close and vacate the existing utility easements as they currently exist in their present location as shown on the attached **EXHIBIT A**. This request is contingent upon approval of the rezoning and preliminary plat.

In additon to this letter request, we hereby submit the filing fee, a certified owners list of all property owners within 300 feet, and descriptions of the easements to be vacated. Please let me know if you need any additional information from us in order to place this item on the agenda of City Council for their consideration. Thank you very much for your assitance and cooperation.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-9-13

Respectfully Submitted,
S. P. RIEGER PLLC

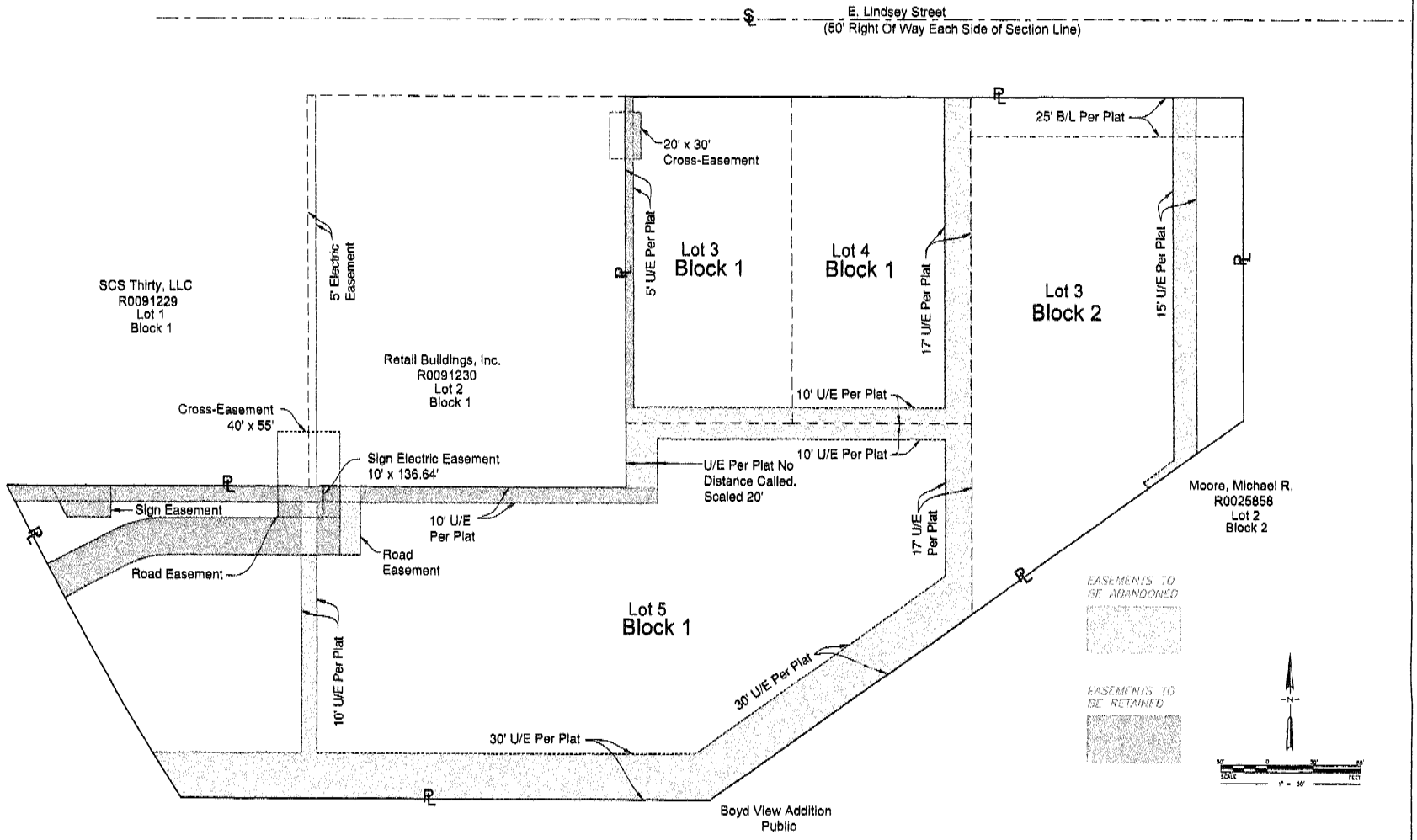


Sean Paul Rieger
Attorney at Law · Architect

Legal Description

All utility easements of record in Lots 3, 4 and 5, in Block 1 of University Plaza, according to the recorded plat thereof and all of Lot 3 and a 10-foot utility easement along the north 234.75 feet of the west line of Lot 2 in Block 2 of Boyd View Addition No. 2, to the City of Norman, Cleveland County, Oklahoma, according to the recorded plat thereof, and a part of the Northeast Quarter (NE ¼) of Section 5, Township 8 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma.

EASEMENT EXHIBIT FOR
900 E. LINDSEY
NORMAN, OK.



DRAFT

STUDENT HOUSING

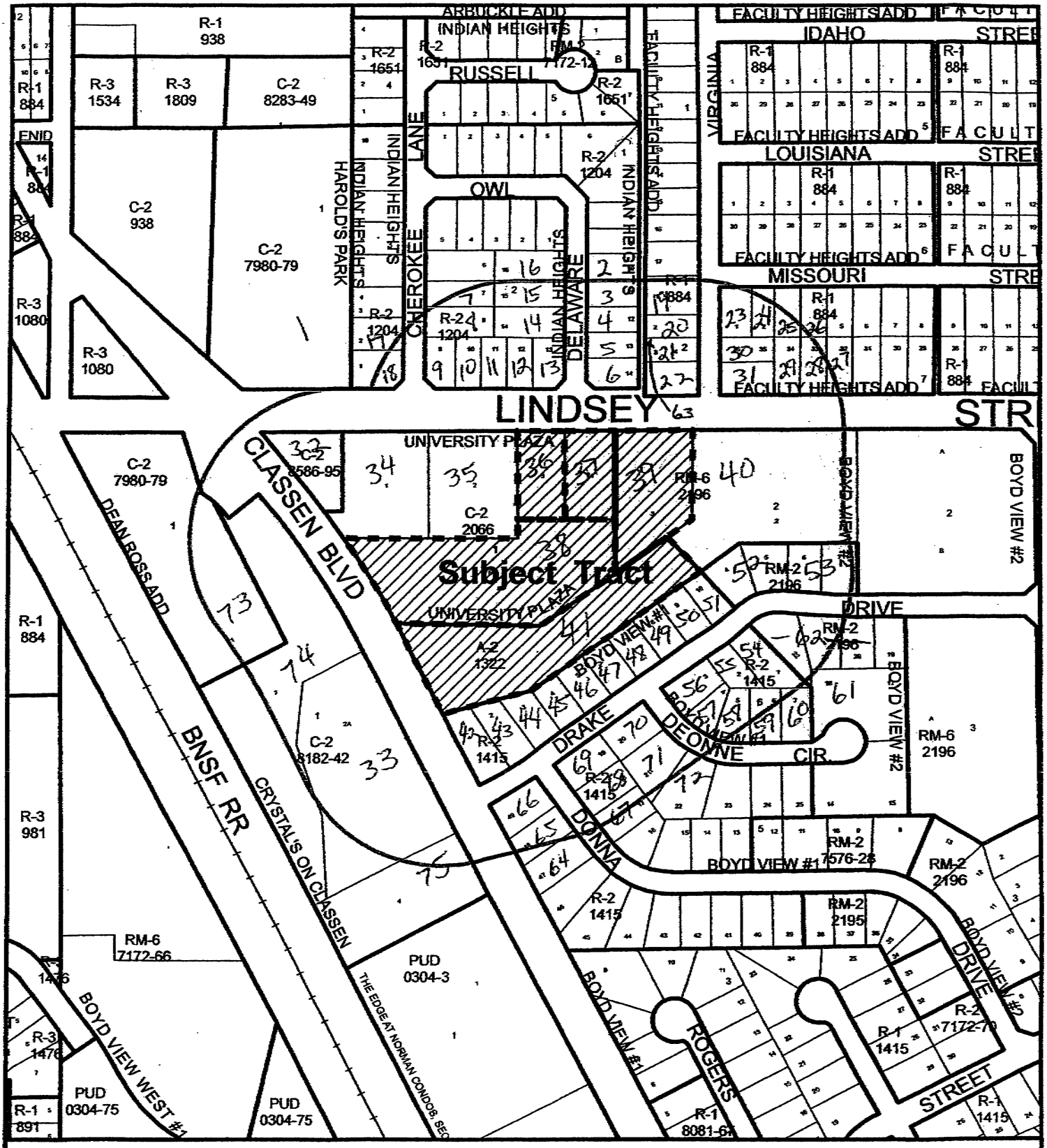
900 E. LINDSEY
NORMAN, OK
PARKGREEN LIVING, LLC
HOUSTON, TX

EASEMENT EXHIBIT

EXHIBIT

CARDINAL ENGINEERING
1010 N. Broadway Ave., Suite 300
Oklahoma City, OK 73102
Phone 405.842.1066
Fax 405.843.4687

8224 Sort Conner Drive
Norman, OK 73072
Phone 405.879.0665
Fax 405.366.8840
http://www.cardinalengineering.com
CAB 2034, expiration date 04.10.2015



Radius Map

350ft. 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.

O-1314-19

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING ALL OF THE UTILITY EASEMENTS LOCATED IN LOTS 3, 4, AND 5, BLOCK 1 OF UNIVERSITY PLAZA, AND ALL OF LOT 3 AND A 10-FOOT UTILITY EASEMENT ALONG THE NORTH 234.75 FEET OF THE WEST LINE OF LOT 2, BLOCK 2, BOYD VIEW ADDITION NO. 2, NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF.

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

§ 1. That, pursuant to Resolution Number R-8182-66, Parkgreen Living, L.L.C., has petitioned the City to have the platted utility easements within the subject property (detailed in § 4) 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, all utility easements of record in Lots 3, 4 and 5, in Block 1 of UNIVERSITY PLAZA, according to the recorded plat thereof, and all of Lot 3 and a 10-foot utility easement along the north 234.75 feet of the west line of Lot 2 in Block 2 of BOYD VIEW ADDITION NO. 2, to the City of Norman, Cleveland County, Oklahoma, according to the recorded plat thereof, and a part of the Northeast Quarter of Section 5, Township 8 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma, are 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)

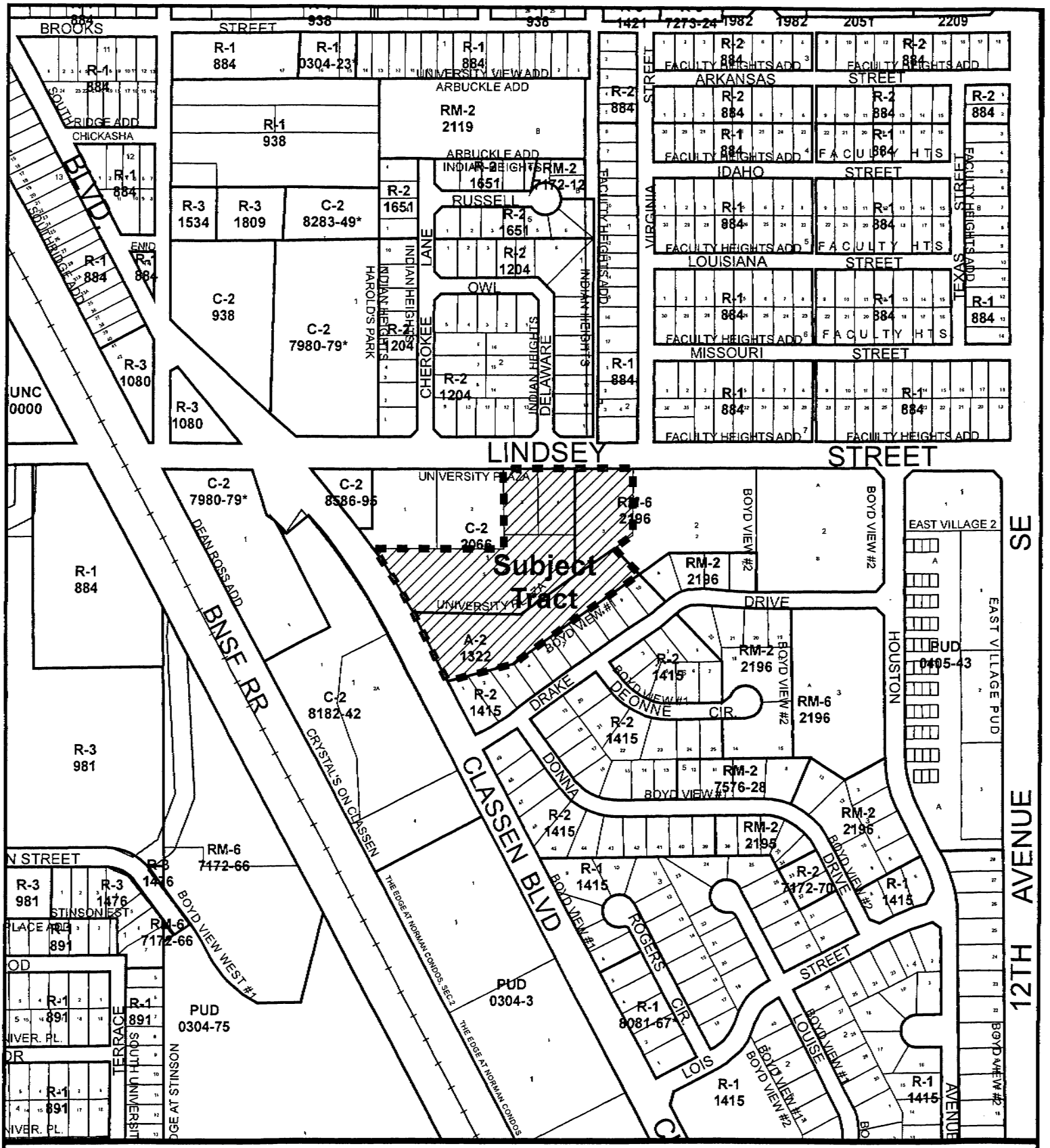
ATTEST:

_____
(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.

August 6, 2013

0 200 400 Ft.

Subject Tract

Zoning

50-8

G:\ArcGIS10 Map Templates\8x11_LocationMapArcMap10.mxd

ORDINANCE NO. O-1314-19 ITEM NO. 5c

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Parkgreen Living, LLC Attorney: Sean Rieger
REQUESTED ACTION	Closure of Certain Utility Easements Within University Plaza Addition and Boyd View Addition No. 2

BACKGROUND: This is a request for closing certain utility easements located in Lots 3, 4 and 5, Block 1 of University Plaza Addition and all of Lot 3 and a 10-foot utility easement along the north 234.75 feet of the west line of Lot 2, Block 2, of Boyd View Addition No. 2 generally located 800 feet east of Classen Boulevard on the south side of East Lindsey Street. The final plat for University Plaza Addition was filed of record May 6, 1998 and Boyd View Addition No. 2 was filed of record January 7, 1970. The applicant intends to replat the properties and develop the properties in a different configuration than what has been previously platted. The above utility easements are in conflict with the new proposal.

DISCUSSION: The applicant has submitted a new preliminary plat and site plan showing proposed utility and drainage easements with their respective improvements. The existing utilities and easements serving the existing commercial properties (Conoco and Braum's) will not be impacted by this request. Existing utilities within the proposed closures will be either relocated or abandoned. This action will be the responsibility of the applicant to negotiate with the utility companies.

RECOMMENDATION: Although this request is with the preliminary plat procedure, staff is not opposed to the request and supports the request. However, staff is recommending a condition with this action. The closing and vacation of the easements is conditioned on the utility relocations, new easements within a final plat (replat), and subsequent filing of the final plat (replat) with the Cleveland County Clerk.

ACTION NEEDED: Recommend approval or disapproval of the request to close certain utility easements located in Lots 3, 4 and 5, Block 1 of University Plaza Addition and all of Lot 3 and a 10-foot utility easement along the north 234.75 feet of the west line of Lot 2, Block 2, of Boyd View Addition No. 2; and, if approved condition the closing and vacation of the easements be on the utility relocations, new easements within a final plat (replat), and subsequent filing of the final plat (replat) with the Cleveland County Clerk.

ACTION TAKEN: _____

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

OCTOBER 10, 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 10th day of October 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.

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

* * *

Item No. 1, being:
ROLL CALL

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

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 David Riesland, Traffic Engineer Roné Tromble, Recording Secretary Kathryn Walker, Asst. City Attorney Rick Hoffstatter, GIS Analyst I Terry Floyd, Development Coordinator

* * *

Item No. 5, being:
SE CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD

5A. R-1314-44 – PARKGREEN LIVING, L.L.C. REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM PARKLAND DESIGNATION AND COMMERCIAL DESIGNATION TO HIGH DENSITY RESIDENTIAL DESIGNATION FOR PROPERTY GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD.

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

5B. O-1314-18 – PARKGREEN LIVING, L.L.C. REQUESTS REZONING FROM C-2, GENERAL COMMERCIAL DISTRICT, RM-6, MEDIUM DENSITY APARTMENT DISTRICT, AND A-2, RURAL AGRICULTURAL DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT, FOR PROPERTY GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. PUD Narrative – The Millenium Addition
4. Green Space Exhibit
5. Pool Amenity Exhibit

5C. O-1314-19 – PARKGREEN LIVING, L.L.C. REQUESTS CLOSURE OF ALL THE UTILITY EASEMENTS LOCATED IN LOTS 3, 4, AND 5, BLOCK 1 OF UNIVERSITY PLAZA ADDITION, AND ALL OF LOT 3 AND A 10-FOOT UTILITY EASEMENT ALONG THE NORTH 234.75 FEET OF THE WEST LINE OF LOT 2, BLOCK 2 OF BOYD VIEW ADDITION NO. 2, GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Petition to Vacate Easements
4. Legal Description
5. Exhibit of Easements

5D. PP-1314-7 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY PARKGREEN LIVING, L.L.C. (CARDINAL ENGINEERING) FOR MILLENIUM ADDITION, A PLANNED UNIT DEVELOPMENT, GENERALLY LOCATED NEAR THE SOUTHEAST CORNER OF EAST LINDSEY STREET AND CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Preliminary Site Plan
6. Greenbelt Commission Comments

PLEASE SEE THE TRANSCRIPT OF THIS PORTION OF THE MEETING PREPARED BY ASSOCIATED REPORTING, LTD.

PRESENTATION BY STAFF:

1. Jane Hudson presented the staff report and recommendation.

PRESENTATION BY THE APPLICANT:

1. Sean Rieger, 136 Thompson Avenue

AUDIENCE PARTICIPATION:

1. David Kinnard, 942 Chautauqua Avenue

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

Andy Sherrer moved to recommend adoption of Resolution No. R-1314-44, Ordinance No. O-1314-18, Ordinance No. O-1314-19, and PP-1314-7, the Preliminary Plat for MILLENIUM ADDITION, A Planned Unit Development, to City Council. Dave Boeck seconded the motion.

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

YEAS	Jim Gasaway, Andy Sherrer, Dave Boeck, Tom Knotts, Chris Lewis
NAYS	Cindy Gordon
ABSENT	Curtis McCarty, Roberta Pailes, Sandy Bahan

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1314-44, Ordinance No. O-1314-18, Ordinance No. O-1314-19, and Preliminary Plat No. PP-1314-7 to City Council, passed by a vote of 5-1.

* * *

City of Norman, OK

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

Master

File Number: R-1314-25

File ID:	R-1314-25	**Type:**	Resolution	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 51	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	08/20/2013
File Name:	Rose Rock 2025			**Final Action:**	

Title: RESOLUTION NO. R-1314-25: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO PLACE PART OF THE SOUTHEAST QUARTER OF SECTION TWENTY-FIVE (25), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE INSTITUTIONAL DESIGNATION AND REMOVE THE SAME FROM THE LOW DENSITY RESIDENTIAL DESIGNATION. (1515 WEST MAIN STREET)

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-25; and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according theretol

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 51

Attachments: Text File R-1314-25.pdf, R-1314-25, 2025 Map, Staff Report, Predevelopment Rose Rock School, 9-12-13 PC Minutes, Letter of Postponement

Project Manager: Jane Hudson, Principal Planner

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Ver-sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	09/12/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	10/22/2013		Pass
	Action Text:	That this Resolution be Recommended for Adoption at a subsequent City Council Meeting. to the City Council due back on 10/22/2013 by consent roll call					
1	City Council	10/22/2013	Postponed				Pass
	Action Text:	November 12, 2013					

Text of Legislative File R-1314-25

Body

SUMMARY OF REQUEST: The applicant is proposing to operate a private school at 1515 West Main Street. The school will be based on the Waldorf educational system. In keeping with current standards and requests, staff has obligated the applicant to update the Norman 2025 Land Use and Transportation Plan for this site from the current designation of Low Density Residential to Institutional, the designation used by some but not all schools in the City.

The 2025 Plan identifies two criteria that must be examined before a land use change is approved.

1. There has been a change in circumstances resulting from development of properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest. The majority of the area around this noteworthy home has not changed in many years. The site is surrounded on the north, west and east by existing single family homes. The southern property line of this site abuts the north side of Main Street, a Principal Arterial established on the 2025 Land Use and Transportation Plan. As stated, the area has not changed uses for years, only the single family development has increased in density. However, the use of this site as a single family residence is no longer a viable use. When this home site was built many years ago, Main Street was a two lane road with a minimal traffic count to what it is today.

2. There is a determination that the proposed change would not result in adverse land use or adverse traffic impacts to surrounding properties or the vicinity. The applicant has taken efforts to establish a staggered drop-off and pick-up schedule for the students. Each drop-off and pick-up window will accommodate approximately twenty students. These students will be between the ages of early childhood to mixed age elementary. With the staggered drop-off and pick-up times established the impacts from the traffic count to the adjacent properties as well as Main Street will be minimal. This staggered drop-off and pick-up schedule will assure that no stacking problems will exist and spill out into neighborhood streets.

STAFF RECOMMENDATION: There are three public schools all within a mile or less of this proposed private school. One of the schools has children of driving age. The impacts this facility will have on the adjacent neighborhoods is minimal in comparison to the number of parents dropping children off at the three neighboring schools. The proposed private school is a suitable use for this site considering its context in a single-family neighborhood.

Staff recommends approval of Resolution No. R-1314-25. At their meeting of September 12, 2013, the Planning Commission recommended adoption of this resolution by a vote of 5-3.

R-1314-25

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN SO AS TO PLACE PART OF THE SOUTHEAST QUARTER OF SECTION TWENTY-FIVE (25), TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE INSTITUTIONAL DESIGNATION AND REMOVE THE SAME FROM THE LOW DENSITY RESIDENTIAL DESIGNATION. (1515 West Main 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 November 16, 2004, reviewed and adopted the NORMAN 2025 Land Use and Transportation Plan, with an effective date of December 16, 2004; and

§ 3. WHEREAS, Brent Swift, General Contractor for Rose Rock School Foundation, has requested that the following described property be moved from the Low Density Residential Designation and placed in the Institutional Designation for the hereinafter described property, to wit:

Part of the Southeast Quarter (SE/4) of Section Twenty-five (25), Township Nine (9) North, Range Three (3) West of the Indian Meridian, Norman, Cleveland County, Oklahoma, described as follows: Commencing 970 feet East of the Southwest Corner of said Southeast Quarter (SE/4); Thence North 485 feet; Thence East 370 feet; Thence South 485 feet; Thence West 370 feet to the point of beginning.

LESS AND EXCEPT: That portion deeded to the State of Oklahoma and recorded in Book 252, Page 245. A strip, piece or parcel of land lying in part of the Southeast Quarter (SE/4) of Section Twenty-five (25), Township Nine (9) North, Range Three (3) West of the Indian Meridian, Norman, Cleveland County, Oklahoma, said parcel of land being described by metes and bounds as follows: Beginning at a point on the South line of said Southeast Quarter (SE/4) a distance of 970 feet East of the Southwest Corner of said Southeast Quarter (SE/4); Thence East along said South line a distance of 370 feet to a point 1294.3 feet West of the Southeast Corner of said Southeast Quarter (SE/4); Thence North a distance of 47 feet; Thence North 89°58' West a distance of 370 feet; Thence South a distance of 47 feet to a point of beginning.

Said tract contains 3.72 acres, more or less.

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

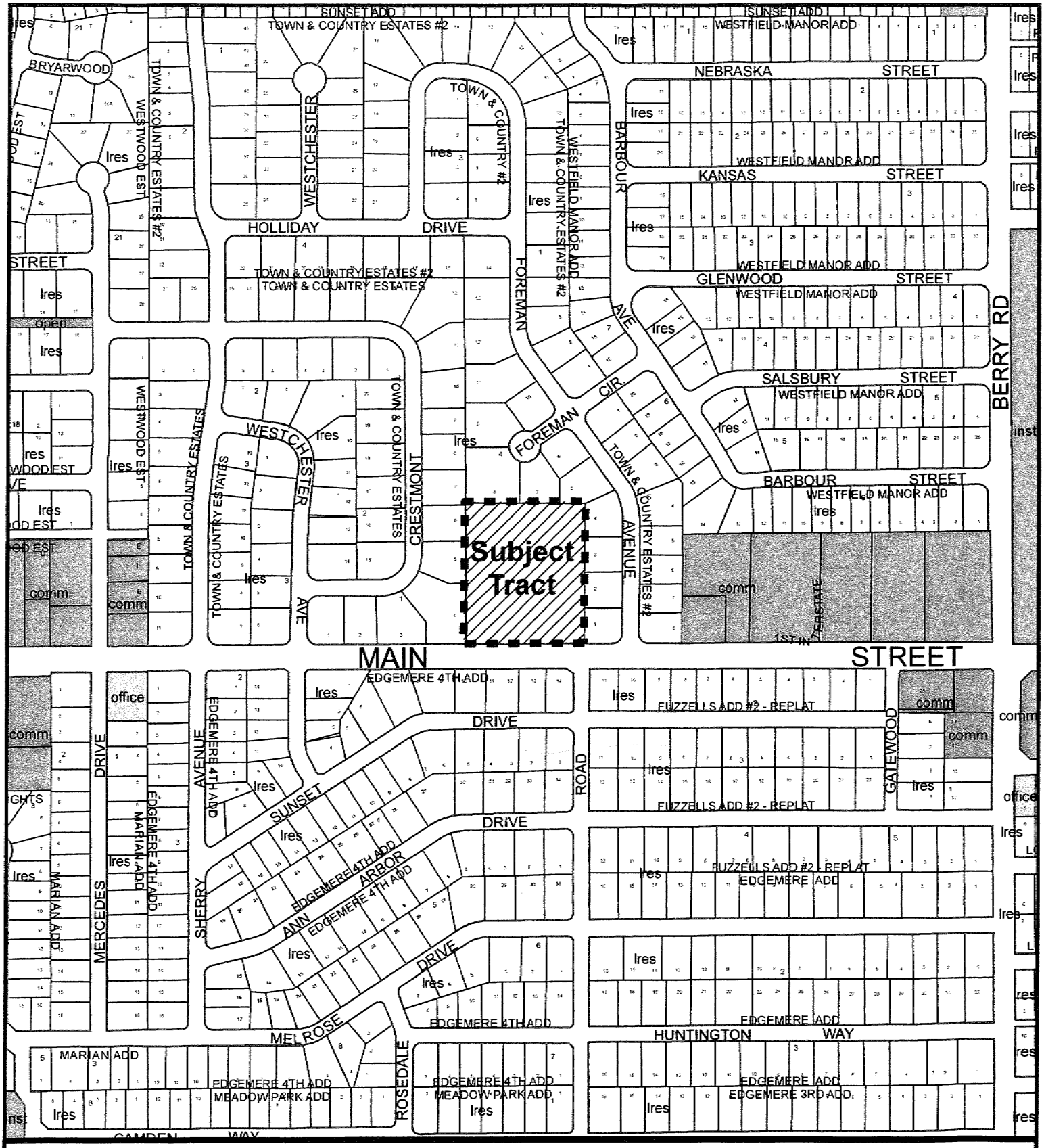
§ 4. That the Council of the City of Norman recognizes the need to control the future growth of the City of Norman; and, that after due consideration has determined that the requested amendment to the NORMAN 2025 Land Use and Transportation Plan should be adopted, and does hereby approve the requested designation.

PASSED AND ADOPTED this _____day of_____, 2013.

_____
(Mayor)

ATTEST:

_____
(City Clerk)



Norman 2025 Land Use Plan

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

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August 20, 2013

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Subject Tract

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RESOLUTION NO. R-1314-25 ITEM NO. 8a

STAFF REPORT

ITEM: Brent Swift, General Contractor for Rose Rock School Foundation, requests amendment of the NORMAN 2025 Land Use and Transportation Plan from Low Density Residential Designation to Institutional Designation for property located at 1515 West Main Street.

SUMMARY OF REQUEST: The applicant is proposing to operate a private school at this location, 1515 West Main Street. The school will be based on the Waldorf educational system. In keeping with current standards and requests staff has obligated the applicant to update the Norman 2025 Land Use and Transportation Plan from the current designation of Low Density Residential to Institutional, the designation used by other schools in the City.

The 2025 Plan identifies two criteria that must be examined before a land use change is approved.

1. ***There has been a change in circumstances resulting from development of properties in the general vicinity which suggest that the proposed change will not be contrary to the public interest.*** The majority of the area around this noteworthy home has not changed in many years. The site is surrounded on the north, west and east by existing single family homes. The site abuts the north side of Main Street; a Principal Arterial based on the 2025 Land Use and Transportation Plan, along the south boundary of the parcel. As stated the area has not changed uses for years, only the single family development has increased in density. However, the use of this site as a single family residence is no longer a viable use. When this home site was built many years ago, Main Street was a two lane road with a minimal traffic count to what it is today.

2. ***There is a determination that the proposed change would not result in adverse land use or adverse traffic impacts to surrounding properties or the vicinity.*** The applicant has taken efforts to establish a staggered drop-off and pick-up schedule for the students. Each drop-off and pick-up window will accommodate approximately twenty students. These students will be between the ages of early childhood to mixed age elementary. The impacts from the traffic count for drop-off and pick-up of the children will be minimal to the adjacent properties as well as Main Street. This staggered drop-off and pick-up schedule will assure that no stacking problems will exist and spill out into neighborhood streets.

STAFF RECOMMENDATION: There are three public schools all within a mile or less of this proposed facility. One of the schools has children of driving age. The impacts this facility will have on the adjacent neighborhoods is minimal in comparison to the number of parents dropping children off at the neighboring schools. The proposed private school is a suitable use for this site.

Staff recommends approval of Resolution No. R-1314-25.

City of Norman Predevelopment **August 22, 2013**

Applicant Brent Swift for Rose Rock School

Location 1515 W Main Street

Case Number PD 13-22

Time 7:00-7:45 PM

Attendee	Stakeholder	Address	email	phone
Brent Swift	Applicant	427 Highland Pkwy Norman	brentswift@gmail.com	831-8222
Aaron Pilat	Applicant's architect	Butzer Gardner 628 W Sheridan OKC 73102	apilat@butzergardner.com	601-4949
Shanah and George Ahmadi	Property owners	502 N Park	roserockschool@gmail.com kga@ou.edu	
Collette Fudge	neighbor	104 Foreman		573-5054
Stacy Mix	neighbor		mix_stacy@yahoo.com	
Dale and Judy Sullivan	neighbors	224 Crestmont		
JoeVan and Christi Bullard	neighbors	302 Foreman Ave	jvbullard@ocura-ok.org	321-2576
Earl Waldeck	neighbor	121 Crestmont 127 Crestmont	waldeck@cox.net	360-1313
Barbara Bowman	neighbor	1506 Sunset		321-3953
Libbi Holbrook	neighbor	216 Foreman Cir	robertholbrook@cox.net	310-2767
Dee and Arletta Fink	neighbors	234 Foreman	aknight@ou.edu	364-6464
Anne M. Harp	neighbor	313 Foreman	anneharp@cox.net	360-9146
Jim Miller and Deanna Burger	neighbor	1712 Holliday Dr	dburger741@aol.com	360-5880
Beth Bigfoot	neighbor	119 N Foreman		
Janet Sterling	neighbor	208 Foreman Ave		

Benita Bigfoot	Interested citizen	1106 Garver	
Ken Danner	Public Works		366-5458
Leah Messner	City Attorney's office		217-7748
Susan Atkinson	City Facilitator		366-5392
Terry Floyd	City Mgr's Office		366-5446

Application Summary. The applicants are seeking a preliminary plat and PUD zoning for a 3.72-acre parcel on West Main Street in Central Norman. The parcel is currently zoned R-1, Single Family Residential. The current *Norman 2025 Land Use Plan* designation is Low Density Residential.

Applicant's Opportunity. The applicants seek to rezone this parcel in order to allow them to relocate their school to the site and to reuse the existing house as a residence for a faculty member and his/her family. The proposed school would have a maximum enrollment of 59 students and a maximum of 8 faculty members. The proposal fulfills the Oklahoma DHS requirement of 35 sf of indoor space per child.

The proposed PUD will maintain the site as a single lot and will retain the existing single family character of the existing improvements. The project also aims to maintain the park-like setting and open green space of the site, retaining as many of the healthy old-growth trees as possible. Additional trees and landscaping will be added. Total impervious coverage will be 19.2%. In addition to the house, existing outbuildings will be reutilized.

Site access will be achieved by widening the existing driveway on the east edge of the property. A 36-foot wide driveway and approach will accommodate two-way traffic. Drop-off and pick up will circle one way around a raised landscape bed that will include a bypass lane to avoid stacking traffic. Drop off and pick up will occur at staggered times throughout the early morning and mid-to-late afternoon. There will be 25 parking spaces on site in compliance with all City requirements.

Site lighting, fencing, waste management and signage shall comply with all applicable City ordinances.

At present, Rose Rock School cares for children ages 2-6, with the possibility of educating children in Pre-Kindergarten-elementary. A core mission of the school is to care for and provide early childhood education in a home-like atmosphere, which includes the house, grounds and gardens.

Neighbors' Comments.

General Comments. Several neighbors expressed general opposition to the project, citing concerns that PUD zoning would erode the single family character of their neighborhood and that having the school on Main Street would intensify traffic volumes.

Traffic. Several neighbors expressed concerns about adding more traffic to Main Street. A neighbor referenced a traffic study that was submitted with a previous zoning application for the school which was later withdrawn.

> **Applicant's Response**. Applicant stated that the school had planned staggered drop off and pick up times in response to neighbors' concerns about traffic. He also added that the traffic study reference had stated that a traffic signal would be warranted at the intersection of Main and McGee by the year 2016, regardless of whether the school was added to the mix. He also stated that he was not aware of any City plans to install a signal in that location.

Driveway. Neighbor opined that site circulation would work better with a large circle drive the width of the property that included a second curb cut on Main Street.

> **Applicant's Response**. Applicant responded that the City Traffic Engineer had determined that an additional curb cut on the west side of the side would not be allowed.

Sheds. Neighbors expressed concern over the addition of storage sheds, plural, as described in the PUD narrative. They asked that storage sheds be limited to one 400 sf structure.

Fencing. Neighbor asked about a proposed fence line along the northern property line. She also asked about material composition of that fence.

> **Applicant's Response**. Applicant responded that the fence line was moved southward from the north property line in order to avoid creating a no-man's land that would be difficult to maintain. She added that she also sought to create a deeper buffer from neighboring property. She stated the fence would be 4 foot tall wooden pickets.

Lighting. Neighbor expressed concern about security lighting and that the lighting description in the PUD was not specific enough in stating that all lighting would meet City guidelines.

> **Applicant's Response**. Applicants responded that all site lighting would be required to conform to the City's commercial lighting code which would mandate downcast, full-cut-off fixtures and that the site lighting plan would be designed to take into account neighbors' concerns about light trespass.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

SEPTEMBER 12, 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 12th day of September 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 Jim Gasaway Roberta Pailes Andy Sherrer Cindy Gordon Dave Boeck Sandy Bahan Tom Knotts
MEMBERS ABSENT	Chris Lewis

A quorum was present.

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

* * *

Item No. 8, being:
RESOLUTION NO. R-1314-25 – BRENT SWIFT, GENERAL CONTRACTOR FOR ROSE ROCK SCHOOL FOUNDATION, REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM LOW DENSITY RESIDENTIAL DESIGNATION TO INSTITUTIONAL DESIGNATION FOR PROPERTY LOCATED AT 1515 WEST MAIN STREET.

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

ORDINANCE NO. O-1314-12 – BRENT SWIFT, GENERAL CONTRACTOR FOR ROSE ROCK SCHOOL FOUNDATION, REQUESTS REZONING FROM R-1, SINGLE FAMILY DWELLING DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT, FOR PROPERTY LOCATED AT 1515 WEST MAIN STREET.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. PUD Narrative
4. Site Plan
5. Photos
6. General Information

PP-1314-5 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY ROSE ROCK SCHOOL FOUNDATION (CRAIG OUTLAND/PRIORITY LAND SURVEYING, L.L.C.) FOR ROSE ROCK SCHOOL ADDITION LOCATED AT 1515 WEST MAIN STREET.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Site Plan
6. Greenbelt Commission Comments

PRESENTATION BY STAFF:
1. Jane Hudson – As you said, you have two applications regarding this site. There's a Norman 2025 Land Use and Transportation Plan amendment from the residential to institutional. This will allow the use of a private school there on-site. This is the existing 2025 Land Use and Transportation Plan with the residential, commercial to the east and to the west. As proposed, if it is approved, the institutional will take the place there. The second application is for the rezoning from R-1 to a Planned Unit Development. The existing zoning in the area is currently R-1, with additional C-2 to the east and some more C-2 to the west. Existing land use shows residential with an office use to the east and some additional commercial to the east. These are some photos of the site itself. This is looking to the site from Main Street. I believe this is looking to the east. This is looking out toward Main Street on the right. This is from the back of the lot looking south. This is on the east side looking back to the west. This is heavily treed; it's kind of hard to take photos out there. This is looking toward the north, with the residential area in the background. This is on the site looking out to Main Street. This is again looking into the site; the house is there on the north side. This is looking out to Main. This is looking from the site down Wiley. And this is on Wiley looking into the site with the current entrance that they have off of Main Street. Staff is in support of this application – Resolution No. R-1314-25 and Ordinance No. O-1314-12. We do recommend approval. We did have a protest reaching 38% within the area, and we also had support letters reaching 7.9%. I'd be happy to answer any questions. The applicant's representative is here with a presentation as well.

2. Mr. Knotts –The application for a PUD definitely limits the total student population at 59? Maximum? Forever and ever?

3. Ms. Hudson – Correct. As long as this Planned Unit Development is in place for the site, that's what it will be limited to. Yes.

4. Mr. Knotts – So if they wanted more, they would have to come back?

5. Ms. Hudson – Yes.

6. Mr. Sherrer – How is that monitored? I'm just curious, from a number of – we have this in a PUD. Do we have enforcement capabilities within the City to make sure that that's actually the case and we're auditing that?

7. Ms. Connors – If there was a concern that there were more students, we would send Code Enforcement out to research and look into the number of students.

PRESENTATION BY THE APPLICANT:

1. Brent Swift, representing the applicant – I just want to thank you for your time tonight. Obviously, this is a revised PUD from the original PUD that was presented. There has been a change in the architecture group and, with that, obviously the concern of the number of students. The other thing that would come into play with the PUD is that the number of students is also limited to the number of the square footage of the buildings that are available, so any add or alteration to the building would also probably bring them back here to have a conversation to revise that. I'm going to turn it over to Hans Butzer and Aaron Pilate.

2. Hans Butzer, Butzer Gardner Architects, 628 W. Sheridan, Oklahoma City – We would like to take the opportunity to provide an overview summary of the new PUD application. It is very much an application that is reworked, largely in response to what has come out of a total of eleven public meetings. We feel that we have put a tremendous amount of effort in listening and responding so that all issues that have been raised have been addressed through this PUD. Just in brief summary, Rose Rock School is a Lifeways based curriculum. It is a private school with very discerning parents and is a preschool through mixed-elementary school. In terms of the highlights of the PUD, as was already stated by Tom here, the PUD limits the number of students to 59. If that were ever to go over, a completely new PUD would have to go through the same process – very public, transparent process. It is important to point out that that is a significant reduction from previously applied PUDs. The staff member for the school lives on-site. The new site plan calls for 25 off-street parking spaces that are carefully designated. The drop-off and pick-up times have all been staggered, and this is something that is easily done in a private school, so that any traffic concerns are easily mitigated. Everything is controlled. Just a brief project history. As Brent already mentioned, we were brought in in late spring to help rework this application and, again, the site, we believe, is very compatible with the school. Again, eleven public meetings with a lot of good, meaningful input to which we have attempted to respond. In that response from the previous meeting, a lot of the concerns that were brought up, again, the limitation of the students – no more than 59. The off-street parking. The improvement to vehicle circulation on site. Staggered drop-off and pick-up. And, of course, containing the traffic on the site itself. The site obviously is historic and iconic; it has a lot of meaning to this community. One of the beautiful things about the proposal is it seeks to preserve the identity of that historic building and the site itself. It seeks to preserve the park-like character of the site; in fact, we're making additional landscape enhancements to the site. The historic home and the garage, of course, remain unchanged. The PUD prevents any new structures from being constructed. There are limited accessory structures with already designated locations. Again, all that stays intact. Drainage and lighting should not affect the neighbors. We are enhancing the landscaping on there in large part to create a better buffer in response to concerns from the

neighbors. And, of course, looking at overall traffic concerns. The site plan that you see up here is a revised site plan, again, in response to concerns that have been raised over previous meetings. Along with the staggered drop-off times, we have no more than 14-15 cars per hour, which is very much a very controlled condition. We have 370 feet of stacking space, which is more than enough, so that we shouldn't have any traffic back-up problems. All this is accomplished in part due to a new 36' driveway. There is, of course, 440 feet of designated left-turn on Main, which should definitely help with the few cars that are coming through at drop-off or pick-up times. And, of course, we have the parking spaces on site. One of the things that we did do in revising the site plan was to ensure that during the drop-off and pick-up times that any parked cars could take advantage of a carefully paved bypass lane so that there is very controlled movements on site. One thing that is also important to recognize within this application – it reflects the student bodies themselves – that currently 33% of this is sibling involvement, so you have a lot of kids coming in one car. This isn't just one car for every child that's attending the school. Again, that helps with controlling the traffic.

3. Aaron Pilate, Butzer Gardner Architects, 628 W. Sheridan, Oklahoma City – To go over some of the PUD details. PUD is the most restrictive zoning. As you know, the PUD regulates site use. It's legally binding. This PUD is modeled after R-1, but is written more restrictive. We'll go over a few of the PUD requirements. Again, 59 students maximum. There are no commercial or other uses allowed on this site. No new buildings. The PUD limits accessory structures. Setbacks, fences, landscape buffers are all provided and the PUD requires compliance with the City's commercial lighting ordinance, so that means zero impact on neighboring properties. A few more PUD requirements. As you know, as we talked about earlier, modifications to the PUD would require rezoning. So this PUD will preserve and protect the character of this historic and iconic site. It also addresses the neighbors' concerns. We'll talk a little bit about the proposed redesigned site plan. Again, 59 students maximum; 25 off-street parking spaces. There's no parking and no driving on grass. All traffic is contained on the site. I'll highlight a few of the features. As Hans mentioned, we have the inner bypass lane and we have the outer parking lane. We have a drop-off area close to the corner of the school. We have designated turn lanes on Main Street with a 36' wide curb cut. In the back right corner of the site is an accessory structure location zone, so new sheds as part of this PUD – storage sheds are limited to three, 400 square foot max. – all accessory structures are limited to 10' high. As we mentioned, existing drainage will be maintained diagonally across the site and it will not have any impact on the neighboring properties. Hans will just make a few closing comments.

4. Mr. Butzer – Ultimately, all efforts have been made here to respond to concerns of the neighborhood as well as respond to this great existing structure. We really do believe that the Rose Rock School is a great project for this location and we have attempted to address issues regarding the student enrollment through this PUD. We feel good about the Planning staff's recommendation for this revised PUD. Again, we provide assurance that there are no new buildings. Again, we have listened very carefully through the course of eleven public meetings to the public's concern, which we take very seriously. Fences, landscape buffers are all provided. Traffic is contained on the site. The PUD, of course, very restrictive in its nature; everything would have to go back to the beginning if anything was to change – that is not the current intention. And, of course, the bottom line is we think this is a great project. We've been listening very carefully. We have made every attempt to address concerns and still retain the beautiful character of this site and to retain the site that this is a great project for this location. Thank you.

5. Mr. Gasaway – On the parking, you said there are 25 spaces. It looks like in front of the garage there's 16? Is that correct? And the other 9 would then be along the circle drive. Is that correct?

6. Mr. Pilate – There's 3 parallel parking spaces near the building on the south edge of the drive, and then the rest of them are angled parking on the east edge of the site.

7. Mr. Butzer – The 16 on the north side. When you come in off of Main and you drive in, you stay to the right, past 3 diagonal spots, and as you continue to move around there will be another 3, then you pass the 16, and then as you move further around there are still the last 3 remaining parallel spots.

8. Mr. Gasaway – And you all feel very certain that on a daily basis that can handle all of the staff, parents, and visitors without parking on the lawn ever?

9. Mr. Butzer – Yes. We do.

10. Ms. Bahan – I have a question related to that. What about when you have events at the school?

11. Mr. Butzer – The process for events at the school – the school currently has an agreement with a church and, because it's a private school, it's very easy for the administration to lay out the game plan for how people would move back and forth between that church parking lot. So the proposal is to have a shuttle that takes people from the event parking to the school itself. So it's a very controlled, very formal process.

12. Ms. Pailes – How far away? St. Stephens, right? How far away is that?

13. Mr. Butzer – It's about a mile. That's why there's a shuttle there. It's further south. The shuttle takes care of that and keeps everything controlled.

14. Ms. Gordon – Do you know how many – I remember that was a sticking point the last time, at least with me, was the shuttle. So, maybe it's me, but I'm just generally kind of a lazy person, and if I have the choice to park my car and take a shuttle or park around the edge a block away in the neighbors' street, then that's probably what I would do, which I suspect most people – I don't know. I can't speak for them. Most of them wouldn't mind if there were only a couple of events a year. Do you know how many special events there are thrown each year?

15. Mr. Butzer – There's no more than four, I believe. And, again, to stress, as a private school, there is a certain reputation to be held for the school and I do feel confident -- certainly the administration feels confident the parents would respect the wishes that people would not invade the neighborhood with their parking.

16. Ms. Gordon – I have another question. The stacking – the staggering of the parking. So when you talk about staggering, how long does this staggering go on? Is that like staggering throughout the day or is it like 3 hours of different waves of students coming in in the morning and then another 3 hours of waves that afternoon? How does that work? I think I've thought about it because you talked about a lot of the students there have siblings and are they staggered by grade? And so if you have two siblings in a house and one is in one grade and another one is in another grade and they have to come later, then your argument that it's just one car – does that make sense?

17. Mr. Pilate – That's a great question. One of the things we did in this PUD is the school's operating schedule is defined as part of the PUD. Item 6 – drop-off varies between 8:00 a.m. and 8:45 in 15 minute intervals. Pick-up will be between 1:00 p.m. and 5:00 p.m.

18. Ms. Bahan – But what about the morning? You said 8:00 to 8:45. You're going to get all 59 of them in there between 8:00 and 8:45?

19. Mr. Pilate – It's staggered drop-off between 8:00 a.m. and 8:45 a.m. 15-minute intervals.

20. Ms. Bahan – So you're going to have 20 cars every 15 minutes?

21. Mr. Pilate – Well, no, because – we expect 14-15 cars – 59 divided by 3 is just less than 20 at the absolute max. But, again, we talked about the 33% of sibling rate.

22. Mr. Sherrer – Is that stratified by age? Or how do you decide you show up at 8:00, you show up at 8:15? And it may be workable in the model. I'm just more curious than anything. That's not how I understand most schools – it's not the school I went to when I was growing up. It always was we all show up at this time. How does that work?

23. Shanah Ahmadi – This is largely an early childhood program, and so they come between 8:00 and 8:45 based on the time that the parent goes to work. So some of them have to be at work at 8:00/8:15 and those children – we organize them to come then. Some don't have to be at work until 9:00. Kindergarten class starts at 8:30. So those children are there between 8:15 and 8:30.

24. Mr. Sherrer – So you would restrict enrollment if you had a maximum number during that time of 15 and it was the 16th person – you couldn't have them come to your school, then, is what you're stating?

25. Ms. Ahmadi – I'm sure we could manage something to where they could come at the appropriate time. We are dedicated to having it be organized, and that's the way we operate now, is in an organized fashion. Answering the question about if they were coming at different times – they would come at the earlier time and the child – if that child started class later, they would just stay there and play in a designated play space. It's the same if they were needing – if one got out of class early and the other one was being picked up later, the parent would pick them up later – the child would stay there and play on-site, so they wouldn't have to come twice.

26. Mr. McCarty – I have several questions. I'll start with, first off, fire trucks. Would you just address the egress of fire and safety into the site and how that would be addressed? And I assume, if this was to pass, how the building would be brought up to meet the code of schools – fencing, fire, sprinkler, FDC connections, and just what all and how that would come together, and on-site drainage as well?

27. Mr. Pilate – Well, the first issue, fire trucks would enter through the driveway. There is adequate turn-around space for a fire truck. The school compliance issue is a little bit tricky and it's sort of beyond the scope of planning. As far as the building goes, there are multiple avenues for compliance. It's a concrete structure. There are ways to insure that the structure is rated so that fire protection system would not be required. There is also the fire protection system avenue. So that would be explored further in the process.

28. Mr. Butzer – It's all part of the permitting process for any changes to the building itself.

29. Mr. McCarty – So how about the fencing requirements for private schools? How are you going to keep the kids off Main Street and the safety of the students?

30. Mr. Pilate – There's a fence – it's all the way across from the building to the edge of the site, all the way back, all the way back here, and back again into the garage. So the children are contained in the back of the property. However, the fence is pulled in to provide an additional landscape buffer between the children's play area and the neighbors. And the

school feels like that is the best way to (1) maintain the property and keep the landscaping nice and (2) maintain an additional buffer between the neighbors. I guess I would also point out that children will not be playing in the large open space in the front yard.

31. Mr. McCarty – So that has changed from our last time we heard this, because that was a big play area out there.

32. Mr. Pilate – That's not part of this application.

33. Mr. McCarty – So, lastly on the fire. So the Fire Department has looked at this and this loop is sufficient for protection for fire?

34. Mr. Butzer – In crafting the site plan in our office we have the basic radius diagrams for fire trucks which we overlay on this site plan.

35. Mr. Pilate – I guess I will respond by saying if it's deemed that a fire protection system would be required, adequate accommodations can be made for an FDC that's located close to fire truck access.

36. Ms. Pailes – You may have said this and I didn't understand. Is there fencing along the front anywhere -- between the building and Main Street, is there a fence at any point?

37. Mr. Butzer – No.

38. Ms. Pailes – Would that not be a good idea?

39. Mr. Butzer – There's no need to for the simple reason there's nothing to contain in the front.

40. Ms. Pailes – You're not likely to leak children onto Main Street – or soccer balls – or throwing pine cones or anything else? I'm not sure why I should be assured that that isn't so. It's such a huge area. I can't imagine that you don't occasionally have a kid out there kicking a soccer ball that would go out into Main Street.

41. Mr. Butzer – Again, up on the screen, Aaron will point out where the fencing is that contains the children.

42. Ms. Ahmadi – There will be no children on the front two acres of the property – ever. They will always be at the back behind the fence. It bisects the property. You can hardly see it because there are trees sort of outlines there. It kind of comes from the side of the house in the middle. So that's the child play area – that back two acres.

43. Ms. Pailes – And the living area and the school – they're both in the big main building? I mean, there's no building labeled school here. It's labeled main building and garage.

44. Ms. Ahmadi – That's the school. That's why there's only 59 children. The residence is in the upper floor, which isn't for children.

45. Ms. Pailes – And the garage is actually a garage?

46. Ms. Ahmadi – Right now, yeah.

47. Mr. Gasaway – I think you all had mentioned there was 400' on Main Street that's available for stacking for a left turn. Do you know how many cars that stacks in that 400'?

48. Mr. Pilate – 20' per car. It's 440 – so 20.

49. B.J. Hawkins, Traffic Engineer for the applicant, 404 SW 171st Street – The actual fifth lane going down Main Street is actually almost a continuous left-turn lane from – it actually goes from Thompson Drive, which is a ways west, to Gatewood Drive – approximately 3,200 feet, actually, of mountable, brick-paved fifth lane. All along there there is striping and turn lanes on top of it going to each side street and everything. So there's actually quite a bit more than the 400 and some odd feet they're saying from the drive to Westchester – I mean, it's a continuous fifth lane, so I don't know the exact number of feet.

50. Mr. Knotts – I thought that the 400' was the stacking inside the property for a left turn onto Main Street. Is that not correct?

51. Mr. Hawkins – There are two lanes exiting the site. One for through and left turns, and then one for right turns so they don't get delayed by anyone trying to turn left or go through across Main Street.

52. Mr. Knotts – So what is the stacking on the property?

53. Mr. Pilate – Exiting the property from the drop-off area designated on site, we have 291 feet of stacking space until you get to Main Street. At 20' per car, 14 cars. It depends on where people need to go. There's room for stacking in both left turn and right turn lanes.

54. Mr. McCarty – So this brings up an interesting topic. Last time we had a discussion on stop lights that potentially is going to be put in at this intersection and it would align with Wiley. Is that still in discussion?

55. Mr. Hawkins – The traffic signal is not – it will not be warranted by this school. The only reason it was warranted was because of the existing traffic on Main Street and Wiley, and if you project that out to 2016, which at the time was the full build-out of the school – it did meet warrants based on Wiley and Main Street. If this lot was a vacant lot, it would still meet traffic signal warrants. That's not to say that a signal would go in because you'd have to get with the City and a lot goes into that. But based on the existing traffic out there projected out, it will meet traffic signal warrants. So this school doesn't have any bearance on that signal being warranted – just the existing traffic.

56. Mr. McCarty – Do you plan to apply for a school zone?

57. Mr. Pilate – I think there is a City Traffic Engineer. I think they need to address how that would work.

58. David Riesland, Traffic Engineer for the City – There are private schools – some that do have, some that don't have. It really depends on whether or not we anticipate students crossing the street to get to the school. We would expect, in this case, that there would be some who would try to cross Main Street, so we think it's a good idea, yes, that they have a school zone.

59. Mr. McCarty – Who makes that decision – the City or the school?

60. Mr. Riesland – Ultimately, the school does. Or we can work together somehow.

61. Mr. McCarty – I think you're the one that addressed the stop light last time. Do you agree with what he is saying about the stop light.

62. Mr. Riesland – Yeah. The study showed that it would be warranted three years out. Obviously, we'd have to conduct counts at that time. We'd have to go about securing funding for it, so there's no guarantee it will go in.

63. Mr. McCarty – So would they be responsible for the funding for part of the light?

64. Mr. Riesland – Based on the way we typically do traffic impacts, there is some small contribution to it. It's very minor.

65. Mr. Knotts – So we would have to wait until the impacts were felt before any judgment could be made whether to have a light?

66. Mr. Riesland – Just because we think it's going to be warranted in 2016 doesn't mean plan on one in 2016. That's probably when we start. We have a lot of locations where we're looking at signals and this is not at the top of our list by any means.

67. Mr. Gasaway – I've got a question for someone on the school staff, please. Since this is a fairly significant change in the number of students, and our discussion tonight is based on the number of 59, I guess my question is is that a long-term figure? If we're basing our discussion on 59 and 2, 3, 10 years from now the school is anticipating going to 100 or 130, that kind of changes the dynamic of the question. So I guess I'm asking for an assurance, to the best of your knowledge, is that number going to stay at 59?

68. Ms. Ahmadi – Yes. We proposed the previous idea as sort of a pipe dream maximum capacity sort of what-if scenario. What we found is the what-if is that won't work there. But this will work and this is still a huge expansion for us. It's a big growth and it will take us a long time to reach 59.

69. Mr. McCarty – Are you currently having school there now?

70. Ms. Ahmadi – No.

71. Mr. McCarty – What is your employee staffing type of scenario if you reach 59 students?

72. Ms. Ahmadi – Our employee staffing when we get to that point? Typically, we have one staff for about 7 or 8 children. They break out into a kindergarten setting and there are more children per one teacher – like 15.

73. Ms. Pailes – Mixed elementary – that's like 1 through 3rd grades, roughly?

74. Ms. Ahmadi – Yes. Right now, the big focus is on early childhood. We don't have any 1st graders or 2nd graders, and so it would likely be a mixed age program where the class is mixed.

75. Mr. Knotts – What are the nature of these once a quarter activities?

76. Ms. Ahmadi – Easter, Christmas -- Easter egg hunts, and the like.

77. Mr. Knotts – Okay. So they are a group gathering, not a parent-teacher conference or something like that that is very limited.

78. Ms. Ahmadi – Seasonal festivals. It is limited to the 59 children.

AUDIENCE PARTICIPATION:

1. David Spradling, 134 Crestmont – I'm here to stand for the Rose Rock School. I want to say, first, that it's interesting to be involved in the civic process. I've never done this before, so thank you for the opportunity to come speak. I'm not here to spend a lot of your time, but I do have a couple of points I'd like to make. First, there is some reasonable opposition to this, and there are some really intelligent people in this room. I just want to present a different opinion. First, I like the idea of the Rose Rock School in my neighborhood. Cleveland Elementary is in our neighborhood and I think we're a better community for it. Cleveland houses about 600 kids, one of them mine, and the traffic issues around pick-up and drop-off time seem, to me at least, to be manageable. I drop off David every morning; we're in, we're out, 15 minutes. Now, they've got a different situation there, but with 59 kids, I can't imagine that it's going to be worse than 600 kids. There have been some very reasonable objections to Rose Rock's plan. Folks on Foreman could be looking at a whole lot of parents at pick-up and drop-off times, and there are some really nice houses over there, and I wouldn't want that, either. But it seems to me that Rose Rock has done its best to work with those reasonable objections. They've drawn – they've redrawn their plans and, obviously, there's some objection to that. But I feel that any group or family that's willing to work with the neighborhood, as opposed to on top of the neighborhood, would be welcome in my neighborhood. The Rose Rock School will also keep in place an historic green space on Main Street and I like trees. The Rose Rock plan will also keep the historic landmark – the Maguire House – as part of the Norman landscape, and I think it should remain that way. And any other plan – and I understand that there are some floating around – would make no such assurances. And, finally – and this may be less relevant to the facts and figures that help you make this decision – but I've known George and Shanah for a couple of years and I like them and I trust them, and they're exactly the kind of good, honest, hard-working people I want as my neighbors. That's kind of all I have. I hope you decide in Rose Rock's favor, and thank you very much for the opportunity to speak.

2. Sean Rieger, 136 Thompson Drive, representing Robert Holbrook – I sent you all some information earlier today about this, and I think it's important that we go through it. I'll be very brief, because I know a number of people want to talk. But what is foremost in this – and you've heard it tonight – is will they adhere to 59 students? Will they do that? Well, right now they have more than 7 students, it's our understanding; and right now their website today showed 4 faculty members for this location. Right now, they're operating under R-1 zoning. R-1 only allows for a family daycare home. That's it. You're not allowed to have employees there and you're not allowed to go over 7 kids. They're doing it right now. So it's relevant to consider will they outpace their zoning as you approve in the long-term. It's relevant to look at 2025. They have zoned – they had to do this – this was required and this was key in how they withdrew before – but they were required to file for a 2025 Plan change. If you approve that site – and if you look at that screen, it is a sea of R-1, Low Density Residential. I remember when we did the Johnny's location and when we did the Cain & Cain, it was very important to this entire neighborhood that that stay R-1, Single-Family. If you change that 2025 to Institutional, then as a matter of presumptive right, an applicant has the right to do anything within the Institutional categories going forward on that site. So if this school ever failed or changed hands, anybody could come back in with an institutional use of any kind or size and they have a presumptive right to get it once you change that site to Institutional. There is a large protest – 38% protest. We think, actually, it's larger than that. We're checking that now. But if you look at nothing else tonight, I want you to look at that. That is a graphic that shows you the traffic counts in our community. That was 2009 data. You see the yellow highlighted is Main Street, and that is ranked in order of the most cars that travel every day on a quarter in the City of Norman. Five of the top seven counted quarters in our community were Main Street – West Main Street. You are considering – and I'm glad that Mr. Gasaway suggested that we're looking long-term, because that really is your decision. Your decision tonight is not what this applicant will do, but what will the property do as a use right going forward. These particular people – me and all of us – will probably be gone in 10 years. Who knows? It will be somebody else that has the right. You are talking about

putting an elementary school and school zones – and every elementary school has crossing guards – on West Main Street. On that. It is preposterous. It is a preposterous use on West Main Street to put an elementary school on that location with four-foot picket fences as the only barrier between kids and Main Street. It is an isolated site. There's no alternative to that. There's no way to go to any other street. The only way to get in and out of this property is the 30,000 cars a day of West Main Street. So we encourage you to oppose it. We thank you for your time. And thank you for your consideration.

3. Clarence Worley, 1620 Holliday Drive – I'm quite familiar with the traffic situation. One time, about a year ago, you closed the north side of Main Street westbound. I had to sit in my driveway for 10 minutes trying to get on Holliday Drive. Finally, I forced someone to let me in. Now if you believe that you're only going to have 59 students in the future – is Norman going to quit growing? There's going to be a requirement come in to you very shortly to increase that from 59 to a larger number. And when you do that, you're going to increase the traffic on my street. I've lived there 40 years. One of the things that I like about Holliday Drive is when I want to get in and out of my driveway, I can. If you increase the number of students and you increase the number of people that are driving up and down my street, I won't be able to get in and out. That's the thing that bothers me. I would like to think 59 students would be all they'd ever have. But you know and I know that 59 will not be all the students that will be at that school. Thank you very much.

4. Dee Fink, 234 Foreman Avenue – When Rose Rock came to you a year and a half ago, I also spoke up in opposition to the school. But my main opposition was because of the size of the school and the problems that generated. In those comments I also added that if they reduced the size of the school I would withdraw my opposition. They have done that and I now support the school coming into that area. If I tried to look at this from your angle, it would seem to me that three questions would need to be answered; I'd like to share my thoughts on those three questions. First, is this proposal substantially different than the previous one? Have the traffic issues been adequately addressed? And what about the zoning change? Is this a substantially different proposal? I think the answer is pretty obvious at this time. They've reduced the student count by 75%. They've reworked substantially the traffic flow in and out of the property. They've reworked the fences, the lighting, the landscapes, etc. All of that after seeking and listening to neighborhood input. I would note that very few other private residences moving in or commercial properties moving in would make the effort that Rose Rock has to seek out and respond to community input the way they have. So different proposal on the table. Traffic issues. I think they have solved that problem. If you do the math, with 59 students, and a third of those from the same family, that comes down to about 40 cars staggered in four different groups over the drop-off time, four different groups over the pick-up time – that comes out somewhere between 10-15 cars for a 15-minute period. If you collapse that down into the worst possible scenario so they all come in a 5-minute period, that's like 1-3 cars per minute, which is a fairly long time. Given the amount of traffic that the lawyer just showed us goes on Main Street, 1-3 cars per minute is going to be hardly discernible. When they come out and turn onto Main Street – I think coming in is not going to be the problem, it's when they come out that's going to be the issue I worry about. I think they're going to do what all of us on Foreman Avenue, which is where I live, do now. If they come out and want to turn right, you just turn right when you find a break in traffic. When you want to turn left, if there's a break you turn left – sometimes you can, sometimes you can't. When I come out of there and want to turn left and I can't do it, I turn right, go down to the stop light, turn around and come back. I think some of the parents will do that, too, at the rate of 1 or 2 a minute. Not a big deal. Finally, what about zoning change? I think one of the things we have to face is no matter whether you decide yes or whether you decide no on this, we don't know what all is going to happen in the future. There's no way to predict with certainty what's going to go in there. But there are a few things I think we can say we know. If you vote yes and let Rose Rock come into this school, I think they're going to bring with them the kind of characteristics they have shown to date: an interest in the community, a

readiness to listen. They want to interact with the neighborhood. They will provide a tranquil, quiet atmosphere just like they do at their current school, and they've shown a desire to have neighborhood/school collaborative projects. All of those are pluses for our neighborhood.

5. Joe Van Bullard, 302 Foreman Avenue – Christy, my wife, and I live in a house that her mom and dad built on Foreman in 1960. We chose to move in when her mom passed away. We like the neighborhood very much. These people are my friends. I hate to be standing up here. But the question comes down to two issues. The traffic – 30,000 cars is hardly comparable to dropping off kids at Cleveland. Come on. Give me a break. That wasn't even a close call. But the traffic is not solved. I could, you know, suggest that they leave out their left turn lane exiting from 8:00 'til 8:45 in the morning when the kids are dropped off. You're not going to be able to turn left; you've got to turn right. I don't know why they're even putting that lane in there. But the real issue to me – and it comes down to the rezoning. When you lose R-1 zoning, that's the first chink. It makes it a lot easier for number 2, number 3, number 4, and number 5 to go. We all know that. And this thing has been – it's been two years running. It started, the first meeting, I believe, on October 11, 2011. They've worn us down. When we were ready for the City Council meeting in April of this year, we had better than a 70% protest and we will go back out and work some more before it gets on to City Council. The real question is, they could have a school there. They could have that school there, leave it R-1, get a special permit, but yet that's the one thing they will not negotiate on. They have gone out of their way to try to meet the standards of what everybody wants, but it's just unfortunate that we can't leave it R-1, which we could. You could have Rose Rock School there. It could be there. And I would be just like my good buddy Dee Fink, I'd go to the other side. I'd be with them. And they say they have met and mitigated all of the problems we have – no. The big problem I have is the rezoning. Thank you very much for your time.

6. Libbi Holbrook, 216 Foreman Circle – We're really having a conversation tonight that is all about location, location, location. You know, there are two main problems that I see that arise with Rose Rock School being in this particular location. And those two problems are with regard to zoning and traffic. I just feel that we need to protect the residential designation, and that's of ultimate concern, both in zoning and in Norman's 2025 Land Use Plan, not only for protecting the integrity of our neighborhood, but also for establishing the precedents in Norman. Allowing residential area to crumble sends a message that no area is sacred. What's next? Rezoning the large lots at Boyd and Pickard? Or at McGee and Highway 9? Preserving our core Norman neighborhoods is of priority. 1515 West Main Street must not go to that Institutional designation on the 2025 Land Use Plan. The traffic concerns I have I feel like are insurmountable. I will agree Rose Rock has worked tirelessly to create the ultimate drive on that property, but they follow one assumption and that's all drivers are rationale, and there's just not enough room for error. There's not room for a frazzled mom picking up two kids, but one is missing. There's not enough room for an upset toddler who won't buckle in, or the dad who is late for work and is trying to zoom around that circle. And that's a concern during pick-up and drop-off every single day. Special events like Cleveland's 50th anniversary celebration, going on right now, are another animal entirely. Again, we're assuming that people are rationale – not only rationale, but on time. And even with a small school, you have to account for not only those 59 students and their parents, but also extended families who may be coming into the picture, and they are likely to be just as supportive as the parents. Are they going to really park a mile away? Are they all going to be on time and catch the shuttle? I just don't feel like there is enough parking on that site to account for the number of vehicles per child who would show up for a special event. So then where do they go? The grass? The streets in our neighborhood? I'm only bringing up that this plan assumes that everything will go right. 15 cars will be added on Main Street per hour, but we're not even talking about them slowing down. We're not talking about the ones that aren't very good drivers who are really scared when they turn into that skinny area 'cause there's oncoming traffic coming toward them. We're assuming they're happy kids, and rationale parents. And I can personally guarantee that that assumption – the rationale one – will

occasionally get thrown out the window. For any of you who have ever dropped off a child or who have seen a drop-off or pick-up situation, you all know sometimes parents are not just rationale. I'd appreciate your vote in opposition to this plan. Thank you.

7. Dee Bigfoot, 119 North Foreman – I have been there for 30 years. The neighborhood is one of the most established in Norman. It has wonderful resale value. People look to see if there are homes that are for sale in that area. Family members who were raised there come back into that community – into that area to buy homes. We really have a jewel in that area. Residential – to change from a residential would be a great disservice to Norman. It would be a great disservice even to the Cleveland school. I understand completely about education. I am a child psychologist. I'm at the University of Oklahoma. I have in my backyard Crossroads School – Headstart – daycare. So when people say, "Not in my back yard," – well, unfortunately, it is in my backyard and Rose Rock would be in my front yard. So I would like to maintain the integrity of the community, of our residential streets there. We would have many, many, many more people here saying no. I guess it's beyond my comprehension why an organization would want to come into community where so many people are saying please do not build a school in our neighborhood. Please do not come and knock on my door every time there's a meeting to ask if I would change my mind. Please do not come and make me – I'm glad that I can have the opportunity for civil discourse and to communicate with you as Planning Committee, but I have a granddaughter at home that I would love to be attending to. I have other family events that I would love to go to. I would love to go to Cleveland School 50th anniversary, but I'm here because it keeps being persistent. We heard that it's two years now. And our sentiments have not changed – maybe there might be a few, but I think for the most part the community is saying please recognize that we want to maintain a stable residence and our homes – the integrity of the community – the integrity of the neighborhood. The thing is, our neighborhood is limited in how many people we have. Unfortunately, with this organization, they can bring other people in and give you information or even come and walk up and down our streets, but we are limited in terms of how many people we have in our neighborhood. But the majority of them are saying please let's maintain the integrity of our neighborhood. Thank you.

8. Harold Heiple, 2011 Morgan Drive – I'm not representing anybody. I'm here as a private citizen and somebody who uses the traffic. I've been a resident of Morgan Drive for more than 40 years, which is close to Cleveland School. I drive through there typically at the time the school takes up in the morning and the time the school lets out in the afternoon. I have to disagree with my neighbor. I don't think that the traffic around Cleveland is truly manageable. I came through there tonight at 6:00 on the way down here. They're having a special event. In the space of one block, I had to come to four complete stops and sit there before moving one block through that area. My kids graduated from Norman High School in the early 80s. I have to take issue with the staff report on page 8a-2 that says the use of this site as a single family residence is no longer viable, because the house was built by Big Boy Johnson when it was a two-lane road and small traffic. That's right. It was built a long time ago by Big Boy Johnson, but Dot and Jim Maguire lived in that thing as a very viable single-family house for more than 30 years. To say it's not still a viable single family use is a mis-description. What really bothers me is the fact that – when I think about how many times I've asked to change the Norman 2025 Plan, and I've sat through every comprehensive plan group that has been put together in this town in the last 50 years – and when I see changing the 2025 Plan from Low Density Residential to Institutional in this area – surrounded like it is by R-1 – I can't believe, frankly, that the staff is supporting it. Now, as a developer who has pushed a lot of commercial stuff through this town, I'm saying hooray! It's creating a helluva precedent. But I think it's one of the most egregious variations from 2025 that I could imagine. My problem initially with the school there has been the fact that I also travel that same stretch of Main Street going to my office, typically when school starts and when school is out. I think they did address a lot of their problems, if you'll look at their page 8b, when they talk about the staggered drop-off and pick-up times. For 59 cars that can work. But still coming out of there – that three-lane drive and turning left onto Main

Street to go east on Main Street – two lanes of traffic – that's not good planning. I was a little surprised to hear about probably wouldn't be any charge for a traffic light. If I was bringing this in as a developer on a 2025 Plan change, I promise you that we'd be talking about six figures to be posted to be paid toward the future traffic light that's going to be put up there. The one thing I'm concerned about, again, on the same page where they talk about drop-off, is the special events. If needed they'd have buses coming in. I've been a patron of Norman schools for more than 40 years. I'm not going to take a bus; I'm going to park on the grass when I'm going in to see my kid or grandkid. I like the idea of the education. This is not the place for this school to get its nose under the tent. Thank you.

9. John Banas, 1521 Ann Arbor Drive – It is an honor to address this prestigious group of individuals. I am a parent of a child at Rose Rock. Her name is Maria Banas. She's two and a half years old, and she is the cutest thing in Norman – an asset to our city. Just briefly. Traffic is a big concern. It's a concern for everywhere I've lived. We're spoiled here in Norman. I moved here from Washington, D.C. You have no idea what traffic is. But I don't want you to know what traffic is. Traffic is horrible. That's why I live at 1515 Main. I was never consulted by any petitions. This is in my neighborhood. This is where I live and we will be walking on a daily basis to school to prevent traffic problems. I don't assume people are rationale at all, because that's not the kind of arguments we've heard tonight. We've heard some fuzzy math. The majority of people oppose it – 38%. I don't want to tell people what's what, but that's not the majority. Furthermore, I really do appreciate people's concerns, but we have a situation here where – I mean, I moved to Norman, Oklahoma – I could have moved any one of 15 places in the world. I moved here because I believe in family – which I think is a strong family values town. I believe in education – I mean, we're propping up all of Oklahoma statistics here in Norman because we're intelligent individuals. And I believe in business. I'm a pro business American, and I am proud of this private business. There's already a school. I mean, if you're worried about the integrity of these people, most people here are saying we know the future, and we've heard some fallacious arguments about that. We know they're going to expand. We know they're going to do a school. Obviously, we can't know those kind of things. If we know anything about their past actions, we know they're honest individuals and good members of this community. So I am in support of this. I will make sure that my family doesn't contribute to any traffic problems. And thank you for your time.

10. Jim Kee-Rees, 135 Crestmont Avenue – On the northwest corner of the property that we're discussing today. Thank you very much for having just a few moments to speak. I came here from work, so that's why I'm dressed the way I am this evening. I grew up in southern Oklahoma and we moved here – my family – in 2006. We picked this neighborhood. We fell in love with it very quickly. One of the biggest things was when we walked through our house into our back yard, it looked like we had a park. We had a park in our back yard with just a simple chain-link fence. I grew up in the country and working on ranches in southern Oklahoma as a boy and as a young man, and I love the outdoors. That was the feeling I had as soon as I saw that property. With this property, we're their neighbors. We have had the best experience on Crestmont. I don't know the other neighbors as well, except we trick-or-treat on everyone else's streets, which will be happening pretty soon. But on our street we take care of one another; we check on the elders in the community. We have a grapevine that passes along pretty quickly. The benefit of that is that we watch out for each other. When a house gets broken into, someone needs something from the store – we care for each other. That's been the most difficult thing for me in this whole process, is that we have moved away from this in our greater neighborhood. I think it was at one of the very first meetings that took place here about this property when the owner was talking about selling. I remember sitting at the table and him mentioning that he had a couple of other proposals – one was from a developer for condominiums or homes, another was a business, another was this school. So it terrified me. It terrified me as a neighbor and being on this property of seeing that destroyed – those beautiful trees and oaks. My family and children – I have two young children – we've walked on the

property many times. To see all of that destroyed for something else. So at the beginning we were supportive of the school in that it would keep the integrity of the property. That's what I see with this new plan, is that what we fell in love with to move into that neighborhood will remain. The other thing is we didn't know the current owners before all of this process started, and they have become very good neighbors for us and for our children. So they have been inviting to us. They have listened to some of my concerns – concerns about fencing, concerns about lighting -- I've had some similar concerns as I've heard spoken over here. I feel like they're a school that will be a good neighbor. They're not an outside group that will be invading and taking over. I've seen a number of private schools that have worked well in neighborhoods and this is very small. So I'm in support of Rose Rock. Thank you for your time and your attention.

11. Anne Harp, 313 Foreman Avenue – I'm the last one, I believe, because I just signed in five minutes ago, and I look like this because it's raining outside – just nicely. We're getting a nice good soak right now. I have resided at that address for about 14 years now. I've been involved in the process since we've gotten it started and I just wanted to say that there have been some moments that have been uncomfortable for everybody and some contentious moments. I wanted to say thank you to George and Shanah – they've been very patient with us. They've tried to address our concerns throughout the process. Sometimes it hasn't been easy and sometimes things have been a little heated, and I appreciate their patience and their spirit of trying to approach this as a neighbor. But even with that said there are still some concerns in the neighborhood, which I'm sure you've got an earful of this evening. They're very valid concerns. If you do choose to approve their petition for the zoning change and for the PUD, I think it would be a good thing for us to consider some sort of mediator being appointed by the City to address the concerns that remain. So I would ask you to take that into consideration. Thank you very much.

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. Sherrer – Talk to me why we chose PUD instead of the R-1 with Special Use -- the thought process.

2. Ms. Connors – The R-1 zoning district does allow schools, both private and public, in the R-1 district as a Special Use. However, in the 1970s an amendment was made to that to not allow rooms regularly used for housing and sleeping. Go back and look at the history of how that occurred – the minutes of the meeting – we do believe they were talking generally about dormitories, however that didn't get actually incorporated into the ordinance. So no sleeping rooms are allowed, and that's why we had to suggest that they go to PUD, because there isn't opportunity in R-1 because of that.

3. Mr. Boeck – And that is ironic. A couple of comments. I live on Schultz Drive, which is not very far from Gingerbread, which is a really great private school right on the corner of Alameda and – I can never remember those streets. They've been there for 20 some years. All three of our kids went through there. There's traffic every day, and there's a lot more than 59 kids that play at Gingerbread and it was a wonderful experience. Fortunately, we were able to walk there. But dealing with the traffic that comes in and out of there off of Alameda – I've been there when the kids were getting dropped off and the kids were getting picked up and it's never really been a big enough issue to make it an issue. The school does what it wants to do. I love the concept of this school and I love the people that I've met that go and that participate in this school. I understand the traffic thing. I understand the people that live on Foreman. Joe Von Bullard is a friend of mine and we've talked about this a lot. But when you look at the alternatives to what that could become – you know we had the owners here the last time we met and they said they had to sell for whatever million dollars because that's what they had to sell it for. You don't make that a single-family residence when you do that. I understand why

they wanted to get that. But that piece of property could turn into a lot of different things that would make a lot more traffic than a school. Those are my comments.

4. Ms. Pailes – The first presentation, it looked like the school would be rather comparable to Lincoln Elementary in terms of enrollment, and I thought that would just not work. With the new enrollment it's basically comparable to Montessori, which is embedded in the neighborhood around Santa Fe, and that basically works. They kick a lot of soccer balls into the street. I'm a little dubious about that four foot fence. But basically it functions. I love the neighborhood input. I try hard, really, to honor neighborhood feelings about things. I think the worst thing that could happen to the neighborhood would be to have this property zoned residential but multi-family and you'd end up with a four-story apartment with balconies 20 feet from your back yard, and I think that would be the worst thing that could happen. This, I think, will try to be a really good neighbor and I think, based on looking at daycare, small schools, private schools embedded in neighborhoods, it'll probably work.

5. Mr. Gasaway – I've got a question for Susan. For the benefit of the audience, it sounds like one of the major concerns is, I guess, if the school is wildly successful and would like to expand, what's the process of coming back to change the PUD? Or the alternative, if, for some reason, the school leaves that location and it's designated PUD, what happens for the next applicant, regardless of what they want to do? What do they have to do to make that anything else? Could you go through that for us, please?

6. Ms. Connors – Yes. If the school wanted to expand then there would be another zone change application and it would have to go through a public hearing process just as they are doing now. So we go both to Planning Commission and City Council with any change. The site plan only allows the buildings they have on site, so it's restricted to the proposal before you this evening. The only other use that would be allowed – if the school wasn't on the site, it could still be a single-family home. It could be either the school as proposed or a single-family home.

7. Mr. Gasaway – Any other use, then, would have to come back for a change in the PUD – it would remain a PUD, but they would have to come back for a change?

8. Ms. Connors – Someone could request an amendment to the PUD or a new zone category.

9. Ms. Gordon – So if we change the 2025 Plan to whatever they're asking for – institutional -- and they do the zoning change, and they get so big they want to move somewhere else, everything you just said still – the only person or the only thing that could go in after that would be a school or a single-family residential. Is that correct?

10. Ms. Connors – That's all this zone category allows.

11. Ms. Gordon – So I guess I'm confused, because Mr. Rieger presented a list of all these things that could go in – apartments and daycares and all this stuff under a change to the 2025 Plan. Is that not correct?

12. Ms. Connors – Well, he was projecting, but that's not what the zoning would allow and, therefore – the zoning dictates. Maybe Ms. Messner would like to come up.

13. Ms. Messner – What we're talking about with the 2025 Land Use and Transportation Plan and the zoning ordinance are two separate sets of regulations. They're asking for a change in both tonight. Ultimately, if the Land Use Plan and the Zoning Ordinance were to conflict, the Zoning Ordinance controls. So if the school were to move across town or go out of business and the 2025 Plan is Institutional and the zoning is PUD and they wanted to change it to a completely

different institutional use, they would have to have a zone change, but not necessarily the Plan change. But if they wanted to do commercial, they would need a Plan change and a zone change.

14. Ms. Gordon – I think I got it. Well, that's a big deal for me, because my biggest sticking point on this was the zoning issue – the issue of, if they were to leave, or what could go in there. Because I think they've addressed the parking issues and the traffic issues with good faith and I think it would work. I don't think that four times a year, even if there was overflow in the neighborhood parking – I don't think that four times a year overflow parking is that unacceptable. Before anybody flames me, I live next to a park, so I get a lot of overflow parking in my neighborhood. So I'm glad that was explained to me.

15. Ms. Bahan – My primary concern with this is the traffic on Main Street. I genuinely feel you're going to have to have a traffic light there at some point in the not-too-distant future, because, having taught at Norman High School and driven Main Street for years, the traffic is too heavy. That time of morning, when you're dropping off kids, trying to get in and get out, it's a nightmare. Even 59 cars – or 45 cars, or whatever – I just don't think that, realistically, you're not going to have some real problems. That's my primary concern with the whole thing.

16. Mr. McCarty – I have some questions for the traffic engineer again. At what point would a deceleration lane/acceleration lane be required for a rezoning?

17. Mr. Riesland – Requirements for deceleration lanes are obviously based on the volume that would be turning right. In this case, 59 cars would fall short of that. Usually it's around 100 where you'd consider a deceleration lane. Even if they were all turning right. In an hour.

18. Mr. McCarty – My biggest concern about this is traffic. Most of these people, I understand, don't have cars – or that's what was presented to us before. So how are they going to cross the street from wherever they're coming from to get to the school? But if they do present to us a school zone and a crosswalk, we have another one half a mile away. I just see a huge traffic problem. Cars stopping, stacking down Main Street during the busiest time of the day – 8:00 to 8:45 a.m. down Main Street is not a pleasant time. Right now there's no school zone or crossing on the site plan proposed. What is that process? I wasn't real clear on what that process is for someone to be able to do that. Would the City allow that at this site – at Wiley and their driveway to get into their property?

19. Mr. Riesland – Would we allow a school zone?

20. Mr. McCarty – A school zone with a crossing and a crosswalk, because I think that would be just detrimental to Main Street.

21. Mr. Riesland – Yes, we would allow that.

22. Ms. Pailes – I did that at the school where my kids went to school, so this was some time ago. But we requested of the city to get a crosswalk and the city said no. So I think that power resides with the city.

23. Mr. Riesland – I was saying yes to the school zone. A crosswalk at an intersection is one thing. We like to have that protected as much as possible. The discussion about the traffic signal obviously helps the protection of that crosswalk. We have unprotected crosswalks that don't seem to work very well.

24. Mr. McCarty -- Well, if you ever travel down Main Street when Norman High is crossing, the traffic stacks all the way past Berry Road west, and this would just add additional problems

to get into the property at the same time. 8:00-8:45 – high school, I think, starts at 8:45. It's going to be around the same timeframe. My biggest concern – the site plan has been improved. I think the agreement of 59 students is great. But my biggest concern is traffic down Main Street and how that is going to flow. We're going to increase the curb cut at that point, which makes it further away from Wiley, the way that I look at their site plan, which makes that stop light a little bit more difficult than we talked about last time and how that would be affected and staggered. I'm just having a hard time with the traffic. Thank you.

25. Mr. Boeck – I'm thinking about out in front of Lincoln on Classen, and Classen is a pretty busy street. There is a light there that's activated by the crossing guard to get kids across when they need to get across, and people stack up. I drive Main Street all the time and Norman High is a huge number of students crossing that street at 8:30. Again, if you've got 15 or 20 kids walking across the street in a 45 minute period, I just don't see traffic as being an issue.

26. Mr. Sherrer – I'm going to kind of contradict. At least my opinion on a couple of things. Like Commissioner Boeck said, I also had children at Gingerbread School and I will tell you that was a nightmare picking up people as I waited in line on Alameda to actually pull in to pick up my children. I was scared. Not scared of the part to your point, Commissioner Pailes, about whether or not they were fenced in or they had proper protection, but I was scared when they went out the front door and didn't go – they ran out and they lost the ball and they went out – I think that is a concern. Anywhere there's a drive, I think that is absolutely a concern that we need to have for safety. We're seeing on every news channel now talking about storm shelter safety. I think safety has to be paramount. In fact, my kids go to Cleveland Elementary. I'm, like many people here, missing the opportunity to be there this evening for the 50th anniversary. But the discussion there, and the principal states this every year, and I think Ty Bell is his name – he does an excellent job – but when we go to the parent-teacher meeting the first thing he always says is safety is the very first thing I care about your kids. Scholastic opportunities, cultural enrichment – all the things that I think everybody in this room wants for our children – he starts with safety. I think, when you're talking about safety as it relates not only to protection within the actual environment of where the school is and the location there, I think you're talking about pick-up time. I think you're also talking about transportation. Just like Commissioner Bahan and Commissioner McCarty, I have very serious concerns as a person who goes by there twice a day at least as a commuter living just down the street, and from that to where I work every single day, it's a busy area. It's a very challenging area always. It's different than Classen, and no offense – I've been at that light, too. I've been at the light on Norman High and I've seen how that slows things down. But I truly believe that there is a concern here about going from East Norman to West Norman, too, and not only do I think it affects traffic, I think it impacts our ability to have traffic flow throughout our community. We all have been a part of this Lindsey Street discussion lately and, frankly, depending upon what happens there, there's going to be more traffic on Main Street. I don't think there's any doubt of what happens there – at least what has been discussed at the City Council. I know that has not been decided and I know there's a master transportation plan going on right now that will help decide that. But I'm deeply concerned about protecting Main Street as a nice, quick way to get across our community. I only think this inhibits that. I love the school. I think the model – I think the idea of the school, I think what it's about is something I'm very for and it's certainly something I want in my community. But I just haven't, frankly, been able to get over this transportation concern, and then also the safety concern.

27. Mr. Gasaway – I think one thing we ought to look at are the possible uses of the property. The original owner came I think when this was presented last time and the best of my memory the school as the only party interested in that property. I think the three uses that it could be would be a single-family residence, as it was in the past, which doesn't sound that that's very likely based on the amount of activity on that property. It could be what is proposed tonight. I think there's a high probability that someone would come with a commercial application for this

property. I think that's the highest probability. Whether or not that's acceptable, I think, is certainly up to future debate. Or there could be large-scale residential – either single-family homes or some type of apartment complex, duplexes in that area. I think of those uses, if it can't be single-family residential such as it is now, this is probably the best option of those that I listed. It's an unusual property from a different time in the City of Norman that makes it very difficult for someone to want that as a single-family residential property any longer. That's just my opinion. I had two objections originally when this came last time. One was the traffic stacking on West Main, which I think has been solved by the school's changing the size. I think the worst thing that we could possibly do on West Main is have a large stacking where we cut it down to one lane in one direction. This certainly seems to have solved that. Parking on the lawn – I think last time there was kind of free-for-all parking on the dirt. As Code Compliance here knows, I'm very much a stickler for not parking on places in Norman that are not paved, and I would be one of the first ones calling Code Compliance to see that happen. But, again, I think, with 25 parking places, on a daily basis that should handle it, and I think there are some other options for special events that the school has addressed. I do want to emphasize again – I think staff has covered this – this change does not open up this property to other uses without coming back to Planning Commission and to City Council. I want to ask Susan one more time – what is a correct statement, is it not?

28. Ms. Connors – That's correct.

29. Mr. Gasaway – I'm asking that simply as protection for the residents that are worried what will happen in the future.

30. Ms. Connors – Yes. The Planned Unit Development limits the uses of this property to the school and a single-family home if the school were not there.

31. Mr. Gasaway – Or if the school wants to enlarge, it has to come back to this body as well as the City Council. So I think there's some significant protection there. So I'll be supporting this plan for tonight.

Jim Gasaway moved to recommend adoption of Resolution No. R-1314-25, Ordinance No. O-1314-12, and PP-1314-5, the Preliminary Plat for ROSE ROCK ADDITION, A Planned Unit Development, to City Council. Roberta Pailes seconded the motion.

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

YEAS	Jim Gasaway, Roberta Pailes, Cindy Gordon, Dave Boeck, Tom Knotts
NAYS	Curtis McCarty, Andy Sherrer, Sandy Bahan
ABSENT	Chris Lewis

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1314-25, Ordinance No. O-1314-12, and Preliminary Plat No. PP-1314-5 to City Council, passed by a vote of 5-3.

* * *

RECESS
8:17 to 8:25 p.m.

* * *

FELLERS SNIDER
ATTORNEYS AND COUNSELLORS AT LAW
FELLERS SNIDER BLANKENSHIP BAILEY & TIPPENS, P.C.

OKLAHOMA CITY ■ TULSA

R. Blaine Nice
Of Counsel

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October 16, 2013

VIA FACSIMILE (405) 366-5389

Brenda Hall
City of Norman
City Clerk
P.O. Box 370
201 West Gray
Norman, OK 73070

Re: Rose Rock School - PUD Rezoning Application

Dear Brenda:

The above referenced Rezoning Application was to be on the October 22, 2013, Norman City Council agenda for consideration. Pursuant to my Client's request, please postpone the Rose Rock Application until the November 12, 2013 City Council meeting.

If you have any questions or if anything further is needed on my part, please let me know.

Sincerely,

R. Blaine Nice
For the Firm

RBN:MB

City of Norman, OK

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

Master

File Number: O-1314-12

File ID:	O-1314-12	**Type:**	Ordinance	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 52	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	08/20/2013
File Name:	Rose Rock Rezoning			**Final Action:**	

Title: CONSIDERATION OF ORDINANCE NO. O-1314-12 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO PLACE PART OF THE SOUTHEAST QUARTER OF SECTION 25 OF TOWNSHIP 9 NORTH, RANGE 3 WEST OF THE INDIAN MERIDIAN, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT AND REMOVE THE SAME FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1515 WEST MAIN STREET)

Notes: ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-12 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-12 upon Final Reading as a whole.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 52

Attachments: Text File O-1314-12.pdf, O-1314-12, Site Plan Rose Rock, PUD Narrative, Location Map, Staff Report, Rose Rock Photographs, History of the House, Rose Rock Protest and Support Map as of November 7th.pdf, Protest Letters, Letter of Support Oct 8 2013, Letters of Support Rose Rock, Letter of support November 7.pdf, 9-12-13 PC Minutes - O-1314-12, Letter of Postponement

Project Manager: Jane Hudson, Principal Planner

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

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

1	Planning Commission	09/12/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	10/08/2013	Pass
	Action Text:	That this Zoning Ordinance be Recommended for Adoption at a subsequent City Council Meeting. to the City Council due back on 10/8/2013 by consent roll call				
1	City Council	10/08/2013	Introduced and adopted on First Reading by title only			Pass
	Action Text:	That this Ordinance be Introduced and adopted on First Reading by title only. by consent roll call				
1	City Council	10/22/2013	Postponed			Pass
	Action Text:	Postponed until November 12, 2013				

Text of Legislative File O-1314-12

Body

SYNOPSIS: The house located at 1515 West Main Street has been purchased so a new Waldorf-based educational system, a private school named Rose Rock, can be established on-site. The applicant is requesting a rezoning from R-1, Single Family Dwelling District to a PUD, Planned Unit Development District. The purpose of the rezoning is to allow the director of the school to live on-site while managing the daily responsibilities of running the school. The current R-1 zoning district would require a Special Use to allow a school to operate on-site; however, that Special Use does not allow the director to live on-site. Therefore, the applicant has requested the Planned Unit Development District to allow for living arrangements on-site. The children attending this school will range in age from early childhood to mixed age elementary.

ANALYSIS: The particulars of this Planned Unit Development request include:

USE: The character of the site for this school will be a park-like green space. In keeping with Rose Rock/LifeWays/Waldorf curricula, the landscaping for the property shall be enhanced with new tree plantings, gardens, paths and fields for recreation for the students.

OPEN SPACE: The parcel is approximately 3.72 acres. The proposed open space is approximately 80%; this area is reserved for gardens and student recreation areas.

PARKING: On-site parking will be provided. Parking areas shall be constructed of approved materials. At maximum student capacity there will be 59 students. The proposed site plan depicts 25 parking spaces with additional area for drop-off and pick-up of the children in the circle drive.

During special events at the school, arrangements have been made with a local church to allow for off-site parking. Shuttle service to and from the school will be provided.

BUFFERS: The setbacks are noted along the sides and rear of the property at 20 and 30 feet, respectively. These setbacks are clear of buildings or parking and will remain open. The southeast property line, abutting the residential area along the drive, has approximately ten feet between the proposed drive and the adjacent lots. This is a large, almost four-acre lot. There is sufficient space and landscaping buffers that will reduce any impact on the neighboring residences.

ALTERNATIVES/ISSUES:

IMPACTS: The PUD narrative states that there will be 20 and 30 foot setbacks required along the sides and rear of the property to help alleviate any impacts. These property lines abut a single family subdivision which has been in existence for many years.

TRAFFIC: All traffic will access the site from Main Street. The existing drive will be widened, repaved and improved for accessibility. There is not a gate proposed at the entry.

With the design proposed, adequate queuing will be available on-site when coupled with school plans to stagger start/end times for different grades within the school. This commitment to the staggered

drop-off/pick-up process by the school will help assure that no stacking problems will exist and spill out into neighborhood streets.

OTHER AGENCY COMMENTS:

PARKS BOARD: There are no additional requirements for parkland with this private school.

PUBLIC WORKS: Street, sidewalk, water and sanitary sewer improvements are existing on-site. If any additional impervious areas are created, a privately maintained detention pond will be utilized.

STAFF RECOMMENDATION: As requested by the neighbors, through neighborhood meetings, the applicant has developed a PUD narrative that established safeguards which should minimize any adverse impacts on nearby single family residences. The site plan shows designated setbacks to reduce impacts on adjacent property owners. The areas designated for the outdoor activities and children's play area are setback from the property lines creating additional separation/buffer from the residential areas. The children's play area is fenced and slightly offset behind the front of the house, on the west side. This area is far from Main Street.

Staff recommends approval of Ordinance No. O-1314-12.

The Planning Commission, at their meeting of September 12, 2013, recommended adoption of this ordinance by a vote of 5-3.

O-1314-12

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE PART OF THE SOUTHEAST QUARTER OF SECTION TWENTY-FIVE (25) OF TOWNSHIP NINE (9) NORTH, RANGE THREE (3) WEST OF THE INDIAN MERIDIAN, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE R-1, SINGLE FAMILY DWELLING DISTRICT, AND PLACE THE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (1515 West Main Street)

§ 1. WHEREAS, Brent Swift, General Contractor for Rose Rock School Foundation, the owners of the hereinafter described property, has made application to have the subject property removed from the R-1, Single Family Dwelling District, and placed in the PUD, Planned Unit Development 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 remove the following described property from the R-1, Single Family Dwelling District, and place the same in the PUD, Planned Unit Development District, to wit:

Part of the Southeast Quarter (SE/4) of Section Twenty-five (25), Township Nine (9) North, Range Three (3) West of the Indian Meridian, Norman, Cleveland County, Oklahoma, described as follows: Commencing 970 feet East of the Southwest Corner of said Southeast Quarter (SE/4); Thence North 485 feet; Thence East 370 feet; Thence South 485 feet; Thence West 370 feet to the point of beginning.

LESS AND EXCEPT: That portion deeded to the State of Oklahoma and recorded in Book 252, Page 245. A strip, piece or parcel of land lying in part of the Southeast Quarter (SE/4) of Section Twenty-five (25), Township Nine (9) North, Range Three (3) West of the Indian Meridian, Norman, Cleveland County, Oklahoma, said parcel of land being described by metes and bounds as follows: Beginning at a point on the South line of said Southeast Quarter (SE/4) a distance of 970 feet East of the Southwest Corner of said Southeast Quarter (SE/4); Thence East along said South line a distance of 370 feet to a point 1294.3 feet West of the Southeast Corner of said Southeast Quarter (SE/4); Thence North a distance of 47 feet; Thence North 89°58' West a distance of 370 feet; Thence South a distance of 47 feet to a point of beginning.

Said tract contains 3.72 acres, more or less.

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

a. The site shall be developed in accordance with the Site Development Plan (Exhibit A) and the PUD Narrative (Exhibit B), approved by the Planning Commission on September 12, 2013, and supporting documentation submitted by the applicant and approved by the Planning Commission, and made a part hereof.

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

ADOPTED this _____ day of

_____, 2013.

_____
(Mayor)

ATTEST:

_____
(City Clerk)

NOT ADOPTED this _____day of

_____, 2013.

_____
(Mayor)

ZONING SUMMARY

SITE LOCATION
1515 W. MAIN ST
NORMAN OK 73069

CURRENT ZONING R-1 SINGLE FAMILY RESIDENTIAL
PROPOSED ZONING PUD

SETBACKS PROVIDED
30' FRONT
10' SIDE
30' REAR

OFF-STREET PARKING 33 SPACES PROVIDED

LOT AREA
3.72 ACRES (162,043 SF) - NO CHANGES PROPOSED

BUILDING FOOTPRINT
EXISTING HOUSE 2,152 SF - NO CHANGES
PROPOSED
EXISTING GARAGE 1,333 SF - NO CHANGES
PROPOSED
TOTAL 3,484 SF
BUILDING AREA : SITE AREA =
3,484 SF : 162,043 SF = 2.15%

PROPOSED IMPERVIOUS PAVING AREA INCLUDES BUILDINGS: SITE AREA =
31,144 SF : 162,043 SF = 19.2%

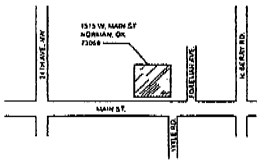
PROPOSED GREEN SPACE = 130,899 SF OR 80% OF SITE
(130,899 / 59 STUDENTS = 2,218.3 GREEN SPACE SF PER STUDENT)

PROJECT NOTES

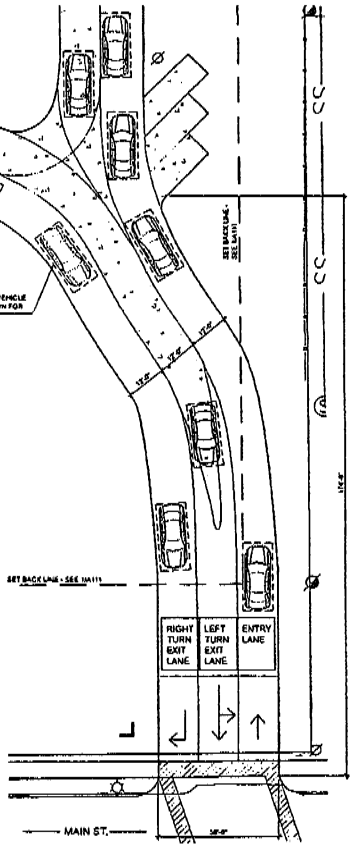
1. REFER TO PUD NARRATIVE FOR ADDITIONAL INFORMATION.

2. NEW CURB WITH RAISED CONCRETE PAVING IS PROPOSED AT PERIMETER OF BUILDING TO DIRECT DRAINAGE AROUND BUILDING. ALL OTHER NEW PAVING TO BE FLUSH WITH ADJACENT LANDSCAPING TO ALLOW EXISTING SITE DRAINAGE PATHS TO REMAIN. NO CHANGES TO OVERALL SITE DRAINAGE PATTERNS ARE PROPOSED.

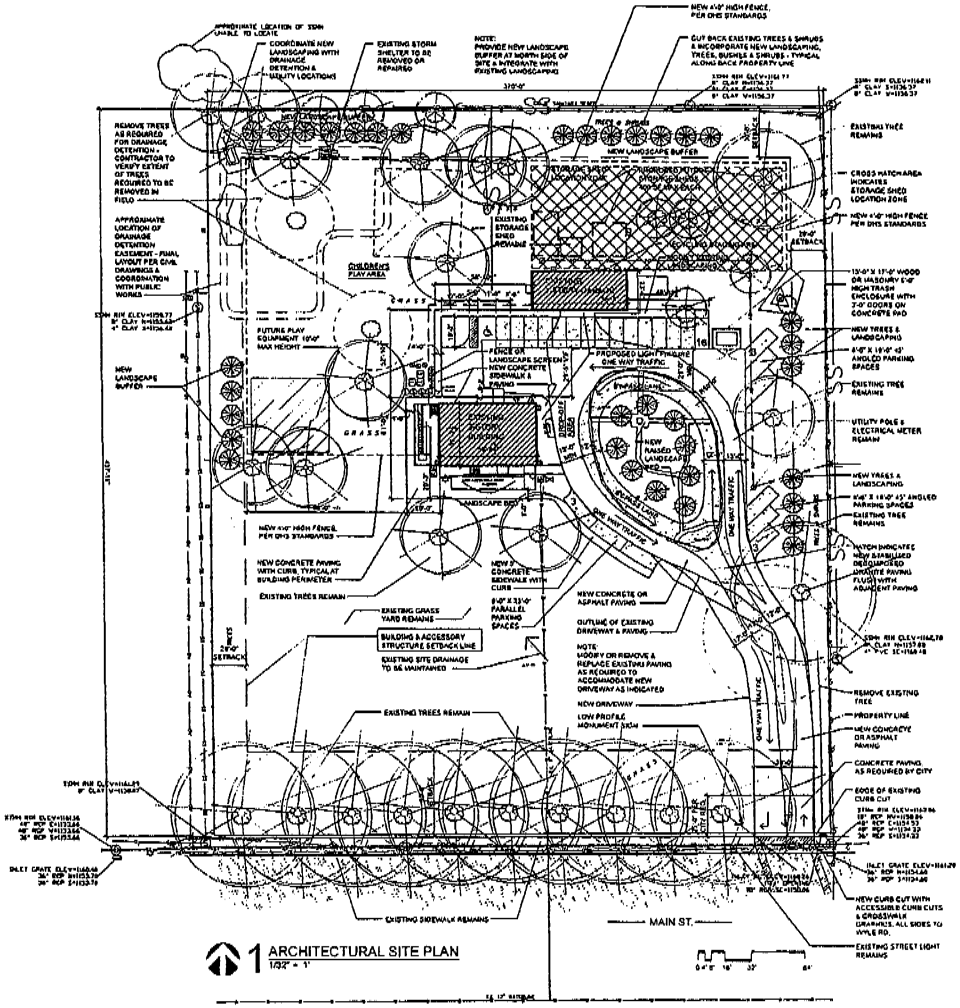
* HATCH INDICATES NEW STABILIZED DECOMPOSED GRANITE PAVING FLUSH WITH ADJACENT PAVING



2 LOCATION MAP
NOT TO SCALE



1A ENLARGED SITE PLAN
TRAFFIC DIAGRAM
1/16" = 1'



1 ARCHITECTURAL SITE PLAN
1/32" = 1'

bgA
Butzer Gardner Architects
626 West Sheridan Avenue
Oklahoma City, Oklahoma 73102
405.601.4545 www.butzergardner.com

PRELIMINARY - NOT FOR CONSTRUCTION

5 AUG. 2013

ROSE ROCK SCHOOL
1515 W. MAIN ST.
NORMAN, OK 73069

Design by: bgA
Drawn by: bgA
Review by: bgA

Date:
08.05.2013
PLANNING COMMISSION
08.28.2013
PLANNING COMMISSION - REVISED PER PRE-DEVELOPMENT MEETING COMMENTS

Drawing Title
ARCHITECTURAL SITE PLAN

Sheet No
A111

Rose Rock School Foundation – PUD Narrative

1515 W. Main St. Norman, OK 73069
Submitted: August 5, 2013
Revised per Pre-Development Meeting Comments: August 29, 2013
Revised per City Comments: September 5, 2013

Introduction:
The Rose Rock School in Norman is planning to relocate to its purchased property at 1515 W. Main St. property and seeks to rezone it from R-1 to a Planned Unit Development (PUD).

Rose Rock School Mission:
"The Rose Rock School offers an education that respects the developmental stages and unique qualities of each child. Our curriculum fosters acute cognitive skills, keen emotional awareness, and meaningful worldly activity. Our long-term goal is to help lead children toward conscious adulthood, in which they respect diversity, interact harmoniously with all people, nurture and protect the natural world, and give joyfully to the communities in which they live."

"Rose Rock offers innovative education in a nurturing environment. Our Kindergarten is held in a comforting home-like atmosphere that provides many natural opportunities for learning. We offer a mixed-age setting, where the children socialize in a close-knit community, cooperating with and caring for each other. The children interact daily with the natural world. They care for our garden, relate with animal life, and play outside in all seasons. Each meal is homemade with fresh, whole, organic food and served family-style around a beautiful, simply set table. The older children help with all aspects of meal preparation and clean-up. Each day is infused with the joyful work of a happy home, and the crafts and tasks change as we progress through the seasons."

Project Description:
The partially wooded 4-acre site consists of a centrally located historic home with a detached garage. The Rose Rock School is seeking to rezone the site from R-1 to a PUD in order to relocate their school to this site and provide housing for a faculty member and his/her family. The proposed PUD will maintain the site as a single lot. This project aims to maintain as many of the existing healthy old growth trees on the site as possible, enhance the site with additional landscaping and refashion the existing drive way and parking areas in order to provide adequate parking, vehicle circulation and drop-off areas. The open green space and park-like character of the site will be preserved. Landscape areas will combine open grass areas with drought-tolerant and native plants. The existing site is within the R-1 residential district and is surrounded by single-family homes.

Project Schedule:
The construction of proposed site improvements and building improvements, where required, is anticipated to begin following all required City approvals. Improvements will be phased as needed to accommodate enrollment and City requirements. The proposed site improvements indicated, once constructed, are intended to accommodate a maximum of 59 students.

Rose Rock School Foundation – PUD Narrative

1515 W. Main St. Norman, OK 73069
Submitted: August 5, 2013
Revised per Pre-Development Meeting Comments: August 29, 2013
Revised per City Comments: September 5, 2013

Proposed PUD Zoning Requirements:

PUD Statement of Purpose:
The intent of this PUD is to develop zoning guidelines that will support the mission and needs of the Rose Rock School, preserve and enhance the existing site as well as the character of the surrounding residential neighborhood.

1. Permitted Principle Use:
   - 1a. School for pre-K through elementary level education.
   - 1b. Housing for one faculty member and his/her family.
   - 1c. Accessory structures. Permitted structures include:
     - Existing one-story garage shall remain.
     - New storage sheds. Storage shed location zone as indicated on Site Plan. Storage sheds shall have a maximum size of 400 square feet. The total number of storage sheds shall not exceed (3) three.
     - New trash and recycling enclosures.
     - New children's play structures and equipment, with a height not to exceed 10 feet.

2. Other Permitted Uses
   - 2a. If the permitted principle use, as stated in #1 above, is discontinued, the property may be used for a detached one family dwelling

3. Area Regulations:
   - 3a. The existing land area of approximately 3.72 acres, or 162,043 square feet shall remain as a single lot. Subdivisions are not permitted.
   - 3b. Front Yard: All accessory structures shall be set back from street right-of-way lines at a minimum of 50 feet.
   - 3c. Side Yard: All accessory structures shall be set back at a minimum of 20 feet.
   - 3d. Rear Yard: All accessory structures shall be set back at a minimum of 30 feet.
   - 3e. All existing structures to remain are located within the stated setbacks.
   - 3f. No additional buildings or structures are permitted other than noted on the site plan submitted.

4. Height Regulations:
   - 4a. Existing building height of (3) stories shall remain.
   - 4b. Existing (1) story garage remains.
   - 4c. New accessory structure height shall not exceed 10 feet.

Rose Rock School Foundation – PUD Narrative

1515 W. Main St. Norman, OK 73069
Submitted: August 5, 2013
Revised per Pre-Development Meeting Comments: August 29, 2013
Revised per City Comments: September 5, 2013

5. Student Count:
   5a. Rose Rock School will serve a maximum of 59 students ranging from early childhood to mixed age elementary, per Oklahoma DHS.

6. Operating Schedule:
   6a. A Rose Rock School staff member will live in residence on site.
   6b. School day operating hours will be from 8am to 5pm, Monday through Friday.
   6c. Staggered drop-off and pick-up times in 15 minute intervals shall be utilized
      6c1. Staggered drop-off times will be from 8:00 am through 8:45 am. Each drop-off interval will accommodate approximately 15 students.
      6c2. Staggered pick up times shall be from 1pm through 5pm. Each pick-up interval will accommodate approximately 20 students.

7. Landscaping
   7a. Landscaping as shown on the site plan.

8. Site Lighting
   8a. Existing light fixtures on the existing buildings remain.
   8b. New light fixtures shall comply with the City of Norman's Commercial Lighting Ordinance.

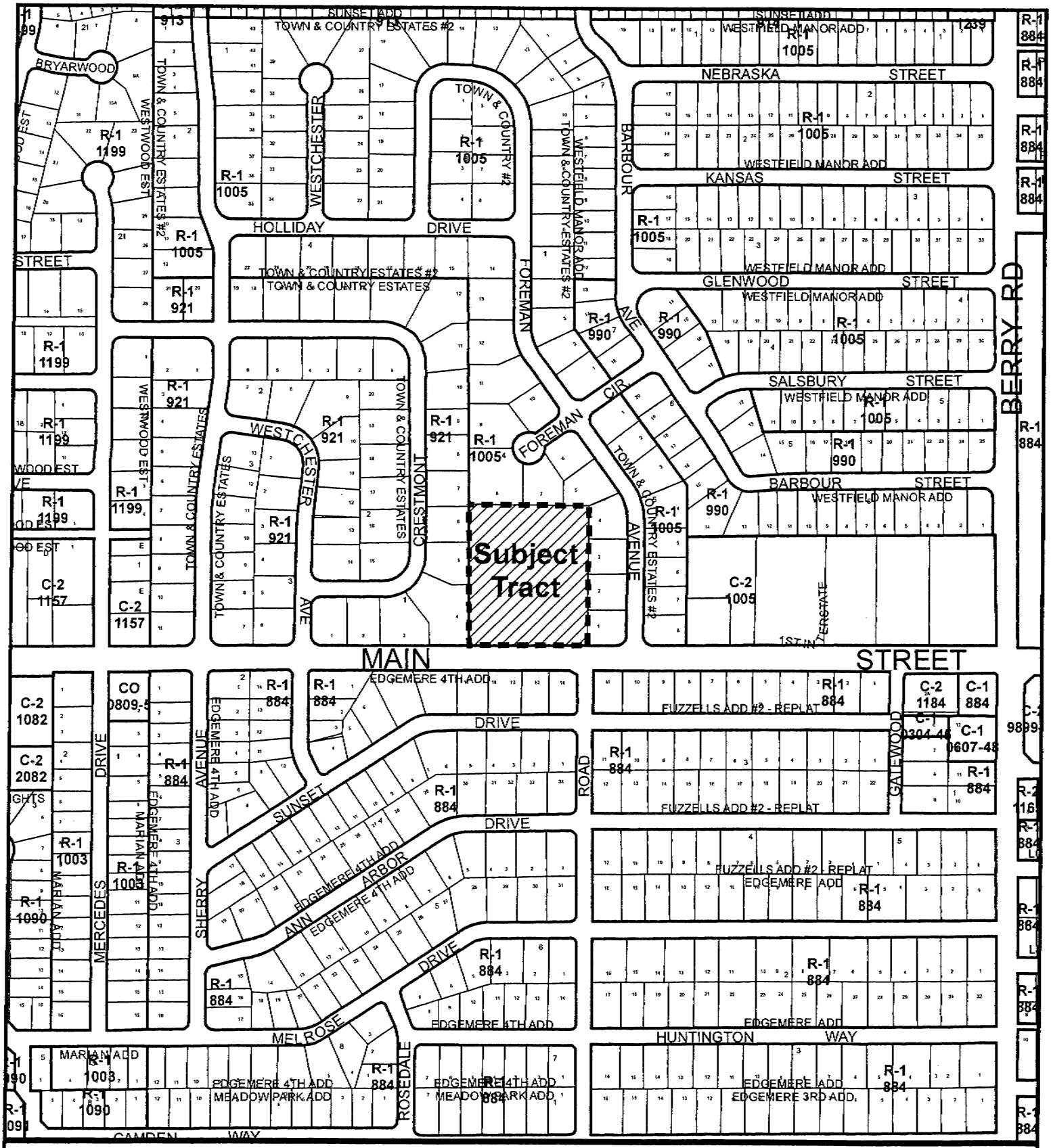
9. Waste Management
   9a. Trash and Recycling shall comply with City of Norman standards for commercial pick-up.
   9b. Trash receptacle and enclosure as shown on Site Plan.

10. Parking
   10a. Parking and paving areas shall comply with City of Norman standards and be constructed with approved materials.
   10b. (25) Twenty-five parking spaces shall be provided, which meet code requirements.
   10c. If needed, special event parking shall utilize designated areas of the drive-ways. Off-site parking will be available at St. Stephen's Methodist Church at 1801 W. Brooks St. Norman, OK 73069, along with a shuttle or carpool service to Rose Rock School.

11. Fencing Walls and Screening.
   11a. All fences, walls and screens shall comply with City of Norman requirements.

12. Signs
   12a. All signage shall comply with City of Norman requirements.

End of Proposed PUD Zoning Requirements.



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

August 6, 2013

0 200 400 Ft.

Subject Tract

Zoning

ORDINANCE NO. O-1314-12 ITEM NO. 8b

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Brent Swift, General Contractor for Rose Rock School Foundation
REQUESTED ACTION	Rezoning to PUD, Planned Unit Development District
EXISTING ZONING	R-1, Single Family Dwelling District
SURROUNDING ZONING	North: R-1 East: R-1 South: R-1 West: R-1
LOCATION	1515 West Main Street
SIZE	3.72 acres, more or less
PURPOSE	Private School
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Residential East: Residential South: Residential West: Residential

SYNOPSIS: The house located at 1515 West Main Street was purchased so that a new Waldorf based educational system school could be established on-site, Rose Rock School. The applicant is requesting a rezoning from R-1, Single Family Dwelling District to a PUD, Planned Unit Development. The purpose of the rezoning is to allow the director of the school to live on-site while managing the daily responsibilities of running the school. The current R-1 zoning would require a Special Use to allow a school to operate on-site; however, that does not allow the director to live on-site. Therefore, the applicant has requested the Planned Unit Development to allow for living arrangements on-site. The children attending this school will range in age from early childhood to elementary.

ANALYSIS: The particulars of this Planned Unit Development request include:

USE The character of the site for this school will be a park-like green space. In keeping with Rose Rock/LifeWays/Waldorf curricula, the landscaping for the property shall be enhanced with new tree plantings, gardens, paths and fields for recreation for the students.

OPEN SPACE The parcel is approximately 3.72 acres. The proposed open space is approximately 80%; this area is reserved for gardens and student recreation areas.

PARKING On-site parking will be provided. Parking areas shall be constructed of approved materials. At maximum student capacity there will be 59 students. The proposed site plan depicts 25 parking spaces with additional area for drop-off and pick-up of the children in the circle drive.

During special events at the school, arrangements have been made with a local church to allow for off-site parking. Shuttle service to and from the school will be provided.

BUFFERS The building setbacks along the side and rear of the property are 20 and 30 feet, respectively. These setbacks are clear of buildings or parking areas and will remain open. The southeast property line, abutting the residential area along the drive, has approximately ten feet between the proposed drive and the adjacent lots. This is a large, almost four-acre lot. There is sufficient space and landscaping buffers that will reduce any impact on the neighboring residences.

ALTERNATIVES/ISSUES:

IMPACTS The PUD narrative stated there will be 20 and 30 foot setbacks required along the side and rear of the property. These property lines abut a single family subdivision which has been in existence for many years.

TRAFFIC All traffic will access the site from Main Street. The existing drive will be widened, repaved and improved for accessibility. There is not a gate proposed at the entry.

With the design proposed, adequate queuing will be available on-site when coupled with school plans to stagger start/end times for different grades within the school. This commitment to the staggered drop-off/pick-up process by the school will help assure that no stacking problems will exist and spill out into neighborhood streets.

OTHER AGENCY COMMENTS:

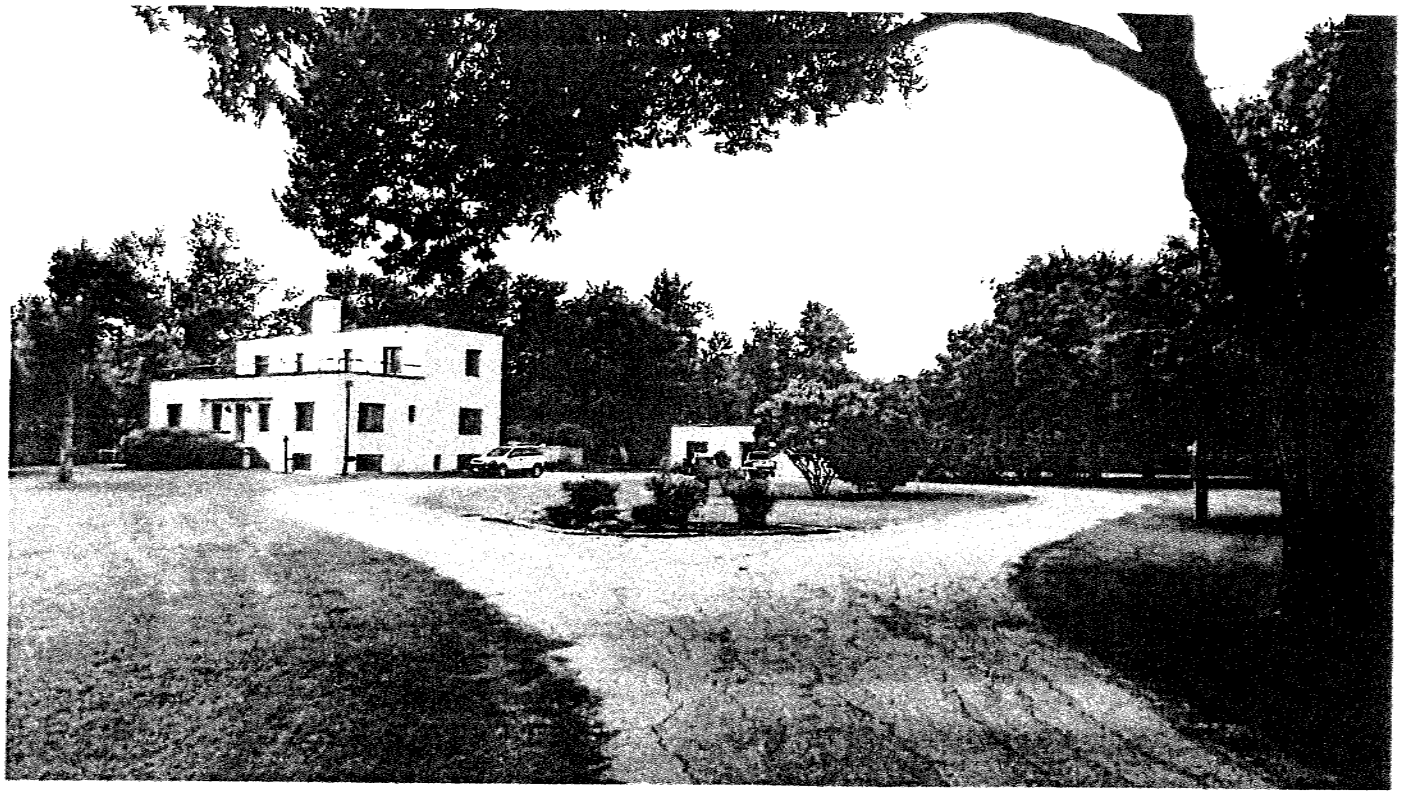
PARKS BOARD There are no additional requirements for parkland with this private school.

PUBLIC WORKS Street, sidewalk, water and sanitary sewer improvements are existing on-site. If any additional impervious areas are created, a privately maintained detention pond will be utilized.

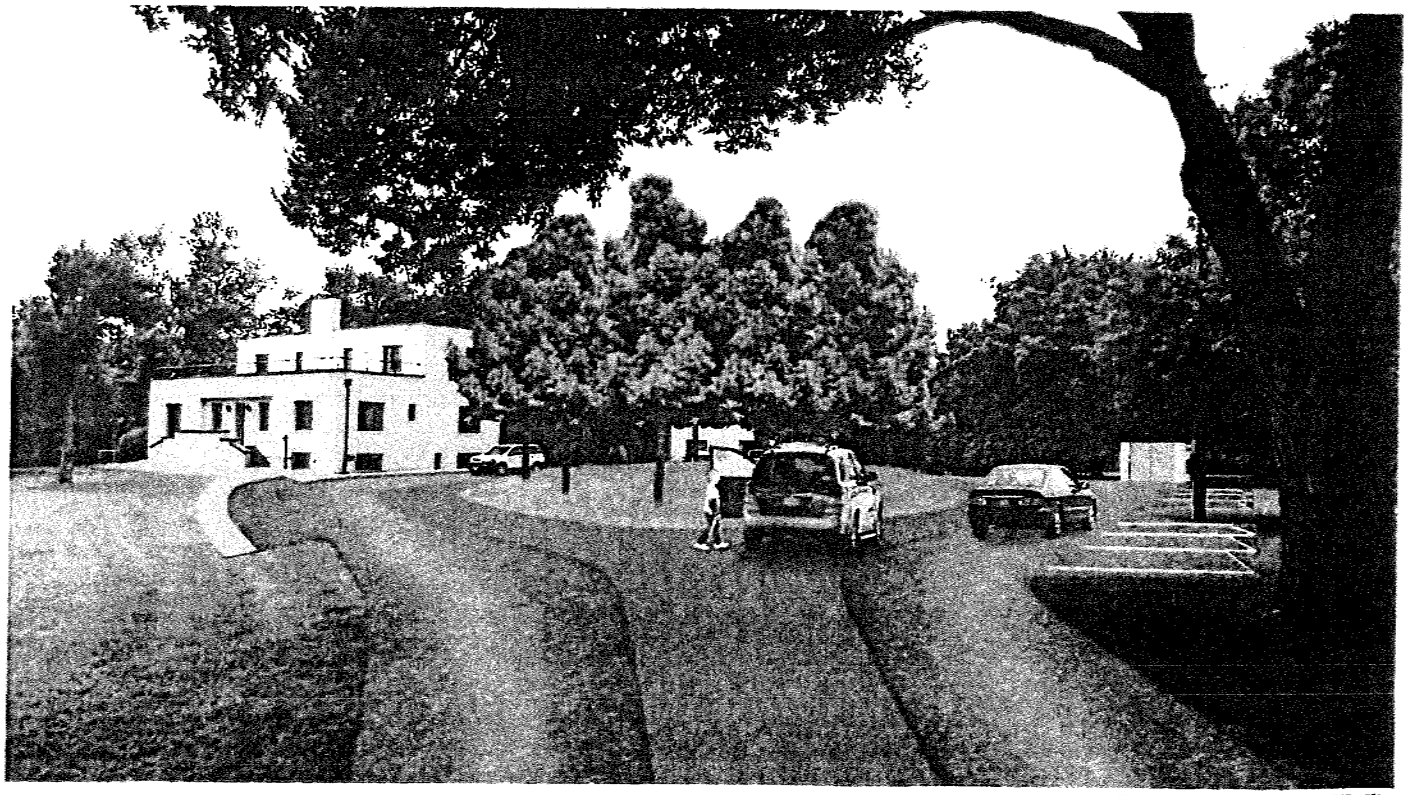
STAFF RECOMMENDATION: As requested by the neighbors, this PUD has established safeguards that should minimize any adverse impacts on nearby single family residences. The

site plan shows designated setbacks to reduce impacts on adjacent property owners. The areas designated for the outdoor activities and children's play area are setback from the property lines creating additional separation/buffer from the residential areas.

Staff recommends approval of Ordinance No. O-1314-12.



EXISTING



PROPOSED

Butzer Gardner Architects

ROSE ROCK SCHOOL 2013_08_05

Rose Rock School – Planning Commission Submittal - General Information Only
Submitted: August 5, 2013
Revised: August 29, 2013

Johnson House
1515 W Main

Introduction
The purpose of this document is to provide general information about the existing site and residence. This document is not part of the PUD.

General House History

1. In 1939 Mr. and Mrs. E. G. Johnson built one of the largest homes constructed in Norman that year on a 4-acre tract west of Norman. The house is 74 years old.

2. Mr. Johnson, known by friends as Big Boy, due to his 6'6" stature, first bought a concrete company and then began construction of the house, which has 14" thick reinforced concrete walls.

3. The house is designed in an Art Moderne style—one of only a few remaining such structures in Norman.

4. Art Moderne was very streamlined and was most commonly in use between 1930s-1950s.

5. Big Boy Johnson was a founding member of the Touchdown Club and according to town lore, legendary OU Football Coach Bud Wilkinson was hired in the basement bar of the Johnson House in 1946.

6. As the town grew around and past it, the Johnson house has become a Norman landmark.

Historic Preservation
Given its architecture, its setting and the sheer size of the lot, the Johnson House makes a significant contribution to Norman's sense of place.

Sense of place refers to the feelings emotions and attachments that people have for a particular location—a site, a district, a community. Sense of place is the feelings and emotions we have about buildings, neighborhoods and features that we value and that make our community different from everywhere else.

The Johnson House's style and setting are a stark contrast to the suburban setting where all of the surrounding houses face away from Main Street and are hidden behind privacy fences.

The house's landmark role in Norman is due to its size, its distinctive Modernistic architecture and the fact that it faces Main Street surrounded by a 4-acre parcel. A canopy of mature oak trees lines the sidewalk. Coupled with the open expanse of lawn, the Johnson House feels like a park to everyone who passes whether by car or on foot.

The Rose Rock School is seeking to preserve all of those elements of the landmark—the house, the grounds and the setting—not just for the school but for the benefit of the entire Norman community.

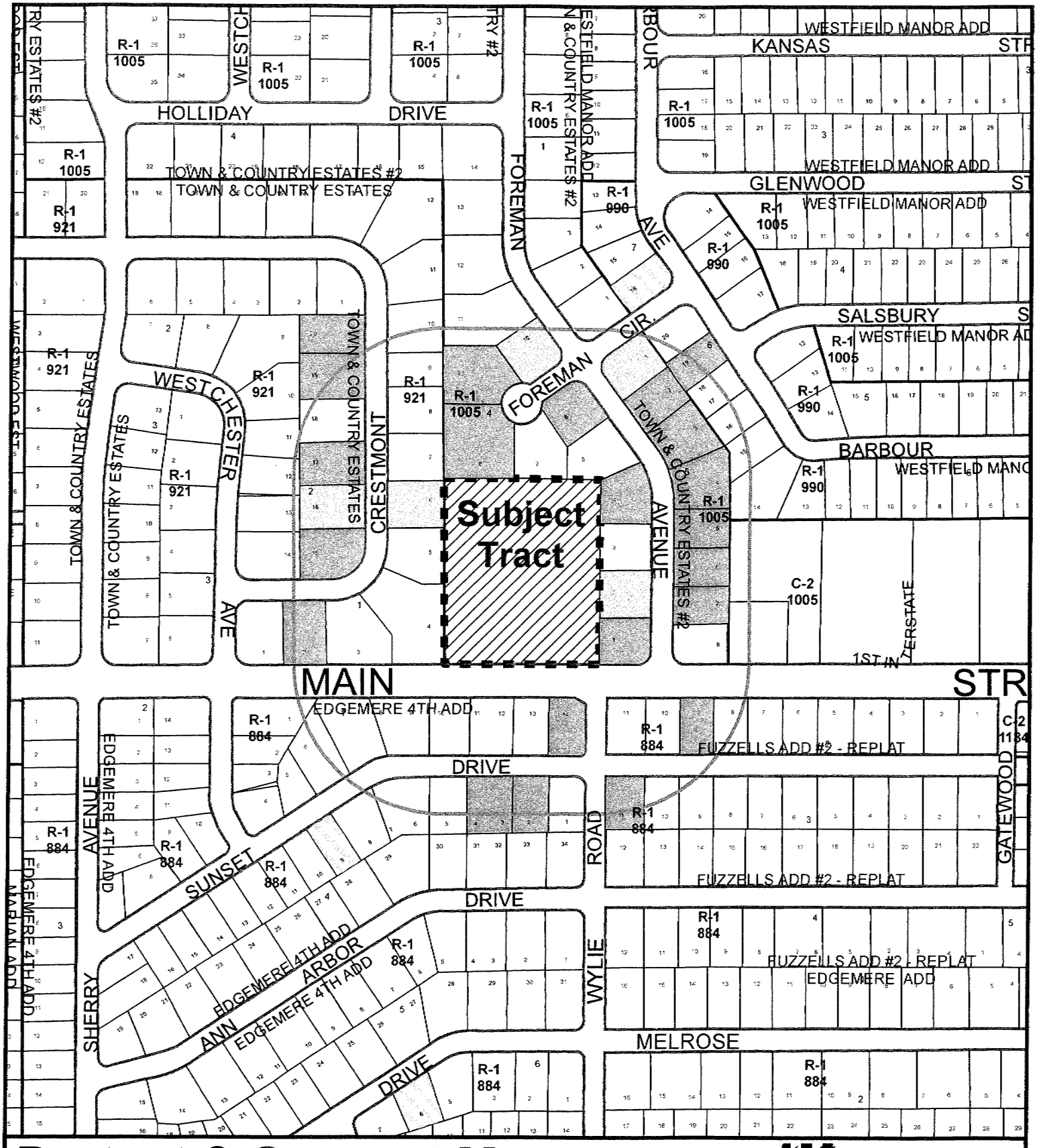
The notion of adaptive reuse of buildings is quite common in historic preservation. Throughout the country and the world, historic buildings often outlive one use and are adapted for a new and productive use. Adaptive reuse allows community landmarks to remain in place and community history to survive

Historic preservation is the ultimate green activity. After all, the greenest building is the one already built!

Investing in historic preservation conveys value not only on the property itself but that reinvestment creates value for surrounding properties.

Preserving such a landmark that contributes to Norman's sense of place creates value for everyone.

Imagine the site without the Johnson House. Imagine the site as an office park or a collection of single family houses, none of which could address Main Street but would all turn inward aware from the arterial street as current subdivision regulations require.



Protest & Support Map

38.0% Protest Within Notification Area

9.8% Support Within Notification Area

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

N
W E
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Scale: 1" = 300'
November 7, 2013

- Subject Tract
- Protest
- Notification Area
- Support
- Protest Outside Notification Area
- Support Outside Notification Area

August 30, 2013

Planning Commission
c/o City Clerk
City of Norman
201 West Gray, Bldg. A
City of Norman, Oklahoma

Honorable Commissioners:

I am writing this letter to oppose the rezoning of the property located at 1515 West Main Street.

It is already quite difficult for a vehicle to enter Main Street from Foreman Avenue. So, to add additional traffic to Main Street so close to Foreman Avenue, especially traffic slowing down to make a turn into 1515 West Main, would make our access to Main Street almost impossible.

Further, Norman presently has only three major East-West streets that have a relatively free flow of traffic. For the commission to permit a private school on Main Street and Wylie Road would create unnecessary congestion both directions on Main and also south bound on Wylie Road.

Further, I am concerned such zoning change will have an unfavorable, adverse and unfair impact on my and my neighbor's home values.

Lastly, the noise associated with a school will disrupt the tranquility and peace of our homes and that is not fair.

So, please do not approve this zoning change to impair this fine and established neighborhood.

Respectfully,

James F. Ryan

James F. Ryan, O.D.
211 Foreman Avenue
Norman, Oklahoma 73069

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9-3-13

FILED IN THE OFFICE
OF THE CITY CLERK
ON Sept 3, 2013 (lb)

Sept 1, 2013

The City of Norman
201 West Gray, Bldg A
P.O. Box 370
Norman, Ok 73069

Attn: Planning Commission
RE: Requested Land Use Plan Amendment + Rezoning of 1515 West Main St. Norman Ok

I am opposed to the rezoning from single family Dwelling to PUD. As stated in my previous opposed statement made earlier this year.

The Home & land was purchased as single family dwelling. If the owners were planning to move their school to this address they should have gone through the proper proceedures before purchasing the home. This I feel is inconsiderate to all the neighborhood!

This is a well established quiet neighborhood which many of the owners have lived for a long time. The PUD rezoning would disrupt the entire neighborhood causing more congestion to our streets. Main ST already has numerous accidents each year at Wylie St and Foreman Ave, both which enter onto to Main St. The proposed drawing submitted by Rose Rock School, adds to the congestion at their driveway which they want both entrance & exits at the same locations which would go into Main St. adding yet even more traffic congestion. Plus the fact that they will have faculty parking in the same area consisting of 6 rows total parking and will also use the same driveway in + out. We have 4 schools in the same area which all of us have to deal with each day. Since my home is on the corner, I will have traffic on 3 sides of my home making it even harder to enter + exit my driveway. The majority of homeowners do not want this change. Ambulances, fire trucks & police cars also use Main St extensively which would cause them delays due to traffic congestion. We have 6 traffic lights already between flood + 24th St., this add to the congestion also.

I ask the the Rezoning for PUD be denied

Sincerely
Colette Ludge
E52-16 ... Foreman Ave
Norman, Ok

PLEASE PROTECT OUR NEIGHBORHOOD!

We the undersigned protest the proposed Land Use, Zoning, and platting Applications submitted by Rose Rock School Foundation for the Property located at 1515 West Main Street in Norman, OK. The proposed school is an inappropriate use for this Property and will cause severe and lasting damage to the tranquility, livelihood, and safety of the neighborhoods around the Property, as well as severe traffic problems on West Main Street.

Printed Name	Signature	Address	Date
Dolores Bigfoot		119 N. Foreman	8 SEPT 2013
Tom Amos		224 Barbour Ave	8 Sept 2013
Howard Diamond		240 Barbour Ave	8 Sept 2013
Jerry Timmons	Jerry Timmons	203 Foreman	8 Sep 13
Anita Jones	Anita Jones	133 FOREMAN	09-08-13
LeAnn Crane	LeAnn Crane	125 Foreman Avenue	09-08-13
Odette Judge		104 Foreman Ave	09-08-13

FILED IN THE OFFICE
OF THE CITY CLERK
ON September 9, 2013
(MH)

1/3

PLEASE PROTECT OUR NEIGHBORHOOD!

We the undersigned protest the proposed Land Use, Zoning, and platting Applications submitted by Rose Rock School Foundation for the Property located at 1515 West Main Street in Norman, OK. The proposed school is an inappropriate use for this Property and will cause severe and lasting damage to the tranquility, livelihood, and safety of the neighborhoods around the Property, as well as severe traffic problems on West Main Street.

Printed Name	Signature	Address	Date
Robert Holbrook			
Libbi Holbrook	Libbi Holbrook	216 Foreman Cir	9/8/13
Tim L Grizzle	Tim L Grizzle	1503 Sunset dr	9/8/13
Larry Collins		1505 Sunset	9/8/13
David Donaghe		1502 Sunset	9/8/13
WM. Russell		1317 Sunset	9/8/13
Marilyn Cain	Marilyn Cain	1322 Sunset	9/8/13
Edith Tillery		1321 SUNSET DR	9/8/13
Janet Sterling	Janet Sterling	208 Foreman Ave	9/8/13
Margaret Pontreau		208 Crestmont	9-9-13
Mary Anne Tullius		111 Foreman Ave.	9/10/13
Betty L. Weldon		121 CRESTMONT	9-9-13
Earl E Walker		129 CRESTMONT	9-9-13
Kathryn Salyer		220 Foreman Cir	9-9-13
Michelle Arnold		128 Foreman Ave	9-9-13
Nathan Arnold		128 Foreman Ave	9/9/13

FILED IN THE OFFICE
OF THE CITY CLERK
ON September 9, 2013
(dlw)

2/3

PLEASE PROTECT OUR NEIGHBORHOOD!

We the undersigned protest the proposed Land Use, Zoning, and platting Applications submitted by Rose Rock School Foundation for the Property located at 1515 West Main Street in Norman, OK. The proposed school is an inappropriate use for this Property and will cause severe and lasting damage to the tranquility, livelihood, and safety of the neighborhoods around the Property, as well as severe traffic problems on West Main Street.

Printed Name	Signature	Address	Date
Kimberly Cooper	Kimberly Cooper	1501 Sunset Dr	9-8-13
Dillon Travis	Dillon Travis	1507 Sunset Dr.	9-8-13
KENT A. RAY	Kent A. Ray	1504 SUNSET DR.	08 SEP 13
Stephen McDonald	Stephen McDonald	111 Crestmont Ave.	9/8/2013
Thomas G Kennedy		126 Crestmont	9-8-2013
BARBARA Kennedy	Barbara Kennedy		
Debbie Raison	Debbie Raison	140 Crestmont	9-8-2013
Rebecca Roby	Rebecca Roby	219 Crestmont	9-8-2013
Charlotte Caldwell	Charlotte Caldwell	218 Crestmont	9-8-2013
DALE SULLIVAN	Dale Sullivan	224 CRESTMONT	9-8-2013

FILED IN THE OFFICE
OF THE CITY CLERK
ON September 9, 2013
(clk)

3/3

Statement of Support for Rose Rock School

FILED IN THE OFFICE OF THE CITY CLERK ON 9/6/13

We, the undersigned, support the move of Rose Rock School to 1515 W. Main St., Norman, OK because it is centrally located in Norman. It will be a beautifully landscaped property and therefore a showpiece for the city. Issues concerning traffic flow have been addressed and Rose Rock is legally committed to plans that will accommodate the smooth entry and exit of traffic into and out of the property throughout all stages of the school's growth. This progressive school model is inspired by the fastest growing independent school movement in the world, Waldorf education. It offers a proven curriculum with a long-standing record of academic success, community involvment, volunteerism and activism, and artistic achievement. It is an education that will attract new families to our Norman community and this will contribute to and support the local economy.

	Name	Address	Email
1	Debby Williams	3924 Coventry Lane, Norman 73072	williams.debby49@yahoo.com
2	J. E. Racquement	510 Miller Ave. Norman 73069	lintegritas@Gmail.com
3	Matthew Leal	1308 Glenwood	leal-forward2@yahoo.com
4	Caitlyn Morris		caitlyn.morris84@gmail.com
5	Mia Pila	302 Sunset Dr., Norman	—
6	Gloria Leal	2619 S. 27th St. Duncan	
7	Amy James	1413 Oakhill Drive, Norman	abbling5@att.net
8	Dena Peck	2316 Memphis Norman	
9	Deandra Cox	2316 Memphis Norman	tigerkatedc@aol.com
10	Jostuck Peck	2316 Memphis Norman	
11	Grant Peck	"	
12	Logan Doe	"	
13	Mrs. Murphy		
14	Cybele Hsu	612 Classen Blvd Norman	cybele.hsu@gmail.com
15	Joy Hsu	612 Classen Blvd, Norman	joy10180@yahoo.com
16	Cammy Berry	8535 Alameda st	
17	Doug Bellis	8535 Alameda St	doug.bellis@chk.com
18	Shanna Linton	1420 24th Ave SE	
19	Kevin Harris	1420 24th Ave SE	
20	Diane VanLandingham	426 W. Eufaula St 73069-5625	d.gardendancer@gmail.com

52-20

Statement of Support for Rose Rock School

FILED IN THE OFFICE OF THE CITY CLERK ON 9/6/13

We, the undersigned, support the move of Rose Rock School to 1515 W. Main St., Norman, OK because it is centrally located in Norman. It will be a beautifully landscaped property and therefore a showpiece for the city. Issues concerning traffic flow have been addressed and Rose Rock is legally committed to plans that will accommodate the smooth entry and exit of traffic into and out of the property throughout all stages of the school's growth. This progressive school model is inspired by the fastest growing independent school movement in the world, Waldorf education. It offers a proven curriculum with a long-standing record of academic success, community involvment, volunteerism and activism, and artistic achievement. It is an education that will attract new families to our Norman community and this will contribute to and support the local economy.

	Name	Address	Email
1	Hester Baer	421 College Ave Norman 73069	hesterbaer@yahoo.com
2	Kimberly Privett		
3	Morgan Hudson	2505 Black Oaks Cir	morgan.d.hudson@gmail.com
4	Kika Maryeski	113 Monticello Rd Norman OK	
5	Coco Aguayo	3001 peasant 173	
6	Melodi Byrd	417 Margaret Norman	
7	[illegible]	219 Foreman Ave	[illegible]
8	Ann Raia	1508 Melrose Dr Norman	annraia@gmail.com
9	Enriqueta Guerra	805 N. 4th AVE.	
10	Carl Dr Cramley	2881 Jefferson St	Norman OK 73072
11	Cameron Steele	4669 Cardinal Creek Blvd 7301	—
12	Jimmy W Ward	2840 Dalewood Pl	Norman 73071
13	Thom Marak	313 Sequoyah Tr. 73071.	t.marak@att.net
14	Linda Sullivan	1915 Sequoyah	
15	Donna Cardinal	122 Comanche Purcell	
16	[illegible]	219 Foreman Ave Norman	
17	Jan Everitt	4701 S Ironwood Ave	
18	Meredith Everitt	310 E. Boyd St Apt 7	everitt@ov.edu
19	Barbara C Yoder	1400 Brighton Ave OKC	
20	Brooklyn Jackson	1222 Windsor Way 73069	jackson.brooklyn@yahoo.com

52-21

Statement of Support for Rose Rock School

FILED IN THE OFFICE OF THE CITY CLERK ON 9/6/13

We, the undersigned, support the move of Rose Rock School to 1515 W. Main St., Norman, OK because it is centrally located in Norman. It will be a beautifully landscaped property and therefore a showpiece for the city. Issues concerning traffic flow have been addressed and Rose Rock is legally committed to plans that will accommodate the smooth entry and exit of traffic into and out of the property throughout all stages of the school's growth. This progressive school model is inspired by the fastest growing independent school movement in the world, Waldorf education. It offers a proven curriculum with a long-standing record of academic success, community involvment, volunteerism and activism, and artistic achievement. It is an education that will attract new families to our Norman community and this will contribute to and support the local economy.

	Name	Address	Email
1	Frances Whalen	700 Iowa St. Norman, OK 73069	ffwhalen@gmail.com
2	CHERYL YAROSLAVSKI	1029 MADISON NORMAN "	cyaros@cox.net
3	Andrea Peery	15900 96th St. Lexington OK 73051	andrea.peery@yahoo.com
4	Maggie Milliken	1508 Charles St. Norman 73069	
5	Valerie Winfrey	2118 S Santa Fe Apt 101 Moore 73160	
6	Char Bradley	600 Nebraska St, Norman, OK 73069	
7	Elyse Bogart	309 Merkle Dr. Norman 73069	
8	Nelida Alvarez	218 Collier Dr. Norman, OK 73069	
9	Erika Larkins	516 Macy St Norman OK 73071	erikalarkins@gmail.com
10	[illegible]	25428 Sooner ave	
11	Deva Hays	1115 Arkansas 73071	devahays@yahoo.com
12	[illegible] Kee-Rees	135 Crestmont Ave, Norman	jkeerees1@gmail.com
13	Kristie Crouch	4400 W. Main #125 Norman 73072	KSkipton@gmail.com
14	Julie Adams	225 SW 148th Okc, OK 73170	Valentine72@att.net
15	Theresa Fulk	1320 Aspen Lane Norman 73072	Theresa.M.Fulk-1@OU.Edu
16	Justin Jackson	508 Sandpiper Ln Norman 73071	
17	Aaron Mckey	1105 McNamee, Norman 73069	
18	Amanda Jervis	3003 River Oaks Dr #252 Norman 73072	
19	Dace Demia	2804 Victoria Dr, Norman, OK 73072	ddemia@ou.edu
20	RYAN PRUETT	113 MONTICELLO RD. NORMAN, OK 73072	PRUETTRYAN8@GMAIL.COM

52-22

Subject: RE: Rose Rock School - email in support
Date: Monday, April 1, 2013 7:33:56 AM CT
From: shanah vassar
To: Ahmadi, Kasra G.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9/6/13

> Date: Mon, 1 Apr 2013 01:44:39 -0400
> From: stephanieroyse@cox.net
> To: howyougonnalive@hotmail.com
> Subject: Rose Rock School - email in support
>
> March 30, 2013
>
> To Whom It May Concern:
>
> I am writing this letter to express my support for the development of Rose Rock School on the property adjacent to the Town & Country addition in Norman. It is my opinion that the establishment of a Waldorf school that can serve a greater number of students in central Norman will be an asset to our neighborhood and the entire community.
>
> My children attended Children's House Montessori School in Norman when they were small. While Montessori and Waldorf schools are not identical in philosophy, I do believe they both offer very young learners an understanding about their place in the world and incorporate the vital concept of social responsibility into the students' curriculum at a very early age. The more children who can be exposed to this philosophy the better. They will be the ones caring for our community as we grow too old to do so ourselves.
>
> I realize that some of my neighbors have concerns about having the school located near our homes. Of the concerns that were voiced, I felt the only truly legitimate issue was the prospect of rezoning the area. Now that I understand how the change in zoning would be dealt with if someone wanted to build a strip mall or other commercial venture on the property, my concerns have been assuaged.
>
> Perhaps most importantly, I am eager to see this piece of property remain in the hands of one owner. Knowing that there are no plans to divide and sell off the property to a variety of owners or tear down the existing home are of great comfort to me. Open spaces are at a premium in our beautiful community and the idea of placing the Rose Rock School on this piece of property sounds like the ideal use for this unique piece of land. Thank you.
>
> Sincerely,
>
> Stephanie Royse
> 224 Foreman Circle
> Norman, OK 73069
> (405) 615-5879
> stephanieroyse@cox.net

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9/6/13

TO: Norman City Council

FROM: Mr. L. Dee Fink, resident
234 Foreman Avenue, Norman

RE: My Support for the Proposed Location of Rose Rock School on West Main Street

DATE: March 25, 2013

I am a person who has changed my position regarding the proposed location of Rose Rock School on West Main Street in Norman. At the Planning Commission meeting in May, 2012, I spoke in opposition to the school locating here, citing its excessive size (~250 students) and the resulting traffic/parking problems. But I also said if the school reduced the number of students to, say, 150, I would withdraw my opposition.

Since that time, Rose Rock has drastically reduced the number of students it proposes to have, to 59, and has worked extensively to solve the traffic and parking issues. As a result, I now **SUPPORT** their location on this site, for three reasons:

1. **Rose Rock has worked very hard to hear the community concerns and has made significant changes in an effort to accommodate those concerns.**
   - They have arranged to meet with people in this community, in our community, multiple times.
   - They have made extensive changes in their plans for the school, for example:
     - Reducing the size of the school
     - Re-arranging the traffic flow in and out of the school grounds
     - Reducing the total "footprint of the school" on the lot, e.g., no new buildings, reduced light glare to the immediate neighbors, etc.
2. **Rose Rock will be a good neighbor in this community.**
   - If Rose Rock does not come into this location, something else will.
   - There are very few home owners or business owners (if that were allowed) who would work as hard as Rose Rock has, to listen to and adjust their plans to our expressed needs.
   - The desire to be a good neighbor is part of their whole educational philosophy; that attitude will not go away "tomorrow".
3. **Our community should work to accommodate special schools; that is a responsibility we should take on gladly.**
   - All schools are in a general sense "good" but not all schools have the special character of Rose Rock, to promote a green attitude toward the environment, a "let's learn how to get along" attitude towards other people, and let's help each other learn. This is a very special kind of school.
   - When we have the opportunity to keep and support this kind of school in Norman, we should work hard to do that, not create roadblocks for it.

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9/6/13

Mary Jo Tinsley
1512 Sunset Drive
Norman, OK 73069
March 30, 2013

City Council
City of Norman
P.O. Box 370
Norman, OK 73070

I live just outside the 350 foot area, at 1512 Sunset Drive., that has received the notice from the City of Norman about the Rose Rock School zoning at 1515 W. Main Street. I would like to express my wholehearted support for the school.

I am glad that the property was purchased by someone that is interested in keeping the structure same and who is interested in residing at the house to give it a home feel. I was worried that the property would be purchased and torn down to build another gas station, strip mall, more unnecessary houses, etc.

Rose Rock School has done a lot to alleviate traffic concerns by proposing a school of only 59. I appreciate that they have added parking and widened the driveway to accommodate the extra traffic flow. I go through that intersection every day and I just don't see how this could be an issue, especially since they reduced their student numbers. I appreciate Rose Rock School's approach of minimal impact to the neighborhood and support their PUD application.

Rose Rock School has been working with neighbors for about a year in addressing our concerns since the Planning Commission meeting in May 2012. I sincerely appreciate that about them. They have demonstrated to me that they will be strong partners in our neighborhood and our community.

Sincerely,

Mary Jo Tinsley

Mary Jo Tinsley

March 25, 2013

FILED IN THE OFFICE
OF THE CITY CLERK
ON 9/6/13

To Whom it May Concern;

My name is David Spradling. My family and I live at 134 Crestmont Avenue. This letter is to voice our support for George and Shanah Ahmadi and the Rose Rock School at 1515 W Main.

Our family has discussed this matter and we feel there are several important reasons to support the Rose Rock School and their proposal. These reasons include historic preservation, community and neighborhood growth and property value.

Firstly though, I have had the pleasure to know and spend time with the Amhadis over the last 5 years and I have found them to be honest, forthright and upstanding members of our city. They are exactly the sort of neighbors we want living and working in our neighborhood. Over the course of the last few months I have seen the Ahmadis work very hard to discover and address reasonable neighborhood concerns. It is clear to me they are trying to work with neighbors. I believe they will work diligently to improve the area, serve their clients and make our neighborhood a better place.

The house at 1515 W Main is an historic fixture in Norman and the Rose Rock School plans to keep and use it. Our family is deeply concerned that were any other plan for that property by any other business or development be approved the house would come down. I know the Rose Rock School plans to improve the grounds as well. We are anxious to see the results.

The Rose Rock School also means a chance for our neighborhood and community to grow. The plan is to create a small private elementary school. Our family thinks kids are great and is in favor of more and different educational choices for them. More and different choices is one of Norman's strong points and we shouldn't shrink from it now.

Our last and perhaps most important reason for supporting the Rose Rock School is property value. It is my understanding that having a school in the area will neither increase or decrease the value of our home. However, the same could not be said were another, larger business to decide to move onto that property. We would like to see this community come together to support this locally based business because the alternatives are much less appealing.

Our one significant concern about the proposal is much the same as many others; traffic. Having the Rose Rock School at 1515 W Main will mean more traffic in the area. Rose Rock School has a viable plan to accommodate the extra traffic and lessen the impact on the surrounding neighborhood. We believe this concern to be less significant that the possible benefits of having the Rose Rock School in our neighborhood.

I came to Norman in 1987 and have made this my home. Norman is a city of independence, thoughtful rebellion and boundry pushing free thinkers. We strongly believe the Rose Rock School fits that

mindset and fits our community and our neighborhood. We should welcome their efforts to make our city a better place.

There are many views and many voices in this debate, most all of them important and worth hearing. Thank you for the opportunity to make ours heard.

David Kelso Spradling and Family

October 7th, 2013

Dear Brenda Hall,

This is a letter of wholehearted support for the Rose Rock School's new location at 1515 Main Street!

My son James is nearly 3 years old. Like every parent, I want my child to get the best possible education, taught to him by teachers who see him as the sweet individual soul that he is. Just after we settled here about a year and a half ago, I dove in and started my search for the best Pre-K and Kindergarten program in town.

I visited and observed at several popular local preschools, interviewed a lot of caregivers and teachers, and read extensively about all the different early childhood philosophies. Norman is blessed with a lot of great schools, but I couldn't find one that felt quite right for us. I thought I was going to have to compromise. But then I found Shanah Ahmadi and the Rose Rock School, and my search for the right school was over. I have never met a more content, harmonious and peaceful group of people working together than the teachers and students of the Rose Rock School.

And now I hear they are set to officially relocate just a stone's throw from our home, in the beautiful historic white house! Please, please let it be so! We live just across Main Street on Sunset Drive, and my husband and I are thrilled by the prospect of being able to walk or bike our son to school and the other community events held at Rose Rock, and to subtract one of our cars from the morning crush of traffic.

My own selfish, time-saving reasons aside, I know that the Rose Rock School will be nothing but an asset to the area. My family is invested in this neighborhood and we're in favor of anything that adds value, safety, beauty and positivity to our surroundings. The principles on which the school is founded inspire compassion, personal responsibility, community-mindedness and the joy in simple things. These are elements every place needs more of, and the Rose Rock School will be a valuable presence. I am so happy that the school is here in Norman, and even more excited to be living so close to its beautiful new location!

Please count me, my husband and my son as neighborhood voices in favor of Rose Rock School coming to 1515 Main Street.

Sincerely,
Alicia M. Collins

Alicia M. Collins

FILED IN THE OFFICE
OF THE CITY CLERK
ON 10-8-13

From: Ben Stapp [mailto:opendoormanagementllc@gmail.com]
Sent: Wednesday, November 06, 2013 3:20 PM
To: Syndi Runyon
Subject: Rose Rock School rezoning

Ms. Hall,

My name is Ben Stapp. My company Open Door Management, LLC is the owner of the property located at 112 Forman Ave. My property shares a property line with the subject property located at 1515 W. Main Street. I was informed that since I am out of town, it would be acceptable for me to email a letter to you in support or opposition of the rezoning of the subject property.

I am writing to show my support of the rezoning efforts of the Rose Rock School. After research into the history of the school and careful consideration, I strongly believe that the Rose Rock School will provide a great deal of enrichment and diversity for our community.

I am aware that some individuals in our community are against rezoning, primarily because of increased traffic concerns. Though these concerns are certainly relevant and should be considered, I am 100% confident that City of Norman is more than capable of addressing traffic issues if and when they arise.

I hope the City of Norman will take this letter of support into consideration when the time comes to make a final decision.

Thank you.

Respectfully,

Ben Stapp

FILED IN THE OFFICE OF THE CITY CLERK ON 11/7/13

1

Open Door Management, LLC
(405) 834-9800
opendoormanagementllc@gmail.com

FELLERS SNIDER
ATTORNEYS AND COUNSELLORS AT LAW
FELLERS SNIDER BLANKENSHIP BAILEY & TIPPENS, P.C.

OKLAHOMA CITY ■ TULSA

R. Blaine Nice
Of Counsel

DIRECT: (405) 232-0621
BNice@FellersSnider.com

October 16, 2013

VIA FACSIMILE (405) 366-5389

Brenda Hall
City of Norman
City Clerk
P.O. Box 370
201 West Gray
Norman, OK 73070

Re: Rose Rock School - PUD Rezoning Application

Dear Brenda:

The above referenced Rezoning Application was to be on the October 22, 2013, Norman City Council agenda for consideration. Pursuant to my Client's request, please postpone the Rose Rock Application until the November 12, 2013 City Council meeting.

If you have any questions or if anything further is needed on my part, please let me know.

Sincerely,

R. Blaine Nice
For the Firm

RBN:MB

100 NORTH BROADWAY, SUITE 1700
OKLAHOMA CITY, OKLAHOMA 73102-9211
www.fellerssnider.com
TELEPHONE 405.232.0621 ■ FAX 405.232.9659

City of Norman, OK

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

Master

File Number: PP-1314-5

File ID:	PP-1314-5	**Type:**	Preliminary Plat	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 53	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	08/20/2013
File Name:	Rose Rock School Prelim Plat			**Final Action:**	

Title: CONSIDERATION OF A PRELIMINARY PLAT FOR ROSE ROCK SCHOOL ADDITION. (LOCATED AT 1515 WEST MAIN STREET).

Notes: ACTION NEEDED: Motion to approve or reject the preliminary plat for Rock Rock School Addition.

ACTION TAKEN: _____

Agenda Date: 11/12/2013

Agenda Number: 53

Attachments: Text File Prelim Rose Rock.pdf, ATTACHMENT A.pdf, Location Map, Preliminary Plat Rose Rock Addition, Staff Report, Transportation Impacts, Rose Rock Site Plan, Greenbelt Comments Rose Rock Addition Prelim, 9-12-13 PC Minutes - Rose Rock School, Letter of Postponement

Project Manager: Ken Danner, Subdivision Manager

Entered by: rone.tromble@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Planning Commission	09/12/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	10/22/2013		Pass
	Action Text:	That this Preliminary Plat be Recommended for Adoption at a subsequent City Council Meeting. to the City Council due back on 10/22/2013 by consent roll call					
1	City Council	10/22/2013	Postponed				Pass
	Action Text:	Postponed					

Text of Legislative File PP-1314-5

Body

BACKGROUND: This item is a preliminary plat for Rose Rock Addition, a Planned Unit Development, and is located at 1515 West Main Street. This property consists of 3.72 acres and one (1) residential lot for the purposes of a private school serving kindergarten through 5th grade including the applicant's ability to live on

site. Prior to annexation in 1956, this property was part of the Johnson Dairy Farm. The 3-level house was built in 1940. This is an unplatted parcel of land. City Council, at its meeting of August 14, 1956, adopted Ordinance No. 1005 annexing and placing this property in the R-1, Single Family Dwelling District. The plat of Town and Country Estates Addition located to the west of this property was annexed in the City in 1955. The plat of Town and Country Estates 2nd Addition located to the north and east was annexed in the City in 1956. Both additions were zoned R-1, Single Family Dwelling Districts.

Planning Commission, at its meeting of September 12, 2013, recommended amending the NORMAN 2025 Land Use and Transportation Plan from Low Density Residential Designation to Institutional Designation and recommended approval of the request to place this property in the Planned Unit Development District. At its same meeting, Planning Commission recommended approval of the preliminary plat for Rose Rock Addition. The proposed school will facilitate 59 students and 5 faculty members for students in grades kindergarten through 5th grade. There are no plans in the current proposal for new structures on the property. The current proposal for the school is to remodel the existing structure to meet the requirements of the school.

DISCUSSION: The proposed private school will utilize the existing buildings on this site rather than constructing a new building. Ultimately, the school will accommodate up to 59 students. At full build-out, the proposed 59 students in this private school are expected to generate approximately 146 trips per day. The traffic capacities on the surrounding streets exceed the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated. See Attachment A.

Because of the location of the development, the applicant was required to submit a traffic impact study. The subject study was received from Traffic Engineering Consultants, Inc., on April 24, 2012.

The installation of a traffic signal is recommended for the intersection of Main Street and Wylie Road. The access for the proposed Rose Rock School intersects Main Street slightly west of the existing Wylie Road intersection. However, under the proposed scenario, the future traffic signal will control movements on and off Wylie Road as well as in and out of the school. The traffic impact study shows that the proposed signal will be warranted with or without the development of the proposed Rose Rock School by the year 2016. Staff will continue to monitor the intersection moving forward to determine if, and when, a traffic signal might be warranted.

In response to neighborhood concerns regarding potential queuing on Main Street during the after school pick-up times, the traffic engineering consultant provided additional information. Adequate queuing will be available on-site when coupled with school plans to stagger start/end times for different grades within the school. This commitment to the drop-off/pick-up process by the school, coupled with the decreased enrollment from what had previously been shown, 265 students, to the current 59 student enrollment, will help to assure that no traffic safety problems will result from this proposed development.

The proposed location of Rose Rock School along a principle arterial such as Main Street where there is a fairly high likelihood their students and/or parents with children could cross Main Street to get to/from the school should be equipped with a flashing school beacon on both eastbound and westbound Main Street approaches to the school. Flashing school beacons require vehicles to reduce their speed to 25 mph during certain hours of the day. The applicant should fund or partner with the City to have these beacons installed. The only exception to this requirement for previous schools has been those locations where it is impractical to assume that students would cross the street to get to/from the school such as Community Christian School on Interstate Drive south of Tecumseh Road.

Public improvements for this property consist of the following:

Storm Sewers. Storm water will be conveyed to a proposed privately maintained detention facility in the northwest corner of the property and storm water will be conveyed to the existing public drainage system.

Public Dedications. All rights-of-way and easements will be dedicated to the City with final platting.

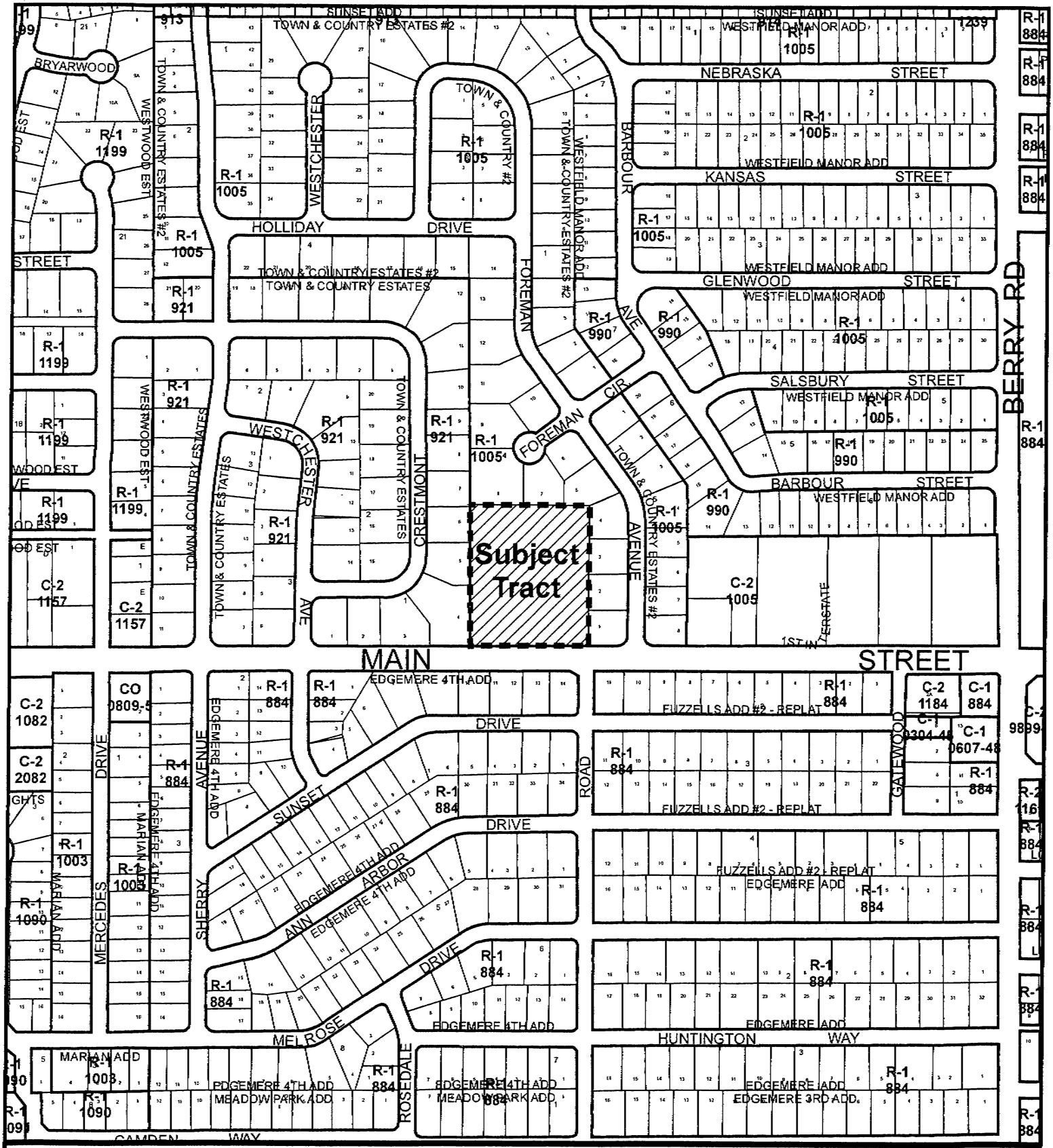
Traffic Items. Install, or provide funding for installation by city forces, solar powered flashing school beacons on eastbound and westbound approaches to proposed Rose Rock School. Estimated cost is $ 11,000.

RECOMMENDATIONS: Based on the above information, Staff recommends approval of the preliminary plat for Rose Rock Addition, a Planned Unit Development, subject to the approval of Resolution No. R-1314-25 and Ordinance No. O-1314-12.

ATTACHMENT A

Preliminary Plat for Rose Rock Addition

STREET	NO. OF LANES	EXISTING TRAFFIC (Veh/day)	PROJECTED TRAFFIC (Veh/day)	TOTAL PROJECTED TRAFFIC (Veh/day)	ROADWAY CAPACITY L.O.S. "E"	% CAPACITY USED (EXISTING)	% CAPACITY USED (PROJECTED)
Main Street	5	30,150	146	30,296	36,000	83.75	84.16



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.

August 6, 2013

0 200 400 Ft.

Subject Tract

Zoning

G:\ArcGIS10 MapTemplates\8x11_LocationMapArcMap10.mxd

Preliminary Plat

Rose Rock School Addition
Planned Unit Development

A Subdivision of part of the Southeast Quarter (SE/4) of Section Twenty-five (25), Township Nine (9) North, Range Three (3) West of the Indian Meridian to the City of Norman, Cleveland County, Oklahoma

NORTH
GRAPHIC SCALE
0 30 60
1 INCH = 30 FT.

Property Description:

Part of the Southeast Quarter (SE/4) of Section Twenty-five (25), Township Nine (9) North, Range Three (3) West of the Indian Meridian, Norman, Cleveland County, Oklahoma, described as follows: Commencing 970 feet East of the Southwest Corner of said Southwest Quarter (SE/4); Thence North 485 feet; Thence East 370 feet; Thence South 485 feet; Thence West 370 feet to the point of beginning.

LESS AND EXCEPT: That portion deeded to the State of Oklahoma and recorded in Book 252, Page 345. A strip, piece or parcel of land lying in part of the Southeast Quarter (SE/4) of Section Twenty-five (25), Township Nine (9) North, Range Three (3) West of the Indian Meridian, Norman, Cleveland County, Oklahoma, said parcel of land being described by metes and bounds as follows: Beginning at a point on the South line of said Southwest Quarter (SE/4) a distance of 970 feet East of the Southwest Corner of said Southwest Quarter (SE/4); Thence East along said South line a distance of 370 feet to a point 1294.3 feet West of the Southeast Corner of said Southeast Quarter (SE/4); Thence North a distance of 47 feet; Thence North 89°58' West a distance of 370 feet; Thence South a distance of 47 feet to a point of beginning.

Easement Information:

First American Title Insurance Company, Commitment No.: 1630696-NO01, Effective Date: October 14, 2011 was relied upon for easements of record for this property.

Elevation Information:

Datum used for contour elevations per City of Norman Survey Control Monument Station No. 340.

Note:

1. The Private Well is to be used for irrigation purposes only and there will be no cross contamination with Public utilities.

Name and Address Information:

Owner: Rose Rock School Foundation, 502 N. Park Avenue, Norman, OK 73069

Architect: Aaron Plat, 628 W. Sheridan Avenue, Oklahoma City, OK 73102

Engineer: Rizwan Najmi, 4108 N.W. 143rd Street, Oklahoma City, OK 73134

Land Surveyor: Robert P. Outland, P.O. Box1394, Norman, OK 73070

Legend:

TREE
TRANSFORMER POLE
POWER POLE
AIR CONDITIONER UNIT
GAS METER
TELEPHONE RISER
SANITARY SEWER CLEANOUT
HOSEBIB
WELL
WATER METER
WATER VALVE BOX
FIRE HYDRANT
STORM DRAIN MANHOLE
SANITARY SEWER MANHOLE
Corrugated Iron pipe
OVERHEAD ELECTRIC LINE
STOCKADE FENCE
CONCRETE
ASPHALT
GRAVEL

Detail - Drainage Easement
(NOT TO SCALE)

Flood Information:

By graphic plotting only, this property is in Zone "X" per Flood Insurance Rate Map, Community No. 40027C0280H, Panel 280 of 475, which bears an effective date of 9/26/2008.

Underground Utility Locations:

No under ground utilities were located.

Zoning Information:

Current Zoning - Zone: R-1 (Single Family Dwelling District)

Proposed change of Zoning - P.U.D. (Planned Unit Development)

Zoning was obtained per the city of Norman.
Web site: www.ci.norman.ok.us/planning/planning-zoning

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 ROSE ROCK SCHOOL ADDITION; HOWEVER, IF MAINTENANCE IS NEGLECTED OR SUBJECT TO OTHER UNUSUAL CIRCUMSTANCES AND IS DETERMINED TO BE A HAZARD OR THREAT TO PUBLIC SAFETY BY THE CITY ENGINEER, CORRECTIVE MAINTENANCE MAY BE PERFORMED BY THE GOVERNING JURISDICTION WITH COSTS ASSESSED TO AND BORN UPON SAID PROPERTY OWNER(S). OFFICIALS REPRESENTING THE ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT, SHALL HAVE THE RIGHT TO ENTER UPON THE EASEMENT FOR PURPOSES OF PERIODIC INSPECTION AND/OR CORRECTIVE MAINTENANCE OF THE FACILITY. UPON RECEIVING WRITTEN APPROVAL FROM THE ENGINEERING DIVISION, PUBLIC WORKS DEPARTMENT, PROPERTY OWNER(S) MAY CONSTRUCT IMPROVEMENTS WITHIN THE EASEMENT, PROVIDED THE IMPROVEMENT DOES NOT INTERFERE WITH THE FUNCTION OF THE DETENTION FACILITY.

Drawn By:	ZC
Surveyor Ref. No:	10465
Apprvd By:	RFO
Field Date:	3/29/12
Scale:	1"=30'

Date: 4/9/2012 Revision: MH labels
Date: 4/29/2012 Revision: City Comments
Date: 6/7/2012 Revision: City Comments
Date: 8/23/2013 Revision: New Layout
Date: 9/26/2013 Revision: Delete Esmt.

PRIORITY
Land Surveying, LLC
P.O. Box 1394, Norman, Oklahoma 73070
Phn: (405) 701-1467 Web: www.PriorityLS.com

Preliminary Plat
Rose Rock School Addition
Planned Unit Development

Date: 8/12/2013

Project Address:	1515 W. Main Street
Project Location:	Norman, Oklahoma
Project Name:	Rose Rock School
Job Number:	10465

Sheet 1 of 1

PRELIMINARY PLAT ITEM NO. 8c

PP-1314-5

STAFF REPORT

ITEM: Consideration of a Preliminary Plat for ROSE ROCK SCHOOL ADDITION, A PLANNED UNIT DEVELOPMENT.

LOCATION: Located at 1515 West Main Street.

INFORMATION:

1. Owner. Shanah Ahmadi.
2. Contractor. Brent Swift.
3. Surveyor. Priority Land Surveying, L.L.C.

HISTORY:

1. August 14, 1956. City Council adopted Ordinance No. 1005 annexing this property into the City limits and placing this property in the R-1 zoning classification.
2. May 10, 2012. Planning Commission, on a vote of 8-0, recommended denial of Ordinance No. O-1112-36, placing this property in the Planned Unit Development (PUD) and removing it from R-1, Single-Family Residential zoning district.
3. May 10, 2012. Planning Commission, on a vote of 8-0, recommended to City Council denial of the preliminary plat for Rose Rock Addition, a Planned Unit Development.
4. March 12, 2013. City Council postponed first reading of Ordinance No. O-1112-36 at the request of the applicant.
5. March 26, 2013. City Council approved first reading of Ordinance No. O-1112-36.
6. April 9, 2013. The applicant requested postponement of Ordinance No. O-1112-36 until April 23, 2013.
7. April 23, 2013. The applicant withdrew Ordinance No. O-1112-36 and the preliminary plat.
8. September 12, 2013. Agent for the owner has made a request to amend the NORMAN 2025 Land Use and Transportation Plan from Low Density Residential Designation to Institutional Designation for property located at 1515 West Main Street.

9. September 12, 2013. Agent for the owner has made a request for rezoning from R-1, Single Family Dwelling District to PUD, Planned Unit Development for property located at 1515 West Main Street.

IMPROVEMENT PROGRAM:

1. Fire Hydrants. Fire hydrant is existing serving the existing structures.

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

3. Sanitary Sewers. Sanitary sewer mains are existing.

4. Sidewalks. Sidewalks exist adjacent to West Main Street.

5. Storm Sewers. Storm sewer and appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. Privately-maintained detention facility will be utilized for any new impervious paving.

6. Street. West Main Street is existing.

7. Traffic Signal. The Traffic Impact Analysis has been submitted by the owners. It has been determined a traffic signal is warranted at the intersection of Main Street and Wylie Road in the future. The owner will contribute to this proposal.

8. Water Mains. There is an existing twelve-inch (12") water main adjacent to West Main Street.

PUBLIC DEDICATIONS:

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

2. Rights-of-Way. Street right-of-way will be dedicated to the City on the final plat.

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

STAFF COMMENTS AND RECOMMENDATION: The developer/owner is proposing a private school with the capability for caretakers to live on the property. Staff recommends approval of the preliminary plat subject to Planning Commission's recommendation of the amendment of the NORMAN 2025 Land Use and Transportation Plan from Low Density Residential Designation to Institutional Designation and Ordinance No. O-1314-12 placing this property in the Planned Unit Development (PUD).

ACTION NEEDED: Recommend approval or disapproval of the preliminary plat for Rose Rock School Addition.

ACTION TAKEN: _____

CITY OF NORMAN
Development Review Form
Transportation Impacts

DATE: September 4, 2013

STAFF REVIEW BY: David R. Riesland, P.E.
City Traffic Engineer

PROJECT NAME: Rose Rock School
PROJECT TYPE: Private School PUD

Owner: Rose Rock School Foundation
Developer's Architect: Priority Land Surveying
Developer's Traffic Engineer: TEC

SURROUNDING ENVIRONMENT (Streets, Developments)
Low density residential development surrounds the proposed school site. Commercial development exists to the west just east of Mercedes Drive and to the east just west of Berry Road.

ALLOWABLE ACCESS:
Proposed access will meet Section 4018 of the City's Engineering Design Criteria.

EXISTING STREET CHARACTERISTICS (Lanes, Speed Limits, Sight Distance, Medians)
Main Street: 5 lanes (existing and future). Speed Limit - 35 mph. No sight distance problems. Center turn lane in median.

ACCESS MANAGEMENT CODE COMPLIANCE: **YES** ■ **NO** ☐
Proposed access for the development will be in compliance with what is allowed in the City's Engineering Design Criteria.

TRIP GENERATION

Time Period	Total	In	Out
Weekday	150	75	150
A.M. Peak Hour	56	31	25
P.M. Peak Hour	31	15	16

TRANSPORTATION IMPACT STUDY REQUIRED? **YES** ■ **NO** ☐

Traffic Impact Study prepared by Traffic Engineering Consultants, Inc. of Oklahoma City, Oklahoma.

RECOMMENDATION: **APPROVAL** ■ **DENIAL** ☐ **N/A** ☐ **STIPULATIONS** ☐

Recommendations for Approval refer only to the transportation impact and do not constitute an endorsement from City Staff.

The proposed private school will be developed to provide education for 59 students with eight (8) instructors. At full build-out, the proposed 59 students in this private school are expected to generate approximately 150 trips per day. The traffic capacities on the surrounding arterial and collector roadways exceed the demand for existing and proposed trips as a result of this development. No negative traffic impacts are anticipated.

The installation of a traffic signal is recommended for the intersection of Main Street and Wylie Drive. The access for the proposed Rose Rock School intersects Main Street slightly west of the existing Wylie Drive intersection. However, under the proposed scenario, the traffic signal would control movements on and off Wylie Drive as well as in and out of the school. The traffic impact study shows that the proposed signal will be warranted with or without the development of the proposed Rose Rock School by the year 2016. Impact fees attributable to the school to fund their share of the project, based on a $150,000 construction cost, are $250. In addition, the existing striping on eastbound Main Street will need to be modified to provide dedicated left-turn storage into the school access drive and school beacons will need to be provided for both Main Street approaches to the school driveway. Estimated cost for the striping modifications and two solar school beacons installed is approximately $12,000.

In response to neighborhood concerns regarding potentially queuing during the after school pick-up times, the traffic engineering consultant provided additional information. Adequate queuing will be available on-site when coupled with school plans to stagger start/end times for different grades within the school. This commitment to the drop-off/pick-up process by the school will help to assure that no stacking problems will exist and spill out into neighborhood streets. The staggered start/end times are part of the current application, as well.

ZONING SUMMARY

SITE LOCATION:
1515 W. MAIN ST.
NORMAN, OK 73069

CURRENT ZONING: R-1 SINGLE FAMILY RESIDENTIAL
PROPOSED ZONING: PUD

SETBACKS PROVIDED:
50' FRONT
30' SIDE
30' REAR

OFF-STREET PARKING: 28 SPACES PROVIDED

LOT AREA:
3.72 ACRES (162,043 SF) - NO CHANGES PROPOSED

BUILDING FOOTPRINT
EXISTING HOUSE: 2,152 SF - NO CHANGES PROPOSED
EXISTING GARAGE: 1,332 SF - NO CHANGES PROPOSED
TOTAL: 3,484 SF
BUILDING AREA : SITE AREA =
3,484 SF : 162,043 SF = 2.15%

PROPOSED IMPERVIOUS PAVING AREA (INCLUDES BUILDINGS) : SITE AREA =
31,146 SF : 162,043 SF = 19.2%

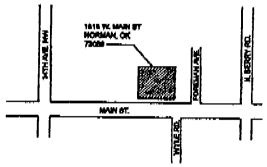
PROPOSED GREEN SPACE = 130,896 SF OR 80% OF SITE
(130,896 / 56 STUDENTS = 2,218.6 GREEN SPACE SF PER STUDENT)

PROJECT NOTES

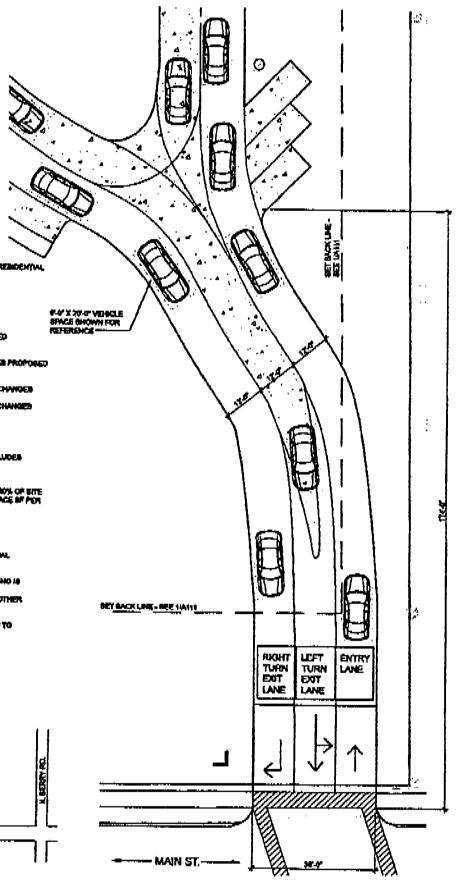
1. REFER TO PUD NARRATIVE FOR ADDITIONAL INFORMATION.

2. NEW CURB WITH RAISED CONCRETE PAVING IS PROPOSED AT PERIMETER OF BUILDING TO DIRECT DRAINAGE AROUND BUILDING. ALL OTHER NEW PAVING TO BE FLUSH WITH ADJACENT LANDSCAPING TO ALLOW EXISTING SITE DRAINAGE PATHS TO REMAIN. NO CHANGES TO OVERALL SITE DRAINAGE PATTERNS ARE PROPOSED.

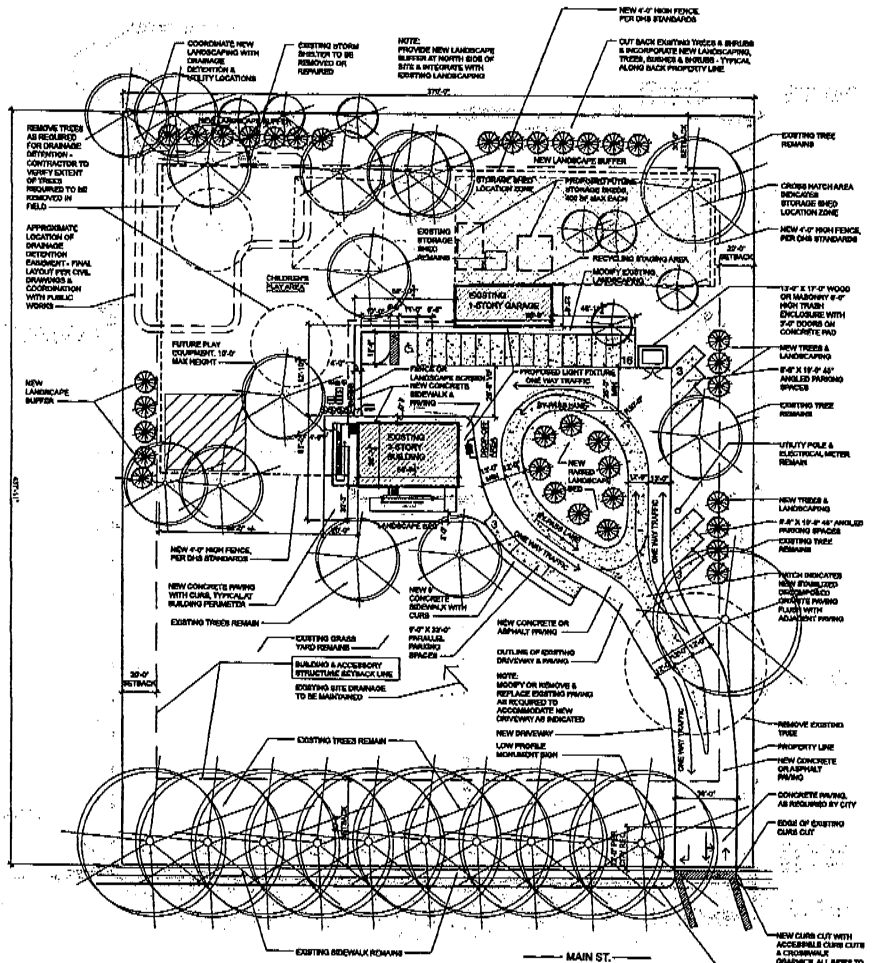
HATCH INDICATES NEW STABILIZED DECOMPOSED GRANITE PAVING FLUSH WITH ADJACENT PAVING



2 LOCATION MAP
NOT TO SCALE



1A ENLARGED SITE PLAN
TRAFFIC DIAGRAM
1/16" = 1'



1 ARCHITECTURAL SITE PLAN
1/32" = 1'

bgA
Butzer Gardner Architects
624 West Sheridan Avenue
Oklahoma City, Oklahoma 73102
405.601.4666 www.butzergardner.com

PRELIMINARY - NOT FOR CONSTRUCTION

STATE OF OKLAHOMA
REGISTERED ARCHITECT
5 AUG. 2013

ROSE ROCK SCHOOL
1515 W. MAIN ST.
NORMAN, OK 73069

Design by:	bgA
Drawn by:	bgA
Review by:	bgA

Date:
06.05.2013
PLANNING COMMISSION
08.29.2013
PLANNING COMMISSION - REVISED PER PRE-DEVELOPMENT MEETING COMMENTS

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Drawing Title:
ARCHITECTURAL SITE PLAN

Sheet No.
A111

GBC 13-24

Applicant: Brent Swift (Rose Rock School)
Location: 1515 West Main Street
Proposal: Land Use Plan Amendment and Preliminary Plat

Greenbelt Commission Final Comments - GBC 13-24
Meeting of August 19, 2013

The Greenbelt Commission sends the application forward with no additional comments.

FELLERS SNIDER
ATTORNEYS AND COUNSELLORS AT LAW
FELLERS SNIDER BLANKENSHIP BAILEY & TIPPENS, P.C.

OKLAHOMA CITY ■ TULSA

R. Blaine Nice
Of Counsel

DIRECT: (405) 232-0621
BNice@FellersSnider.com

October 16, 2013

VIA FACSIMILE (405) 366-5389

Brenda Hall
City of Norman
City Clerk
P.O. Box 370
201 West Gray
Norman, OK 73070

Re: Rose Rock School - PUD Rezoning Application

Dear Brenda:

The above referenced Rezoning Application was to be on the October 22, 2013, Norman City Council agenda for consideration. Pursuant to my Client's request, please postpone the Rose Rock Application until the November 12, 2013 City Council meeting.

If you have any questions or if anything further is needed on my part, please let me know.

Sincerely,

R. Blaine Nice
For the Firm

RBN:MB