City of Norman, OK

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

Meeting Agenda

Tuesday, November 26, 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 36 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-1314-49 CONSIDERATION OF THE MINUTES AS FOLLOWS:

CITY COUNCIL FINANCE COMMITTEE MINUTES OF SEPTEMBER 18, 2013
CITY COUNCIL FINANCE COMMITTEE MINUTES OF OCTOBER 16, 2013
CITY COUNCIL STUDY SESSION MINUTES OF NOVEMBER 5, 2013
CITY COUNCIL SPECIAL SESSION MINUTES OF NOVEMBER 12, 2013
CITY COUNCIL MINUTES OF NOVEMBER 12, 2013
NORMAN UTILITIES AUTHORITY MINUTES OF NOVEMBER 12, 2013
NORMAN MUNICIPAL AUTHORITY MINUTES OF NOVEMBER 12, 2013
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF NOVEMBER 12, 2013

Attachments: Text File Minutes.pdf
September 18 Finance Committee Minutes.pdf
October 16 Finance Committee Minutes.pdf
November 5 Study Session minutes.pdf
November 12 Special Session Minutes.pdf
November 12 CC Minutes.pdf

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1314-24 upon First Reading by title.

ACTION TAKEN: _____

Zoning Ordinance

5 O-1314-23 CONSIDERATION OF ORDINANCE NO. O-1314-23 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 PART OF LOT 1, BLOCK 1, OF SOONER MOBILE HOME PARK ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-1, LOCAL COMMERCIAL DISTRICT, THE R-3, MULTI-FAMILY DWELLING DISTRICT, THE RM-4, MOBILE HOME PARK DISTRICT, AND THE A-2, RURAL AGRICULTURAL DISTRICT, AND PLACE THE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2601 SOUTH CLASSEN BOULEVARD)

Attachments: Text File O-1314-23.pdf

O-1314-23

PUD Narrative and Exhibits.pdf

Location Map

PUD Staff Report

11-14-13 PC Minutes - Sooner Mobile Home Redevelopment

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1314-23 upon First Reading by title.

ACTION TAKEN: _____

6 O-1314-24 CONSIDERATION OF ORDINANCE NO. O-1314-24 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 PART OF LOT 1, BLOCK 1, SOONER MOBILE HOME PARK ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-1, LOCAL COMMERCIAL DISTRICT, THE R-3, MULTI-FAMILY DWELLING DISTRICT, AND THE RM-4, MOBILE HOME PARK DISTRICT, AND PLACE THE SAME IN THE C-2, GENERAL COMMERCIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (EAST SIDE OF 12TH AVENUE S.E. BETWEEN CLASSEN BOULEVARD AND CONSTITUTION STREET, AT 2601 S. CLASSEN BOULEVARD)

Attachments: text File O-1314-24.pdf

O-1314-24

Location Map

Commercial Staff Report

Preliminary Site Plan O-1314-24.pdf

11-14-13 PC Minutes - Sooner Mobile Home Redevelopment

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1314-24 upon First Reading by title.

ACTION TAKEN: _____

7 O-1314-25 CONSIDERATION OF ORDINANCE NO. O-1314-25 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE PART OF LOT 1, BLOCK 1, SOONER MOBILE HOME PARK ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT AND RM-4, MOBILE HOME PARK DISTRICT AND PLACE THE SAME IN THE C-1, LOCAL COMMERCIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (EAST SIDE OF 12TH AVENUE S.E. NORTH OF THE INTERSECTION WITH CLASSEN BOULEVARD, AT 2601 S. CLASSEN BOULEVARD)

Attachments: Text File O-1314-25.pdf
O-1314-25
Location Map
Commercial Staff Report
Preliminary Site Plan O-1314-25.pdf
11-14-13 PC Minutes - Sooner Mobile Home Redevelopment

ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1314-25 upon First Reading by title.

ACTION TAKEN: _____

Report/Communication

8 RPT-1314-31 SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE FINANCE DIRECTOR'S INVESTMENT REPORT AS OF OCTOBER 31, 2013, AND DIRECTING THE FILING THEREOF.

Attachments: Finance Director's Report.pdf

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

ACTION TAKEN: _____

9 RPT-1314-32 SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE MONTHLY DEPARTMENTAL REPORTS FOR THE MONTH OF OCTOBER, 2013, AND DIRECTING THE FILING THEREOF.

Attachments: Monthly Report October 2013

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

ACTION TAKEN: _____

Request for Proposal

10 K-1314-67 CONSIDERATION OF REQUEST FOR PROPOSAL NO. RFP-1314-26 AND CONTRACT NO. K-1314-67 WITH AZTEC BUILDING SYSTEMS, INC., IN THE AMOUNT OF $148,089, PERFORMANCE BOND NO. B-1314-40; STATUTORY BOND NO. B-1314-41; MAINTENANCE BOND NO. MB-1314-37; AND PROJECT AGENT RESOLUTION NO. R-1314-52 FOR THE LITTLE AXE PARK CONCESSION/RESTROOM BUILDING PROJECT.

Attachments: Text File Little Axe Project.pdf
Bid Tab Little Axe.pdf
K-1314-67.pdf
Perf B-1314-40.pdf
Stat B-1314-41.pdf
MB-1314-37.pdf
R-1314-52 Aztec.pdf
PR Aztec.pdf

ACTION NEEDED: Motion to accept or reject Request for Proposal No. RFP-1314-26 from Aztec Building Systems, Inc., in the amount of $148,089 for the Little Axe Park Restroom/Concession Building Project; and, if accepted, approve Contract No. K-1314-67 and the performance, statutory, and maintenance bonds; authorize the execution of the contract and bonds; direct the filing of the bonds; and adopt Resolution No. R-1314-52.

ACTION TAKEN: _____

11 GID-1314-50 CONSIDERATION OF AUTHORIZATION BY THE NORMAN UTILITIES AUTHORITY FOR THE PURCHASE OF POLYMER FROM POLYDYNE CORPORATION, IN THE AMOUNT OF $0.99 PER POUND FOR THE NORMAN WATER RECLAMATION FACILITY.

Attachments: Text File Polymer.pdf
Polydyne Quote.pdf
Performance and Polymer Cost Comparison.pdf

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject authorization for the purchase of polymer in the amount of $0.99 per pound from Polydyne Corporation, for the Water Reclamation Facility.

ACTION TAKEN: _____

Easement

12 E-1314-18 CONSIDERATION OF GRANT OF EASEMENT NO. E-1314-18 TO OKLAHOMA GAS AND ELECTRIC FOR THE PURPOSE OF INSTALLING UNDERGROUND ELECTRICAL SERVICE IN LEGACY PARK.

Attachments: Text File Legacy Park E-1314-18.pdf
OG&E Letter
E-1314-18.pdf

ACTION NEEDED: Motion to grant or deny Easement No. E-1314-18; and, if granted, authorize the execution thereof.

ACTION TAKEN: _____

Final Plat

13 FP-1213-38 CONSIDERATION OF A FINAL PLAT FOR SUMMIT VALLEY ADDITION, SECTION 2, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED NORTH OF STATE HIGHWAY NO. 9 AND 36TH AVENUE S.E. - A CLOSED SECTION)

Attachments: Text File Final Plat.pdf
SummitValleySec2 Location Map
Summit Valley 2 Final Plat
Summit Valley 2 Staff Report
Summit Valley Prelim
5-9-13 PC Minutes - FP-1213-38

ACTION NEEDED: Motion to approve or reject the final plat for Summit Valley Addition, Section 2; 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 receipt of a warranty deed for park land dedication requirements, and direct the filing of the final plat.

ACTION TAKEN: _____

Limited License

14 LL-1314-10 LIMITED LICENSE NO. LL-1314-10: A LIMITED LICENSE TO PLACE FIVE (5) DOUBLE-SIDED SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE DIRECTOR OF THE NORMAN CHRISTMAS DAY COMMUNITY DINNER.

Attachments: Text File Limited License Christmas Dinner.pdf
Letter of Request Norman Christmas Day Dinner.pdf
Christmas Day Dinner.pdf

ACTION NEEDED: Motion to approve or reject Limited License No. LL-1314-10 to place five (5) double-sided signs within the public rights-of-way pursuant to a request from the Director of the Norman Christmas Day Dinner; and, if approved, authorize the issuance thereof.

ACTION TAKEN: _____

15 LL-1314-11 LIMITED LICENSE NO. LL-1314-11: A LIMITED LICENSE TO PLACE NINE (9) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE NORMAN CHAMBER OF COMMERCE, THE NORMAN CONVENTION AND VISITORS BUREAU, AND THE CITY OF NORMAN FOR "CHRISTMAS IN NORMAN."

Attachments: Text File Christmas in Norman.pdf
Christmas in Norman Application
Locations Christmas in Norman.pdf
Christmas In Norman Limited License.pdf
Christmas in Norman Sign.pdf

ACTION NEEDED: Motion to approve or reject Limited License No. LL-1314-11 to place nine (9) ground banners within the public rights-of-way pursuant to a request from the Norman Chamber of Commerce, the Norman Convention and Visitors Bureau, and the City of Norman; and, if approved, authorize the issuance thereof.

ACTION TAKEN: _____

Grant

16 GID-1314-48 CONSIDERATION OF THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF $85,749 FROM THE OKLAHOMA HIGHWAY SAFETY OFFICE TO BE USED BY THE POLICE DEPARTMENT TO INCREASE ENFORCEMENT AND EDUCATION OF IMPAIRED DRIVING; HOST A TRAFFIC COLLISION RECONSTRUCTION SCHOOL; AND INCREASE ENFORCEMENT AND EDUCATION OF SEAT BELT AND MANDATORY CHILD RESTRAINT LAWS AND BUDGET APPROPRIATION.

Attachments: Text File Grant.pdf
OHSO-FFY2014-00009.pdf
OHSO-FFY2014-00010.pdf
OHSO-FFY2014-00027.pdf

ACTION NEEDED: Motion to accept or reject a grant in the amount of $85,749 from the Oklahoma Highway Safety Office to be used by the Police Department and; and, if accepted, authorizing the Mayor to execute any supporting documentation and appropriate $85,749 from the Special Grant Fund Balance (022-0000-253.20-00) designating $16,500 to Project No. GP0104, Highway Safety PT-12-03-13-05, Professional Services/Training & Development (022-6019-421.40-17); $25,000 to Project No. GP0105, Highway Safety K8-13-03-20-05, Other Salary/Overtime-Regular (022-6019-421.21-10); $25,000 to Project No. GP106, Highway Safety OP-13-03-03-05, Overtime (022-6019-421.21-10); and $19,249 to Project No. GP0107, Highway Safety CE-12-03-21-05, Overtime (022-6019-421.21-10); and upon reimbursement, deposit the funds into Other Revenue/Traffic & Alcohol Enforcement (022-0000-331.13-40).

ACTION TAKEN: _____

Special Claim

17 SC-1314-8 SPECIAL CLAIM NO. SC-1314-8: A CLAIM IN THE REVISED AMOUNT OF $9,891.87 SUBMITTED BY JANET L. SYMPSON FOR DAMAGES TO HER VEHICLE AND CHARGES INCURRED DUE TO AN ACCIDENT WITH A POLICE VEHICLE NEAR THE INTERSECTION OF CLASSEN BOULEVARD AND LINDSEY STREET.

Attachments: Text File Sympson.pdf
Clerk Memo Sympson.pdf
Sympson Tort Claim updated docs.pdf
Police Report Sympson.pdf

ACTION NEEDED: Motion to approve or reject Special Claim No. SC-1314-8; and, if approved, direct payment in the revised amount of $9,891.87 contingent upon obtaining a Release and Covenant Not to Sue from Janet L. Sympson.

ACTION TAKEN: _____

18 SC-1314-10 SPECIAL CLAIM NO. SC-1314-10: A CLAIM IN THE AMOUNT OF $8,300.57 SUBMITTED BY EARNEST AND ANNE GAINES FOR DAMAGES TO THEIR VEHICLE AND CHARGES INCURRED DUE TO AN ACCIDENT WITH A SANITATION VEHICLE AT THE INTERSECTION OF THE INTERSTATE 35 SERVICE ROAD AND HIGHWAY 9.

Attachments: Text File Gaines.pdf
Gaines Claim.pdf
Police Report Gaines.pdf

ACTION NEEDED: Motion to approve or reject Special Claim No. SC-1314-10; and, if approved, direct payment in the amount of $8,300.57 contingent upon obtaining a Release and Covenant Not to Sue from Earness and Anne Gaines.

ACTION TAKEN: _____

Contract

19 K-0708-42 Amd #5 AMENDMENT NO. FIVE TO CONTRACT NO. K-0708-42: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND RJN GROUP, INC., IN AN AMOUNT NOT-TO-EXCEED $161,780 TO PROVIDE PERMANENT WASTEWATER FLOW METERING SERVICES AND EXTENDING THE CONTRACT UNTIL AUGUST 27, 2014.

Attachments: Text File amdmt K-0708-42.pdf
Amd 5 K-0708-42.pdf

ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Amendment No. Five to Contract No. K-0708-42 with RJN Group, Inc., in an amount not-to-exceed $161,780 and extending the contract until August 27, 2014; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

20 K-1314-34 CONTRACT NO. K-1314-34: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND SOONER THEATRE, INC., IN THE AMOUNT OF $63,969 TO ASSIST IN THE OPERATION OF THE SOONER THEATRE LOCATED AT 101 EAST MAIN STREET.

Attachments: Text file Sooner Theatre.pdf
K-1314-34 Sooner Theatre.pdf
Sooner Theatre Report.pdf

ACTION NEEDED: Motion to approve or reject Contract No. K-1314-34 with Sooner Theatre, Inc., in the amount of $63,969; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

21 K-1314-96 CONTRACT K-1314-96: A CONTRACT BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND NEXTEL WEST CORPORATION PROVIDING FOR TERMINATION OF A LEASE FOR CELLULAR EQUIPMENT AT 620 EAST LINDSEY STREET.

Attachments: Text File Nextel.pdf

Nextel Contract.pdf

ACTION NEEDED: Motion to approve or reject Contract No. K-1314-96 with Nextel West Corporation; and, if approved, authorize the execution thereof.

*ACTION TAKEN:*_____

Resolution

22 R-1314-58 RESOLUTION NO. R-1314-58: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF ROCK CREEK ROAD AND SEQUOYAH TRAIL AND ITS INTERCONNECTION TO OTHER NEARBY SIGNALS IN NORMAN.

Attachments: Text File R-1314-58.pdf

R-1314-58 Rock Creek Sequoyah Signal.pdf

Location Map Rock Creek Road and Sequoyah Trail.pdf

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-58.

ACTION TAKEN: _____

23 R-1314-59 RESOLUTION NO. R-1314-59: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF ROBINSON STREET AND 48TH AVENUE N.W. AND ITS INTERCONNECTION TO OTHER NEARBY SIGNALS IN NORMAN.

Attachments: Text File R-1314-59.pdf

R-1314-59 Robinson & 48th NW Signal

Location Map Robinson & 48th Signal connect.pdf

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-59.

ACTION TAKEN: _____

24 R-1314-60 RESOLUTION NO. R-1314-60: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE TRAFFIC SIGNAL INTERCONNECTION UPGRADE ON ROBINSON STREET, FROM PETERS AVENUE TO 12TH AVENUE NE IN NORMAN.

Attachments: Text File R-1314-60.pdf
R-1314-60 Robinson Interconnect Upgrade
Location Map Robinson from Peters to 12th.pdf

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-60.

ACTION TAKEN: _____

25 R-1314-61 RESOLUTION NO. R-1314-61: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR ROADWAY MODIFICATIONS AND A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF 24TH AVENUE N.W. AND TEE DRIVE IN NORMAN.

Attachments: Text File R-1314-61.pdf
R-1314-61 24th NW & Tee Drive
Location Map 24th Tee Drive.pdf

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-61.

ACTION TAKEN: _____

26 R-1314-62 RESOLUTION NO. R-1314-62: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR ROADWAY MODIFICATIONS AND A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF 36TH AVENUE N.W. AND HAVENBROOK STREET IN NORMAN.

Attachments: Text File R-1314-62.pdf
R-1314-62 36th NW & Havenbrook
Location Map 36th and Havenbrook.pdf

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-62.

ACTION TAKEN: _____

27 R-1314-63 RESOLUTION NO. R-1314-63: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR TRAFFIC SIGNAL UPGRADES CITYWIDE.

Attachments: R-1314-63 Traffic Signal Pedestrian Push Button Upgrades
Text File R-1314-63.pdf
Location Map Pedestrian Push Buttons.pdf

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-63.

ACTION TAKEN: _____

28 R-1314-64 RESOLUTION NO. R1314-64: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR TRAFFIC SIGNAL VEHICLE VIDEO DETECTION UPGRADES CITYWIDE.

Attachments: Text File R-1314-64.pdf
R-1314-64 Traffic Signal Vehicle Video Detection Upgrade (Phase 2)
Location Map Video Detection.pdf

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-64

ACTION TAKEN: _____

29 R-1314-68 RESOLUTION NO. R-1314-68: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR THE CONSTRUCTION OF SIDEWALKS ALONG CLASSEN BOULEVARD, BETWEEN SHAWNEE STREET AND ENID STREET, AND WEST OF 12TH AVENUE SE.

Attachments: Text File K-1314-68.pdf
R-1314-68.pdf
Location Map Classen Sidewalks.pdf

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-68.

ACTION TAKEN: _____

30 R-1314-69 RESOLUTION NO. R-1314-69: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF PAVEMENT MARKINGS AT VARIOUS LOCATIONS ALONG THE FEDERAL FUNCTIONALLY CLASSIFIED TRANSPORTATION SYSTEM IN NORMAN.

Attachments: R-1314-69 Pavement Markings (Phase 4)

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-69.

ACTION TAKEN: _____

31 R-1314-70 RESOLUTION NO. R-1314-70: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $506,000 FROM THE PUBLIC SAFETY SALES TAX FUND BALANCE TO PAY COSTS FOR PHYSICAL EVIDENCE STORAGE SOLUTION AND THE TRANSFER OF EXISTING EVIDENCE STORAGE EQUIPMENT AND TO PURCHASE LABORATORY PROCESSING EQUIPMENT, FURNITURE, COPIER/PRINTER, INFORMATION TECHNOLOGY HARDWARE, AND DIGITAL EVIDENCE MANAGEMENT FOR THE INTERVIEW AND INTERROGRATION ROOMS OF THE CITY OF NORMAN INVESTIGATIONS CENTER.

Attachments: Text File R-1314-70.pdf

R-1314-70.pdf

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-70.

ACTION TAKEN: _____

32 R-1314-71 RESOLUTION NO. R-1314-71: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA ESTABLISHING POLICIES FOR ALLOWING VOLUNTEER ORGANIZATIONS TO OCCUPY TEMPORARY DWELLINGS LOCATED ON PROPERTIES ZONED A-2, RURAL AGRICULTURAL ZONING DISTRICT, WHILE ASSISTING IN PROPERTY REBUILDING EFFORTS AS A MEANS OF DISASTER RELIEF FROM THE MAY 19TH TORNADO.

Attachments: Text File R-1314-71.pdf

R-1314-71.pdf

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-71.

ACTION TAKEN: _____

33 R-1314-72 RESOLUTION NO. R-1314-72: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN OKLAHOMA, AUTHORIZING COMPROMISE SETTLEMENT OF CLAIMS FILED BY MARVIN BARTON UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASES OF MARVIN BARTON V. THE CITY OF NORMAN, WORKERS' COMPENSATION CASE NO. WCC-2012-12945 A AND WCC 2013-07113 A; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORERKS' 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.

Attachments: Text File Barton WCC.pdf
R-1314-72.pdf
Settlement Schedule
PR

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-72; and, if adopted, direct payment of claims in the amount of $102,188.94 which will constitute judgment against the City of Norman.

ACTION TAKEN: _____

34 R-1314-73 RESOLUTION NO. R-1314-73: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DECLARING THAT THE CITY COUNCIL, NORMAN UTILITIES AUTHORITY, NORMAN MUNICIPAL AUTHORITY, AND NORMAN TAX INCREMENT FINANCE AUTHORITY MEETING SCHEDULED FOR DECEMBER 24, 2013, SHALL BE CANCELLED.

Attachments: Text File Cancelling Meeting.pdf
R-1314-73.pdf

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-73.

ACTION TAKEN: _____

35 R-1314-74 RESOLUTION NO. R-1314-74: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN OKLAHOMA, AUTHORIZING COMPROMISE SETTLEMENT OF CLAIMS FILED BY KENNETH HAMMAN UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASES OF KENNETH HAMMAN V. THE CITY OF NORMAN, WORKERS' COMPENSATION CASE NOS. WCC-2011-06613 L AND WCC-2011-05712 Q; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORERKS' 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.

Attachments: Text File Hamman WCC.pdf
Resolution R-1314-74
Settlement Schedule
Court Orders
PR

ACTION NEEDED: Motion to adopt or rject Resolution No. R-1314-74; and if direct payment of claims in the amount of $66,765.39 which will constitute judgment against the City of Norman.

ACTION TAKEN: _____

Non-Consent Items

36 R-1314-15 RESOLUTION NO. R-1314-15: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING AND CONFIRMING FINAL COSTS ASSOCIATED WITH IMPROVEMENTS ON ROCK CREEK ROAD, AN ARTERIAL ROAD, FROM BETWEEN PORTER AVENUE TO ONE-HALF MILE EAST OF 12TH AVENUE N.E., AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO RELEASE PROPERTIES AS ASSESSMENTS ARE PAID.

Attachments: Text File Recoupment.pdf
R-1314-15.pdf
Rock Creek Recoupment List (11-19-13).pdf
Rock Creek Recoupment Map (11-09-2006).pdf

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-15.

ACTION TAKEN: _____

37 O-1314-16 CONSIDERATION OF ORDINANCE NO. O-1314-16 UPON SECOND AND FINAL READING: 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.pdf
O-1314-16
PUD Narrative O-1314-16.pdf
Location Map
Staff Report
10-10-13 PC Minutes

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-16 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-16 upon Final Reading as a whole.

ACTOIN TAKEN: _____

38 O-1314-17 CONSIDERATION OF ORDINANCE NO. O-1314-17 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 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.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 adopt or reject Ordinance No. O-1314-17 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-17 upon Final Reading as a whole.

ACTOIN TAKEN: _____

39 PP-1314-6 CONSIDERATION OF A PRELIMINARY PLAT FOR 36TH NORTH BUSINESS PARK, A PLANNED UNIT DEVELOPMENT, A REPLAT OF LOT 1, BLOCK 1, S.C.M.C. ADDITION AND LOT 6, BLOCK 1, BROCE INDUSTRIAL PARK ADDITION. (GENERALLY LOCATED ON THE EAST SIDE OF 36TH AVENUE N.W. ONE-HALF MILE NORTH OF WEST ROCK CREEK ROAD).

Attachments: Tet File Prelim.pdf
Attachment A.pdf
Location Map
Preliminary Plat 36th North Business.pdf
Staff Report
Preliminary Site Plan 36th North.pdf
Transportation Impacts
Pre-Development Summary
Greenbelt Commission Comments
10-10-13 PC Minutes

ACTION NEEDED: Motion to approve or reject the preliminary plat for 36th North Business Park, a Planned Unit Development, a replat of Lot 1, Block 1, S.C.M.C. Addition, and Lot 6, Block 1, Broce Industrial Park Addition.

ACTION TAKEN: _____

40 R-1314-45 RESOLUTION NO. R-1314-45: 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 41 AND 42, BLOCK 5, HARDIE RUCKER ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE MEDIUM DENSITY RESIDENTIAL DESIGNATION AND REMOVE THE SAME FROM THE LOW DENSITY RESIDENTIAL DESIGNATION. (1418 GEORGE AVENUE)

Attachments: Text File R-1314-45.pdf
R-1314-45.pdf
2025 Map
Staff Report
Predevelopment George.pdf
10-10-13 PC Minutes

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-45; and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according thereto

ACTION TAKEN: _____

41 O-1314-20 CONSIDERATION OF ORDINANCE NO. O-1314-20 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 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.pdf
O-1314-20
Location Map
Staff Report
1418 George Site Plan
10-10-13 PC Minutes

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-20 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-20 upon Final Reading as a whole.

ACTOIN TAKEN: _____

42 R-1314-75 RESOLUTION NO. R-1314-75: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, GIVING THE SECRETARY OF THE CLEVELAND COUNTY ELECTION BOARD NOTICE OF MUNICIPAL AND MUNICIPAL RUNOFF ELECTIONS FOR 2014.

Attachments: Text File - setting Election dates.pdf
R-1314-75

ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-75.

ACTION TAKEN: _____

ACTION NEEDED: Motion to amend Resolution No. R-1314-75 to set the City Council Municipal Election on _____ *and the City Council Municipal Runoff Election on* _____.

ACTION TAKEN: _____

43 **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.

44 **Adjournment**

City of Norman, OK

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

Master

File Number: GID-1314-49

File ID:	GID-1314-49	**Type:**	Minutes	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 4	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**		**File Created:**	11/20/2013
File Name:	MINUTES			**Final Action:**	

Title: CONSIDERATION OF THE MINUTES AS FOLLOWS:

CITY COUNCIL FINANCE COMMITTEE MINUTES OF SEPTEMBER 18, 2013
CITY COUNCIL FINANCE COMMITTEE MINUTES OF OCTOBER 16, 2013
CITY COUNCIL STUDY SESSION MINUTES OF NOVEMBER 5, 2013
CITY COUNCIL SPECIAL SESSION MINUTES OF NOVEMBER 12, 2013
CITY COUNCIL MINUTES OF NOVEMBER 12, 2013
NORMAN UTILITIES AUTHORITY MINUTES OF NOVEMBER 12, 2013
NORMAN MUNICIPAL AUTHORITY MINUTES OF NOVEMBER 12, 2013
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF NOVEMBER 12, 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: 11/26/2013

Agenda Number: 4

Attachments: Text File Minutes.pdf, September 18 Finance Committee Minutes.pdf, October 16 Finance Committee Minutes.pdf, November 5 Study Session minutes.pdf, November 12 Special Session Minutes.pdf, November 12 CC 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-1314-49

FINANCE COMMITTEE MINUTES
September 18, 2013

The City Council Finance Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 5:30 p.m. in the Municipal Building Study Session Room on the 18th day of September, 2013, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT: Members Castleberry, Griffith, and Heiple, and Chair Kovach

ABSENT: None

OTHERS PRESENT: Cindy Rosenthal, Mayor
Steve Lewis, City Manager
Anthony Francisco, Finance Director
Suzanne Krohmer, Budget Manager
Blake Chism, Dell Services
Kari Madden, IT Division
Rob Gruver, IT Division
Judson Leroi, IT Division
Robert Clouston, IT Division
Vanessa Fryar, IT Division
Joyce Green, GIS Services Manager
Jeff Bryant, City Attorney
Kathryn Walker, Assistant City Attorney, II
Shawn O'Leary, Public Works Director
Scott Sturtz, City Engineer
Richard Schlecter, Storm Water Engineer
Mark Daniels Utilities Engineer
Roger Gallagher, Citizen
Mark Campbell, Citizen
Joy Hampton, Transcript Reporter

PRESENTATION BY BLAKE CHISM FROM DELL SERVICES REGARDING THE IT DIVISION ASSESSMENT

Blake Chism made presentation of the report to the committee.

- Analysis of current operation / collection of data and then gave recommendations for operations.
- Dell's measurement for operations –
  - "Maturity Ratings" – Industry Average Rating = 2.54
  - "Improving Rating – Norman results = 1.71 rating = "Complex rating"
  - Dell recommendation rating = 3.5 – "Consistent rating"
  - End user recommendations: Keep computers updated, wireless available in all City buildings, cross-train employees, have a strategic plan, etc.
  - IT Division is extremely important to most departments.

- "Virtual desktop" becoming more important – will need to increase number of servers and maintenance personnel.

- Recommended Approach and Initiatives
  - 1. Develop 3-year Technology Strategic Plan
  - 2. Implement IT governance practices
  - 3. Increase internal and external communications
  - 4. Establish an enterprise-class service desk
  - 5. Develop a services catalog
  - 6. Enhance the end-user computing environment
  - 7. Become process-driven – standardize all processes and procedures
  - 8. Formalize employee care and training
  - 9. Formalize and test the Disaster Recovery Plan
  - 10. Increase the use of tools and automation
  - 11. Implement a services management framework
- Kovach – cost savings – City has very lean staff.
  - Direct staff to start implementing recommendations – Disaster Recovery Plan important.
  - Wants numbers of 4-5 year replacement cycle, estimate of cost savings per man-hour, which funds will be affected.
- Castleberry – what is cost of wireless?
- Chism – difficult to cost out, and security needs with wireless access is one of the reasons.
- Kovach – IT could plan with other departments on a monthly basis to work on special projects they don't ordinarily have time for.
- Lewis – To implement plan takes approximately 2 years
  - Assign activities and give due dates for implementation of activities.
  - 1st step – put together an action plan that assigns tasks to employees.
- Griffin – what is a realistic goal of improvement?
- Lewis – We should be at industry average in a couple of years.
- Castleberry – all the Police Departments improvements with PSST funds – are the ratings inclusive of this improvement?
- Mayor – support functions are important.
- Castleberry – are municipalities moving toward "cloud"?
- Chism – not very popular in public agencies yet.

Item(s) submitted for the record:

1. Handout prepared by Dell Services, IT Simplification Assessment Executive Report.

DISCUSSION REGARDING CREATION OF A STORMWATER UTILITY.

Presentation by Shawn O'Leary, Public Works Director and Scott Sturtz, City Engineer.

- Reviewed SWMP Timeline from the scoping that began in 2006 through the present.
- SWMP Watershed Problems and Opportunities
  - four areas of concentration – water quality/water supply protection; flooding; erosion/stream stability; and recreation

- SWMP Key Issues –
  - Stream planning corridors and additional buffer strips
  - Structural and nonstructural; storm water quality controls
  - Acquisitions of drainage easement and rights-of-way
  - Enhanced maintenance of creeks and detention facilities
  - Dam safety
  - not having public drainage easement in Norman is an issue
- SWMP Action Plan
  - 31 action plans
  - No. 1 action item priority – stream planning corridor regulations
  - Nine categories of work including water quality, financing, data management, CIP/easements/maintenance, general, hydrology/hydraulics, dams, criteria manuals, and Greenway Master Plan
  - Timeline – 6 months to 20 years
  - Current status as of August 2013
    - 11 action items completed
    - 12 action items currently under way
    - 8 action items pending Storm Water Utility
- SWMP – Action Plan – Funding
  - Establish long-range funding sources for storm water management such as general obligation bonding and the establishment of a storm water utility.
  - Begin preliminary discussions pertaining to billing and administrative logistics.
  - Develop and carry out a strategic work plan for citizen votes on the storm water utility and the general obligation bond program.
  - It is recommended that public education is started at least a year before any fee program or change is put into place.
- Western Kentucky University Storm Water Utility Survey of 2012 conducted nationwide surveyed 1,314 SWUs in 39 states.
- Equivalent Residential Unit (ERU) – typically the average impervious area on a single family residential plot most commonly used for fee basis.
- Average single family ERU in Norman is 3,600 square feet which equates to average monthly rate of $7.29 in Option 1, $6.82 in Option 2, and $6.74 in Option 3.
- Storm Water Utility Fee Survey of rate comparisons with 24 Oklahoma cities.
- Storm Water Master Plan – use of GO Bonds versus Revenue Bonds to finance projects.
- Watershed Projects total cost estimated at $82,530,490.
- Included in SWMP Bond Program 2013-2018 – for total drainage solution is $17,431,303.
- Remaining SWMP drainage solutions cost is estimated at $65,099,187.
- Based on 2009 information, storm water utility fees are estimated to be between $6 - $7 average rate.
- Rate will increase over time.
- ERU – recommended plan or flat or tiered rates
- What about exemptions?
- Tentative election date on storm water utility is August 26, 2014 for effective storm water utility to begin January 2015
- Preferred fee structure? And other questions will need Council direction.

- Mayor wants to move forward with utility vote
- Kovach wants tiering, easier to understand with categories – more comfortable with $5 - $6 range, with something less than $7
- Mayor wants more information on tiered system – small, medium, large. How many residents would fit in each category, projected revenue and wants to see exemptions in the 4 cities at next meeting. Wants to have what is funded from General Fund for storm water activities

Items submitted for the record:

1. Storm Water Master Plan – Storm Water Utility Election, prepared by Public Works Department
2. SWMP Action Plan (by milestone), prepared by Public Works Department
3. Stormwater Utility Survey, prepared by City of Stillwater
4. Western Kentucky University Stormwater Survey 2012

REVIEW OF NORMAN UTILITIES AUTHORITY MULTI-YEAR REVENUE PRODUCING CONTRACTS.

Will discuss at October meeting.

Items submitted for the record:

1. Memo to City Council from Brenda Hall, City Clerk, dated September 12, 2013, Finance Committee – NUA Revenue Producing Contracts

SUBMISSION OF THE REVENUE/EXPENDITURE REPORTS FOR JULY AND AUGUST 2013, AND FISCAL YEAR 2012-2013 ENDING FINANCIAL POISTION.

No discussion on Revenue/Expenditure report.

Items submitted for the record:

1. Summary of Major Funds-General; Capital; Westwood; Water; Water Reclamation; Sewer Maintenance; New Development Excise; Sewer Sales Tax; and Sanitation Fund Revenue Sources vs. Budget, Financial Report as of August 31, 2013.

SUBMISSION OF THE REPORT ON OPEN POSITIONS

No discussion on Open Positions Report.

Items submitted for the record:

1. City of Norman/Human Resources Department Recruitment and Selection Report dated September 11, 2013

MISCELLANEOUS DISCUSSION

Castleberry and Heiple will work with Finance Director to simplify financial numbers. If we are way off projections, want to be more accurate with budgeting. Restoring funds that were cut in current budget will be discussed in October meeting. Ordinance to limit expenditure – go to Council on contracts and budgeting categories.

The meeting adjourned at 7:12 pm.

ATTEST:

City Clerk

Mayor

FINANCE COMMITTEE MINUTES
October 16, 2013

The City Council Finance Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 5:30 p.m. in the Municipal Building Study Session Room on the 16th 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 24 hours prior to the beginning of the meeting.

PRESENT: Members Castleberry, Heiple, and Chair Kovach

ABSENT: Member Griffith

OTHERS PRESENT: Cindy Rosenthal, Mayor
Steve Lewis, City Manager
Anthony Francisco, Finance Director
Suzanne Krohmer, Budget Manager
Lynne Miller, Council Member
Shawn O'Leary, Public Works Director
Mike White, Fleet Superintendent
Melvin Gore, Fleet Supervisor
Matt Phillips, Fleet Supervisor
Tony Yankovich, Mercury Associates
Scott Sturtz, City Engineer
Rick Schlecter, Storm Water Engineer
Greg Hall, Street Superintendent
Ken Komiske, Utilities Director
James Fullingim, Norman Fire Department
Kathryn Walker, Assistant City Attorney II
Jim Maisano, Deputy Police Chief
Richard Schlecter, Storm Water Engineer
Roger Gallagher, Citizen

FLEET MANAGEMENT REVIEW

Presentation by Tony Yankovich with Mercury Associates.

- Workload of Vehicle Equivalency Units (VEU)
- Current Fleet Profile
- Opportunities for improvement
- Competitiveness – Cost = actual - $1,428 per VEU, target cost $1,400 - $1,500
  - Service levels
- Fleet Utilization – reduction of 10% units = future cost avoidance of $3.2 million, reduced annual maintenance and repairs costs and influx of cash
- Fleet Statistics – current age - 8.9 years, recommended average age 4 – 6 years
- Gross Fleet Replacement Cost = $65.1 million
- Should be spending $6.4 million every year on fleet replacement
- Currently 44% of fleet exceeds recommended age

- Fleet Replacement Financing
  - Cash
  - Sinking Fund to approximate savings account for fleet replacement
  - Debt financing
- Staffing Requirements
  - Parts & inventory supply operations – 30% of maintenance costs
  - Outsourcing candidate – parts & supply operations
  - Recommend Internal Service Fund for Fleet Maintenance Division (FMD), to improve user accountability
  - Shop space about 50% of required space
- Summary
  - FMD follows best practices, meets or exceeds performance standards in many areas, and costs are reasonable
  - Alternative fuel – recommend CNG – trend in industry
  - 3 – 4 years payback for CNG refuse trucks
  - City will have 53 CNG units at end of year
  - Create Policy – will do in-house
  - Downsizing fleet size to reduce the need for increase in staff technicians
  - 216 units in the fleet have – low utilization; it is recommended that 10% of these units be eliminated to save City money; - "right-sizing"
  - Develop committee to analyze right-sizing proposals if analysis done in-house, or can hire out
  - Develop formal motor pool program for employees to use and charge-back to department/division; interdepartmental vehicle sharing will reduce the number of required vehicles
  - City self-insures all vehicles
  - Internal Service Fund – others would "lease" fleet from the centrally-owned Fleet Division, accounted for in an Internal Service Fund
- Mayor – Debt financing?
  - General Obligation Bond – citizens would have to vote to approve
  - Revenue Bond – Capital Fund would be funding source
  - An example cited by Mayor of fuel savings with newer/younger fleet – could use for Revenue Bond financing
  - Safer and more reliable vehicles, maintenance costs will decrease
  - Parts management approximately 30% of costs – current inventory is $130 per Equivalent Vehicle Unit (EVU), goal is $100 per EVU
  - Recommendation to outsource parts management – keep parts flowing, inventory obsolescence down
  - On-site parts – someone would be on-site to manage our parts counter
- Mayor – Have staff come back with recommendations and costs
- Kovach – Start long-term policy development
  - Continue CNG program
  - Look at debt financing options
- Castleberry – Likes Sinking Fund better
- Mayor – Wants more information on Sinking Fund

Item(s) submitted for the record:

1. Handout prepared by Tony Yankovich, Senior Manager with Mercury Associates, Fleet Management Study – Summary of Findings, Conclusions and Recommendations

DISCUSSION REGARDING CREATION OF A STORMWATER UTILITY.

Presentation by Scott Sturtz, City Engineer.

- Current storm water operating costs = $2,949,344 includes mowing of right-of-way and clearing drainage ditches and channel clearing
- Projected storm water related expenses – Option 3 – lowest rate with ERU of $6.74 per 3,600 sq.ft.
- Includes trail construction with storm water benefits
- TMDL costs of $300 thousand/year not accounted for in SWMP
- Single Family Tiered Option – 5 tiers of users by impervious surface (sq. ft.), rates range from $4.50 - $6.50
- Mayor wants rate more proportionate with sq. ft. – thinks the 5 tier should pay $15-$16 per month, 3 times more than the tier 1
- Kovach wants rates more equitable with sq. ft.
- Mayor – keep tier 3 at $5.50 and adjust up and/or down – yearly revenue generated approximately $2.1 - $2.6 million dollars
  - Impervious surface includes driveway, out buildings, etc. not just the house
- GRU based categories – multi-family, commercial/industrial, agricultural, OU, etc. – total revenue generated approximately $3.3 million
- Total revenue (less 5%) = $5,271,352
  - Total fixed costs (+10%) = $3,243,838
  - Remaining funds = $2,027,514 – 1/3 of total funding needed
  - $6 million of needs does not include approximately $3 million in operating needs
- Figure out what we need to do and then create rate
- Kovach – include debt financing options
- Sturtz – we will include what will enhance services
- Castleberry – see what it costs to "do it right"

Items submitted for the record:

1. Storm Water Master Plan – Storm Water Utility Fees, prepared by Public Works Department

CONTINUED REVIEW OF NORMAN UTILITIES AUTHORITY MULTI-YEAR REVENUE PRODUCING CONTRACTS.

- Cell tower leases are majority of contracts
- Kovach – wanted to be aware of what City had – 2015 contracts
  - OU contract renews on November 13th
  - Is 90% of commercial rate for potable water still appropriate?
  - Discussion item in the spring

Items submitted for the record:

1. Listing of Norman Municipal Authority and Norman Utilities Authority Multi-Year Revenue Producing Contracts, prepared by Brenda Hall, City Clerk

CONTINUED DISCUSSION REGARDING RESTORING FUNDS CUT DURING FYE 14 BUDGET PROCESS

- Mayor – thinks Committee should wait until audit is complete, wait until mid-way of budget year. It is premature to do this.
- Mayor discussed proposal for a high density overlay district Campus Corner and Downtown project Master Plan approximately $200,000. OU will pay ½ ($100 thousand) of the cost of the study and provide institutional help. City share will be $100 thousand.
- Kovach – how does it work with 2030 Plan?
- Mayor – results would be incorporated in 2030 Plan. New applicants for projects in this area, difficult to wait with 2030 Plan update. Could be adopted in spring so projects can move forward.
- Castleberry – agrees it is premature to restore funds. He has concerns with OU participating/ commitments in high density project.
- Kovach – look at both OU and restored funds at mid-year review
- Lewis – Audit will be presented at next Finance Committee meeting in November. October 29th will be labor discussion with the Council Study Session.
- Castleberry - $1.2 million under budget last year. Do we really need to restore funds, were there services issues?
- All agree with postponing discussion until more information is available.

Items submitted for the record:

1. Memo from Anthony Francisco to City Council, dated June 6, 2013, FYE 2014 Budget Amendments
2. Detailed Listing of FYE 2014 Budget Cuts by Department/Division, prepared by Suzanne Krohmer, Budget Manager

DISCUSSION REGARDING ORDINANCE TO LIMIT EXPENDITURES

- $25,000 thousand current limit
  - City Code is same as state limit
  - Professional services exempted from competitive bidding in City Code
- Addendums to professional service contracts
  - Wants Council oversight
  - Scope limitations
- Mayor – have City Manager give Council heads up in weekly report
- Kovach – set higher dollar level?
- Kovach – City Manager will give Council information on changes. Policy for administrative approvals – we will work on.

Items submitted for the record:

1. Municipal Code, Section 8-201 through Section 8-205
2. Oklahoma Statutes Citationized, Title 61. Public Buildings and Public Works, Section 103 – Competitive Bidding Required

SUBMISSION OF THE REVENUE/EXPENDITURE REPORTS AS OF SEPTEMBER 30, 2013

- Adjusted Budget - includes prior year encumbrances and transfers/appropriations
- Add Original and Adjusted Fund Balance to reports
  - TIF adjustments
  - Water Fund revenue shortages

Items submitted for the record:

1. Summary of Major Funds-General; Capital; Westwood; Water; Water Reclamation; Sewer Maintenance; New Development Excise; Sewer Sales Tax; and Sanitation Fund Revenue Sources vs. Budget, Financial Report as of September 30, 2013.

SUBMISSION OF THE REPORT ON OPEN POSITIONS

No discussion on Open Positions Report.

Items submitted for the record:

1. City of Norman/Human Resources Department Recruitment and Selection Report dated October 7, 2013

MISCELLANEOUS DISCUSSION

No discussion.

The meeting adjourned at 7:30 pm.

ATTEST:

City Clerk

Mayor

CITY COUNCIL SPECIAL SESSION MINUTES

November 12, 2013

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Special Session at 5:05 p.m. in the Municipal Building Conference Room on the 12th day of November, 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)(4) TO DISCUSS PENDING LITIGATION IN THE WORKERS' COMPENSATION CASES OF MARVIN BARTON VS. THE CITY OF NORMAN, WCC-2012-12945A AND WCC-2013-07113A.

Councilmember Kovach moved that the Special Session be adjourned out of and an Executive Session be convened in order to discuss pending litigation in the Workers' Compensation Cases of Marvin Barton vs. the City of Norman, WCC-2012-12945A and WCC-2013-07113A, which motion was duly seconded by Councilmember Holman; 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 pending litigation in the Workers' Compensation Cases of Marvin Barton vs. the City of Norman, WCC-2012-12945A and WCC-2013-07113A.

The City Council adjourned into Executive Session at 5:32 p.m. Mr. Steve Lewis, City Manager; Mr. Jeff Bryant, City Attorney; and Ms. Jeanne Snider, Assistant City Attorney, 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 5:55 p.m.

The Mayor said pending litigation in the Workers' Compensation Cases of Marvin Barton vs. the City of Norman, WCC- 2012-12945A and WCC 2013-07113A were discussed in Executive Session. No action was taken and no votes were cast.

* * * * *

Item 2, being:

DISCUSSION OF CITY COUNCIL DEVELOPMENT APPLICATION POSTPONEMENT PRACTICES.

Ms. Susan Connors, Director of Planning and Community Development, said Staff was asked by the Community Planning and Transportation Committee (CPTC) to prepare a draft resolution regarding a policy for the postponement of development cases when they are before City Council.

Ms. Connors said at the September meeting Staff provided information on how other cities handle postponements and a summary of applications in Norman that have been postponed at Planning Commission and City Council since 2009, and identified reasons to consider when determining when a postponement was appropriate.

Item 2, continued:

At the October meeting Staff presented a draft policy and after further discussion, the Committee requested language be added requiring any postponement requested by the applicant be done so by 5:00 p.m. on the Friday before the City Council meeting except that City Council may accept a postponement request after that time in the case of an emergency. Once, requested, a postponement cannot be withdrawn by the applicant.

Ms. Connors highlighted a draft Resolution which incorporated the information presented by Staff as well as the changes requested by the CPTC Committee. She said the draft Resolution includes the following provisions:

- 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;
- Any postponement requested by the applicant must be requested by 5:00 p.m. on the Friday before the City Council meeting except that Council may accept a postponement request after that time in the case of an emergency. Once requested, the postponement cannot be withdrawn by the applicant;
- 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 factors below. An affirmative vote of at least five (5) Councilmembers shall be required to grant a postponement. The record shall indicate any stipulations or conditions placed on the postponement;
    - Substantive changes in the project or the area of the project after the PC hearing;
    - Major scheduling conflicts for the applicant or the applicant's representative or agent with the date of 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.
- If an item subject to 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 provides the date on which the matter will be heard, re-publication of notice is not required. If a continuance does not specify a date on which the matter will be heard, 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 when the application will again be active.

Councilmember Jungman thought at the October CPTC meeting, it had been clarified that a postponement by right cannot be created without an ordinance and asked whether a resolution can create a legal right. Mr. Jeff Bryant, City Attorney, said if Council passes a resolution on how to handle particular applications then he felt Staff would certainly abide by the resolution.

Councilmember Castleberry said due to the high density discussions the Risser Project was postponed several times and Ms. Connors said each of the postponements were requested by the applicant for reason of "on-going discussions regarding high density". She said the postponements were then granted by Council.

Mayor Rosenthal stated another applicant, Elsey Brothers, opted not to postpone their application. Councilmember Kovach said he recalled the meeting and said Council requested the Elsey Brothers postpone because the high density ordinance was not complete. He said it is not good policy to make a policy based on an aberration that does not occur very often. According to history, there have been only two applicants who had requested postponements from 2009 to present. Councilmember Kovach felt there may be a lot of unintended consequences if this policy is adopted and Mayor Rosenthal said those unintended consequences would only be the anticipated exceptions rather than the rule; the rule would be that this policy would not affect most applications.

Councilmember Williams felt a postponement policy will take control out of Council's hands and to try to repair or fix an issue that is not broken which is not a good practice. Councilmember Jungman suggested this policy would simply be taking reasonable actions on lessons learned. He said the City is in the same exact place it was last year; there are development proposals that would like to come forward but are not making applications. Councilmember Jungman said the City has rules that are being worked on, just not at present; therefore, would the City do the same as last year and keep postponing an application over and over should the application be for a high density development? He felt the proposed policy and draft resolution is not overly burdensome to either party and is very generous in creating a right that does not currently exist.

Councilmember Miller said she understands not wanting to make another rule/policy for an issue that does not appear to be a problem; however, she felt what happened with the Risser Project could be setting a precedent

regarding postponement after postponement as a way to wear Council down. Councilmember Miller felt a policy would also protect the public.

Councilmember Kovach said Council should take responsibility for asking applicants to wait until high density was completed. He felt applicants going through the process cannot be handicapped by Council for unforeseen circumstances. He said postponements are not a problem at this time and felt the proposed policy should wait until such time that this issue becomes a problem.

Mayor Rosenthal said to postpone this until a problem regarding postponements occurred would be changing the rules during the process and would allow Council to pick and choose applications that would not be granted and felt doing so could be arbitrary and capricious. Councilmember Kovach felt the process would not be "stopped" until after the second postponement and if a postponement for a particular project becomes a problem then Council could use that as data regarding a policy for future consideration. He felt two applications requesting a postponement from 2009 to present is not a very good percentage to consider this a problem.

Councilmember Williams said if the continued postponements for the Risser Project would have been a problem Council would have rejected their requests for postponement(s). He felt if a project were to come forward abusing postponement requests then Council should reject the postponement. Mayor Rosenthal felt the proposed policy will change a long-standing practice modestly.

Councilmember Castleberry felt there is not a problem with postponements and felt a policy would be premature. Councilmember Holman said he feels more strongly about providing the public notice in advance.

Councilmember Kovach suggested adopting a more simple resolution that says Council will consider each postponement on its own merits. Councilmember Jungman felt a policy would address constituents concerns. Councilmember Griffith said he would support either way and Councilmember Heiple said a policy would put expectations in line with reality, helping with consistency.

Councilmember Kovach said "by right" means Council would be required to vote one way and said Council cannot violate state statute promising a vote. He wondered whether doing so would violate the Open Meeting Act. Mayor Rosenthal suggested Councilmembers Kovach and Jungman work with Mr. Bryant on modifying language.

Items submitted for the record

1. Memorandum dated November 12, 2013, to Mayor and Members of City Council, from Susan Connors, Director of Planning and Community Development, with attached Table 1 Applicant Requested Postponements and Draft Resolution
2. Pertinent minutes dated October 28, 2013, from Community Planning and Transportation Committee

* * * * *

Item 3, being:

ADJOURNMENT

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

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

The Mayor declared the motion carried and the meeting was adjourned at 6:27 p.m.

ATTEST:

City Clerk

Mayor

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

November 12, 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 12th day of November, 2013, at 6:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and at the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

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

The Pledge of Allegiance was led by Mayor Rosenthal.

* * * * *

Item 3, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 4 through Item 45 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Griffith; and the question being upon the placement on the consent docket by unanimous vote of Item 4 through Item 45, a vote was taken with the following result:

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

The Mayor declared the motion carried and Item 4 through Item 45 were placed on the consent docket by unanimous vote.

* * * * *

Item 4, being:

CONSIDERATION OF APPROVAL 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~~ (WITHDRAWN BY STAFF)
CITY COUNCIL SPECIAL SESSION MINUTES OF OCTOBER 29, 2013

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

Items submitted for the record

1. Text File No. GID-1314-46 dated November 1, 2013, by Brenda Hall, City Clerk
2. City Council Retreat minutes of August 24, 2013
3. City Council Study Session minutes of October 15, 2013
4. City Council Conference minutes of October 22, 2013
5. City Council minutes of October 22, 2013
6. Norman Utilities Authority minutes of October 22, 2013
7. Norman Municipal Authority minutes of October 22, 2013
8. Norman Tax Increment Finance Authority minutes of October 22, 2013
9. City Council Special Session minutes of October 29, 2013

Item 4, continued:

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

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

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

* * * * *

Item 5, being:

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)

Councilmember Kovach moved that Ordinance No. O-1314-16 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1314-16 dated September 11, 2013, by Jane Hudson, Principal Planner
2. Ordinance No. O-1314-16 with attachment, 2013 Amendment to the 36 North PUD Development Plan approved by City Council on January 8, 2008, with Exhibit A, Preliminary Plat; Exhibit B, Preliminary Site Plan; and Exhibit C, Landscape Site Plan
3. Location map
4. Staff report dated October 10, 2013, recommending approval
5. Pertinent excerpts from Planning Commission minutes of October 10, 2013

and the question being upon the Introduction and adoption of Ordinance No. O-1314-16 upon First Reading by title, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1314-16 was Introduced and adopted upon First Reading by title.

* * * * *

Item 6, being:

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)

Councilmember Kovach moved that Ordinance No. O-1314-17 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. O-1314-17 dated September 11, 2013, by Janay Greenlee, Planner II
2. Ordinance No. O-1314-17 with Exhibit A, Site Plan
3. Location map
4. Staff report dated October 10, 2013, recommending approval
5. Renderings of project
6. City of Norman Predevelopment Case No. PD 13-26 dated September 26, 2013, submitted by Zain Fuel, Inc., for property located at 1226 Classen Boulevard
7. Pertinent excerpts from Planning Commission minutes of October 10, 2013

and the question being upon the Introduction and adoption of Ordinance No. O-1314-17 upon First Reading by title, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1314-17 was Introduced and adopted upon First Reading by title.

* * * * *

Item 7, being:

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)

Councilmember Kovach moved that Ordinance No. O-1314-20 be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. O-1314-20 dated September 11, 2013, by Janay Greenlee, Planner II
2. Ordinance No. O-1314-20
3. Location map
4. Staff report dated October 10, 2013, recommending approval
5. Site plan
6. Pertinent excerpts from Planning Commission minutes of October 10, 2013

Item 7, continued:

and the question being upon the Introduction and adoption of Ordinance No. O-1314-20 upon First Reading by title, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1314-20 was Introduced and adopted upon First Reading by title.

* * * * *

Item 8, being:

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: 01-01-14 TO 10-31-16: JOAN GREENLEAF, 2602 SOUTH PICKARD AVENUE
TERM: 10-31-13 TO 10-31-16: DON SHERMAN, 3128 ST. CLAIR COMMON

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

Items submitted for the record
1. Text File No. AP-1314-11 dated October 18, 2013, by Brenda Hall, City Clerk

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

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

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

* * * * *

Item 9, being:

SUBMISSION AND ACKNOWLEDGING RECEIPT OF THE 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.

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

Items submitted for the record
1. Text File No. RPT-1314-26 dated October 17, 2013, by Clint Mercer, Chief Accountant
2. The City of Norman TIF #2 Oversight Committee (University North Park TIF) Annual Report for the Period July 1, 2012 - September 30, 2013

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

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

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

* * * * *

Item 10, being:

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.

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

Items submitted for the record
1. Text File No. RPT-1314-27 dated October 28, 2013, by Brenda Hall, City Clerk
2. Pioneer Library System Financial Statements for the Year Ended June 30, 2013, prepared by Gray, Blodgett, and Company, P.L.L.C., Certified Public Accountants

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

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

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

* * * * *

Item 11, being:

CONSIDERATION OF 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.

Councilmember Kovach moved that all bids meeting specifications be accepted; the bid be awarded to Cory's Audio Visual Services, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1314-50 in the amount of $505,216.83 be approved; 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 be authorized; and Resolution No. R-1314-31 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-50 dated November 5, 2013, by Brenda Hall, City Clerk
2. Tabulation of bids dated September 26, 2013, for the Municipal Building Audio Video System Replacement Project
3. Contract No. K-1314-50
4. Resolution No. R-1314-31
5. Purchase Requisition No. 0000225895 dated November 6, 2013, in the amount of $505,216.83 to Cory's Audio Visual Services, Inc.

Participants in discussion
1. Ms. Brenda Hall, City Clerk

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

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

The Mayor declared the motion carried and all bids meeting specifications accepted; the bid was awarded to Cory's Audio Visual Services, Inc., as the lowest and best bidder meeting specifications; Contract No. K-1314-50 in the amount of $505,216.83 was approved; execution of the contract and the Mayor to sign Performance Bond No. B-1314-31, Statutory Bond No. B-1314-323, and Maintenance Bond No. MB-1314-29 contingent upon the City Attorney's approval were authorized; and Resolution No. R-1314-31 was adopted.

* * * * *

Item 12, being:

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.

Councilmember Kovach moved that the bid as meeting specifications be accepted; the bid be awarded to Marcum's Nursery in the amount of $150,030 as the lowest and best bidder meeting specifications; Contract No. K-1314-48 and the performance, statutory, and maintenance bonds be approved; execution of the contract and bonds be authorized; the filing of the bonds be directed; and Resolution No. R-1314-30 be adopted; which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1314-48 dated October 27, 2013, by Josh Malwick, Capital Projects Engineer
2. Tabulation of bids for the Robinson Street Underpass Landscape and Irrigation Project
3. Contract No. K-1314-48
4. Performance Bond No. B-1314-29
5. Statutory Bond No. B-1314-30
6. Maintenance Bond No. MB-1314-26
7. Resolution No. R-1314-30
8. Purchase Requisition No. 0000226006 dated November 7, 2013, in the amount of $153,030 to Marcum's Nursery

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

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

The Mayor declared the motion carried and the bid as meeting specifications accepted; the bid was awarded to Marcum's Nursery in the amount of $150,030 as the lowest and best bidder meeting specifications; Contract No. K-1314-48 and the performance, statutory, and maintenance bonds were approved; execution of the contract and bonds was authorized; the filing of the bonds was directed; and Resolution No. R-1314-30 was adopted.

* * * * *

Item 13, being:

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)

Councilmember Kovach moved that the final plat for Highland Village Addition, Section 7, 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 the filing of the final plat be directed, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. FP-1213-19 dated October 10, 2012, by Ken Danner, Subdivision Manager
2. Location map
3. Staff report dated November 8, 2012, recommending approval
4. Final plat
5. Revised preliminary plat
6. Pertinent excerpts from Planning Commission minutes of November 8, 2012

Item No. 13, continued:

and the question being upon approving the final plat for Highland Village Addition, Section 7, and upon the subsequent acceptance, authorization, and directive, a vote was taken with the following result:

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

The Mayor declared the motion carried and the final plat for Highland Village Addition, Section 7, 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 plat was directed.

* * * * *

Item 14, being:

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.

Councilmember Kovach moved that 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 be accepted and FEMA Reimbursements (010-0000-334.13-28) be increased by $332,976.54 and Other Agency Reimbursements (010-0000-366.12-39) be increased by $48,351.56, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. GID-1314-44 dated October 31, 2013, by James Fullingim, Fire Chief
2. Oklahoma Department of Emergency Management Public Assistance Request for Advance or Reimbursement Payment dated August 6, 2013, in the amount of $274,749.88
3. Oklahoma Department of Emergency Management Public Assistance Request for Advance or Reimbursement Payment in the amount of $58,226.66
4. Oklahoma Department of Emergency Management Public Assistance Request for Advance or Reimbursement Payment dated September 23, 2013, in the amount of $48,351.56

and the question being upon accepting 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 upon the subsequent increases, 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 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 accepted; and FEMA Reimbursements (010-0000-334.13-28) was increased by $332,976.54 and Other Agency Reimbursements (010-0000-366.12-39) by $48,351.56.

* * * * *

Item 15, being;

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.

Councilmember Kovach moved that 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 be accepted and FEMA Reimbursements (010-0000-344.13-28) be increased by $15,873.89 and Other Agency Reimbursements (010-0000-366.12-39) by $2,654.65, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. GID-1314-45 dated October 31, 2013, by James Fullingim, Fire Chief
2. United States Department of Homeland Security Federal Emergency Management Agency Project Worksheet dated July 15, 2013, in the amount of $1,248.46
3. United States Department of Homeland Security Federal Emergency Management Agency Project Worksheet dated July 18, 2013, in the amount of $19,916.72
4. Oklahoma Department of Emergency Management Public Assistance Request for Advance or Reimbursement Payment dated September 23, 2013, in the amount of $2,645.65

and the question being upon accepting reimbursement of funds in the amount of $15,873.89 from FEMA and $2,654.65 from the State of Oklahoma for tornado-related expenses during May 2013, and upon the subsequent increases, 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 reimbursement of funds in the amount of $15,873.89 from FEMA and $48,351.56 from the State of Oklahoma for tornado-related expenses during May 2013, accepted; and FEMA Reimbursements (010-0000-344.13-28) was increased by $15,873.89 and Other Agency Reimbursements (010-0000-366.12-39) by $2,654.65,

* * * * *

Item 16, being:

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.

Councilmember Kovach moved that Special Claim No. SC-1314-7 be approved and payment in the amount of $8,135.80 be directed contingent upon obtaining a Release and Covenant Not to Sue from Jerry Masters, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. SC-1314-7 dated October 24, 2013, by Jeanne Snider, Assistant City Attorney
2. Memorandum dated July 9, 2013, from Brenda Hall, City Clerk, to Ken Komiske, Director of Utilities, and Jeff Bryant, City Attorney
3. Special Claim No. SC-1314-7 filed July 9, 2013, in the amount of $8,135.80 submitted by Jerry Allen Masters
4. Itemized charges for property damage and reimbursement for City water line break in the amount of $8,135.89 for 3101 Pheasant Run and 3103 Pheasant Run
5. Itemized hotel charges in the amount of $521.99 for tenants

Item 16, continued:

and the question being upon approving Special Claim No. SC-1314-7 and upon the subsequent directive, a vote was taken with the following result:

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

The Mayor declared the motion carried and Special Claim No. SC-1314-7 approved; and payment in the amount of $8,135.80 was directed contingent upon obtaining a Release and Covenant Not to Sue from Jerry Masters.

* * * * *

Item 17, being:

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 AND CHARGES INCURRED DUE TO AN ACCIDENT WITH A PARKING SERVICES VEHICLE AT THE INTERSECTION OF SANTA FE AVENUE AND SYMMES STREET.

Councilmember Kovach moved that Special Claim No. SC-1314-9 be approved and payment in the reduced amount of $3,504.99 be directed contingent upon obtaining a Release and Covenant Not to Sue from Colby Wardwell, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. SC-1314-9 dated October 31, 2013, by Jeanne Snider, Assistant City Attorney
2. Memorandum dated October 7, 2013, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney, and Keith Humphrey, Police Chief
3. Special Claim No. SC-1314-9 filed October 7, 2013, in the amount of $3,804.99 submitted by Colby Wardwell
4. Receipt dated October 2, 2013, in the amount of $20.00 from Steven E. Cox, D.O., P.C.
5. Invoice dated October 1, 2013, in the amount of $152.24 from Quality Towing Services, Inc.
6. Invoice dated October 2, 2013 in the amount of $132.35 from Quality Towing Services, Inc.
7. Official Oklahoma Traffic Collision Report No. 2013-13470 dated October 1, 2013

and the question being upon approving Special Claim No. SC-1314-9 and upon the subsequent directive, a vote was taken with the following result:

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

The Mayor declared the motion carried and Special Claim No. SC-1314-9 approved; and payment in the reduced amount of $3,504.99 was directed contingent upon obtaining a Release and Covenant Not to Sue from Colby Wardwell.

* * * * *

Item 18, being:

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.

Councilmember Kovach moved that a grant in the amount of $36,000 from the State of Oklahoma Office of Homeland Security for the Police Department be accepted; Contract No. K-1314-90 be approved; the execution thereof be authorized; and $36,000 be appropriated 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 and Workshops (022-6040-421.46-04); and, upon reimbursement, funds be deposited into Other Revenue/Homeland Security (022-0000-331.13-52), which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-90 dated October 24, 2013, by Jim Spearman, Professional Standards
2. Contract No. K-1314-90

and the question being upon accepting a grant in the amount of $36,000 from the State of Oklahoma Office of Homeland Security and upon the subsequent approval, authorization, appropriation, and deposit, 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 a grant in the amount of $36,000 from the State of Oklahoma Office of Homeland Security for the Police Department accepted; Contract No. K-1314-90 was approved; the execution thereof was authorized; $36,000 was appropriated 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 and Workshops (022-6040-421.46-04); and, upon reimbursement, funds will be deposited into Other Revenue/Homeland Security (022-0000-331.13-52).

* * * * *

Item 19, being:

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.

Councilmember Kovach moved that Amendment No. Four to Contract No. K-0809-45 with Nextel West Corporation be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-0809-45, Amendment No. Four, dated October 22, 2013, by Lance Terry, Communications Center Supervisor
2. Amendment No. Four to Contract No. K-0809-45 with Schedule C, 800 MHZ Reconfiguration Cost Estimate – Certified Request, and Schedule D, Loaned Reconfiguration Equipment (provided by Nextel), Replacement Equipment (provided by Nextel), Replaced Equipment (to be delivered to Nextel prior to closing), Motorola Schedule D Equipment (to be provided by Motorola) –and Motorola Replaced Equipment (to be delivered to Motorola within 30 days of receipt of Motorola Schedule D Equipment)

Item 19, continued:

and the question being upon approving Amendment No. Four to Contract No. K-0809-45 with Nextel West Corporation and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and Amendment No. Four to Contract No. K-0809-45 with Nextel West Corporation was approved and the execution thereof was authorized.

* * * * *

Item 20, being:

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.

Councilmember Kovach moved that 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 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1011-135, Amendment No. One, dated October 27, 2013, by Josh Malwick, Capital Projects Engineer
2. Amendment No. One to Contract No. K-1011-135 with Attachment A, Scope of Services; Attachment B, Compensation; and Attachment C, Time Schedule for Scope of Services Performance
3. Contract No. K-1011-135 with Attachment A, Scope of Services; Attachment B, Project Schedule; Attachment C, Compensation; and Attachment D, Owner's Responsibilities
4. Location map
5. Requisition No. 0000223767 dated September 24, 2013, in the amount of $52,661 to Cardinal Engineering, Inc.

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

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

The Mayor declared the motion carried and 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 approved; and the execution thereof was authorized.

* * * * *

Item 21, being:

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).

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $13,200 from NAIC be approved; execution of Contract No. K-1314-68 be authorized; and payment in the amount of $13,200 be directed to NAIC, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-68 dated October 18, 2013, by Carol Coles, Administrative Assistant
2. Social and Voluntary Services Commission Funding Request 2013/2014
3. Contract No. K-1314-68
4. Social and Voluntary Services minutes of September 30, 2013
5. Purchase Order No. 238378 dated October 2, 2013, in the amount of $13,200 to NAIC

and the question being upon approving the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $13,200 from NAIC and upon the subsequent authorization and directive, a vote was taken with the following result:

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $13,200 from NAIC approved; execution of Contract No. K-1314-68 was authorized and payment in the amount of $13,200 to NAIC was directed.

* * * * *

Item 22, being:

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.

Councilmember Kovach moved that 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., be approved; execution of Contract No. K-1314-69 be authorized; and payment in the amount of $4,250 be directed to Among Friends Activity Center, Inc., which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-69 dated October 18, 2013, by Carol Coles, Administrative Assistant
2. Social and Voluntary Services Commission Funding Request 2013/2014
3. Contract No. K-1314-69
4. Social and Voluntary Services minutes of September 30, 2013
5. Purchase Order No. 238379 dated October 2, 2013, in the amount of $4,250 to Among Friends Activity Center

Item 22, continued:

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

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $4,250 from Among Friends Activity Center, Inc., approved; execution of Contract No. K-1314-69 was authorized and payment in the amount of $4,250 to Among Friends Activity Center, Inc., was directed.

* * * * *

Item 23, being:

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.

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,000 from Meal on Wheels of Norman, Inc., be approved; execution of Contract No. K-1314-70 be authorized; and payment in the amount of $5,000 be directed to Meal on Wheels of Norman, Inc., which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1314-70 dated October 18, 2013, by Carol Coles, Administrative Assistant
2. Social and Voluntary Services Commission Funding Request 2013/2014
3. Contract No. K-1314-70
4. Social and Voluntary Services minutes of September 30, 2013
5. Purchase Order No. 238380 dated October 2, 2013, in the amount of $5,000 to Meal on Wheels of Norman, Inc.

and the question being upon approving the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,000 from Meal on Wheels of Norman, Inc., and upon the subsequent authorization and directive, a vote was taken with the following result:

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,000 from Meal on Wheels of Norman, Inc., approved; execution of Contract No. K-1314-70 was authorized and payment in the amount of $5,000 to Meal on Wheels of Norman, Inc., was directed.

* * * * *

Item 24, being:

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.

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $10,000 from the Transition House, Inc., be approved; execution of Contract No. K-1314-71 be authorized; and payment in the amount of $10,000 be directed to the Transition House, Inc., which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1314-71 dated October 18, 2013, by Carol Coles, Administrative Assistant
2. Social and Voluntary Services Commission Funding Request 2013/2014
3. Contract No. K-1314-71
4. Social and Voluntary Services minutes of September 30, 2013
5. Purchase Order No. 238381 dated October 2, 2013, in the amount of $10,000 to Transition House, Inc.

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

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $10,000 from the Transition House, Inc., approved; execution of Contract No. K-1314-71 was authorized and payment in the amount of $10,000 to the Transition House, Inc., was directed.

* * * * *

Item 25, being:

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.

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $7,200 from Bridges, Inc., be approved; execution of Contract No. K-1314-72 be authorized; and payment in the amount of $7,200 be directed to Bridges, Inc., which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1314-72 dated October 18, 2013, by Carol Coles, Administrative Assistant
2. Social and Voluntary Services Commission Funding Request 2013/2014
3. Contract No. K-1314-72
4. Social and Voluntary Services minutes of September 30, 2013
5. Purchase Order No. 238382 dated October 2, 2013, in the amount of $7,200 to Bridges, Inc.

and the question being upon approving the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $7,200 from Bridges, Inc., and upon the subsequent authorization and directive, a vote was taken with the following result:

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $7,200 from Bridges, Inc., approved; execution of Contract No. K-1314-72 was authorized and payment in the amount of $7,200 to Bridges, Inc., was directed.

* * * * *

Item 26, being:

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.

Councilmember Kovach moved that 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., be approved; execution of Contract No. K-1314-73 be authorized; and payment in the amount of $15,000 be directed to the Center for Children and Families, Inc., which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1314-73 dated October 18, 2013, by Carol Coles, Administrative Assistant
2. Social and Voluntary Services Commission Funding Request 2013/2014
3. Contract No. K-1314-73
4. Social and Voluntary Services minutes of September 30, 2013
5. Purchase Order No. 238383 dated October 2, 2013, in the amount of $15,000 to the Center for Children and Families, Inc.

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

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

The Mayor declared the motion carried and the 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., approved; execution of Contract No. K-1314-73 was authorized and payment in the amount of $15,000 to the Center for Children and Families, Inc., was directed.

* * * * *

Councilmember Heiple asked that he be allowed to abstain from voting on Item 27 due to a conflict of interest. Thereupon, Councilmember Kovach moved that Councilmember Heiple be allowed to abstain from voting on Item 27 due to a conflict of interest, which motion was duly seconded by Councilmember Griffith; and the question being upon allowing Councilmember Heiple to abstain from voting on Item 27 due to a conflict of interest, a vote was taken with the following result:

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

The Mayor declared the motion carried and Councilmember Heiple was allowed to abstain from voting on Item 27 due to a conflict of interest.

* * * * *

Item 27, being:

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.

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $27,500 from Food and Shelter, Inc., be approved; execution of Contract No. K-1314-74 be authorized; and payment in the amount of $27,500 be directed to the Food and Shelter, Inc., which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1314-74 dated October 18, 2013, by Carol Coles, Administrative Assistant
2. Social and Voluntary Services Commission Funding Request 2013/2014
3. Contract No. K-1314-74
4. Social and Voluntary Services minutes of September 30, 2013
5. Purchase Order No. 238384 dated October 2, 2013, in the amount of $27,500 to Food and Shelter, Inc.

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

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $27,500 from Food and Shelter, Inc., approved; execution of Contract No. K-1314-74 was authorized and payment in the amount of $27,500 to Food and Shelter, Inc., was directed.

* * * * *

Item 28, being:

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.

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $4,000 from Aging Services, Inc., be approved; execution of Contract No. K-1314-75 be authorized; and payment in the amount of $4,000 be directed to Aging Services, Inc., which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1314-75 dated October 18, 2013, by Carol Coles, Administrative Assistant
2. Social and Voluntary Services Commission Funding Request 2013/2014
3. Contract No. K-1314-75
4. Social and Voluntary Services minutes of September 30, 2013
5. Purchase Order No. 238385 dated October 2, 2013, in the amount of $4,000 to Aging Services, Inc.

Item 28, continued:

and the question being upon approving the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $4,000 from Aging Services, Inc., and upon the subsequent authorization and directive, a vote was taken with the following result:

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $4,000 from Aging Services, Inc., approved; execution of Contract No. K-1314-75 was authorized and payment in the amount of $4,000 to Aging Services, Inc., was directed.

* * * * *

Item 29, being:

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.

Councilmember Kovach moved that 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., be approved; execution of Contract No. K-1314-76 be authorized; and payment in the amount of $4,200 be directed to Food for Thought Learning Institute, Inc., which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1314-76 dated October 18, 2013, by Carol Coles, Administrative Assistant
2. Social and Voluntary Services Commission Funding Request 2013/2014
3. Contract No. K-1314-76
4. Social and Voluntary Services minutes of September 30, 2013
5. Purchase Order No. 238386 dated October 2, 2013, in the amount of $4,200 to Food for Thought Learning Institute, Inc.

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

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

The Mayor declared the motion carried and the 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., approved; execution of Contract No. K-1314-76 was authorized and payment in the amount of $4,200 to Food for Thought Learning Institute, Inc., was directed.

* * * * *

Item 30, being:

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.

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,000 from Bethesda, Inc., be approved; execution of Contract No. K-1314-77 be authorized; and payment in the amount of $5,000 be directed to Bethesda, Inc., which motion was duly seconded by Councilmember Griffith;

Item 30, continued:

Items submitted for the record

1. Text File No. K-1314-77 dated October 18, 2013, by Carol Coles, Administrative Assistant
2. Social and Voluntary Services Commission Funding Request 2013/2014
3. Contract No. K-1314-77
4. Social and Voluntary Services minutes of September 30, 2013
5. Purchase Order No. 238387 dated October 2, 2013, in the amount of $5,000 to Bethesda, Inc.

and the question being upon approving the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,000 from Bethesda, Inc., and upon the subsequent authorization and directive, a vote was taken with the following result:

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,000 from Bethesda, Inc., approved; execution of Contract No. K-1314-77 was authorized and payment in the amount of $5,000 to Bethesda, Inc., was directed.

* * * * *

Item 31, being:

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.

Councilmember Kovach moved that 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., be approved; execution of Contract No. K-1314-78 be authorized; and payment in the amount of $7,150 be directed Mary Abbott Children's House, Inc., which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1314-78 dated October 18, 2013, by Carol Coles, Administrative Assistant
2. Social and Voluntary Services Commission Funding Request 2013/2014
3. Contract No. K-1314-78
4. Social and Voluntary Services minutes of September 30, 2013
5. Purchase Order No. 238388 dated October 2, 2013, in the amount of $7,150 to Mary Abbott Children's House, Inc.

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

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

The Mayor declared the motion carried and the 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., approved; execution of Contract No. K-1314-78 was authorized and payment in the amount of $7,150 to Mary Abbott Children's House, Inc., was directed.

* * * * *

Item 32, being:

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.

Councilmember Kovach moved that 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., be approved; execution of Contract No. K-1314-79 be authorized; and payment in the amount of $3,500 be directed Full Circle Senior Adult Day Center, Inc., which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1314-79 dated October 18, 2013, by Carol Coles, Administrative Assistant
2. Social and Voluntary Services Commission Funding Request 2013/2014
3. Contract No. K-1314-79
4. Social and Voluntary Services minutes of September 30, 2013
5. Purchase Order No. 238389 dated October 2, 2013, in the amount of $3,500 to Full Circle Senior Adult Day Center, Inc.

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

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

The Mayor declared the motion carried and the 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., approved; execution of Contract No. K-1314-79 was authorized and payment in the amount of $3,500 to Full Circle Senior Adult Day Center, Inc., was directed.

* * * * *

Item 33, being:

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.

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $15,000 from the Community Services Building, Inc., be approved; execution of Contract No. K-1314-80 be authorized; and payment in the amount of $15,000 be directed to Community Services Building, Inc., which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1314-80 dated October 18, 2013, by Carol Coles, Administrative Assistant
2. Social and Voluntary Services Commission Funding Request 2013/2014
3. Contract No. K-1314-80
4. Social and Voluntary Services minutes of September 30, 2013
5. Purchase Order No. 238390 dated October 2, 2013, in the amount of $15,000 to the Community Services Building, Inc.

Item 33, continued:

and the question being upon approving the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $15,000 from the Community Services Building, Inc., and upon the subsequent authorization and directive, a vote was taken with the following result:

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $15,000 from the Community Services Building, Inc., approved; execution of Contract No. K-1314-80 was authorized and payment in the amount of $15,000 to the Community Services Building, Inc., was directed.

* * * * *

Item 34, being:

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.

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,000 from East Main Place, Inc., be approved; execution of Contract No. K-1314-81 be authorized; and payment in the amount of $5,000 be directed to East Main Place, Inc., which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1314-81 dated October 18, 2013, by Carol Coles, Administrative Assistant
2. Social and Voluntary Services Commission Funding Request 2013/2014
3. Contract No. K-1314-81
4. Social and Voluntary Services minutes of September 30, 2013
5. Purchase Order No. 238391 dated October 2, 2013, in the amount of $5,000 to the East Main Place, Inc.

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

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $5,000 from East Main Place, Inc., approved; execution of Contract No. K-1314-81 was authorized and payment in the amount of $5,000 to East Main Place, Inc., was directed.

* * * * *

Item 35, being:

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.

Councilmember Kovach moved that 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., be approved; execution of Contract No. K-1314-82 be authorized; and payment in the amount of $4,000 be directed to the Women's Resource Center, Inc., which motion was duly seconded by Councilmember Griffith;

Item 35, continued:

Items submitted for the record
1. Text File No. K-1314-82 dated October 18, 2013, by Carol Coles, Administrative Assistant
2. Social and Voluntary Services Commission Funding Request 2013/2014
3. Contract No. K-1314-82
4. Social and Voluntary Services minutes of September 30, 2013
5. Purchase Order No. 238392 dated October 2, 2013, in the amount of $4,000 to the Women's Resource Center, Inc.

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

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

The Mayor declared the motion carried and the 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., approved; execution of Contract No. K-1314-82 was authorized and payment in the amount of $4,000 to the Women's Resource Center, Inc., was directed.

* * * * *

Item 36, being:

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.

Councilmember Kovach moved that the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $3,000 from HeartLine, Inc., be approved; execution of Contract No. K-1314-83 be authorized; and payment in the amount of $3,000 be directed to the HeartLine, Inc., which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-83 dated October 18, 2013, by Carol Coles, Administrative Assistant
2. Social and Voluntary Services Commission Funding Request 2013/2014
3. Contract No. K-1314-83
4. Social and Voluntary Services minutes of September 30, 2013
5. Purchase Order No. 238393 dated October 2, 2013, in the amount of $3,000 to HeartLine, Inc.

and the question being upon approving the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $3,000 from HeartLine, Inc., and upon the subsequent authorization and directive, a vote was taken with the following result:

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $3,000 from HeartLine, Inc., approved; execution of Contract No. K-1314-83 was authorized and payment in the amount of $3,000 to HeartLine, Inc., was directed.

* * * * *

Item 37, being:

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.

Councilmember Kovach moved that 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, be approved; execution of Contract No. K-1314-84 be authorized; and payment in the amount of $7,000 be directed to the Salvation Army, a Georgia Corporation, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1314-84 dated October 18, 2013, by Carol Coles, Administrative Assistant
2. Social and Voluntary Services Commission Funding Request 2013/2014
3. Contract No. K-1314-84
4. Social and Voluntary Services minutes of September 30, 2013
5. Purchase Order No. 238394 dated October 2, 2013, in the amount of $7,000 to the Salvation Army, a Georgia Corporation

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

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

The Mayor declared the motion carried and the 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, approved; execution of Contract No. K-1314-83 was authorized and payment in the amount of $7,000 to the Salvation Army, a Georgia Corporation, was directed.

* * * * *

Item 38, being:

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.

Councilmember Kovach moved that 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 be approved; execution of Contract No. K-1314-85 be authorized; and payment in the amount of $10,000 be directed to the Community After School Program, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. K-1314-85 dated October 18, 2013, by Carol Coles, Administrative Assistant
2. Social and Voluntary Services Commission Funding Request 2013/2014
3. Contract No. K-1314-85
4. Social and Voluntary Services minutes of September 30, 2013
5. Purchase Order No. 238395 dated October 2, 2013, in the amount of $10,000 to the Community After School Program

Item 38, continued:

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

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

The Mayor declared the motion carried and the recommendation from the Social and Voluntary Services Commission to fund a request in the amount of $10,000 from the Community After School Program approved; execution of Contract No. K-1314-85 was authorized and payment in the amount of $10,000 to the Community After School Program was directed.

* * * * *

Item 39, being:

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.

Councilmember Kovach moved that Contract No. K-1314-88 with Pioneer Library System be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-88 dated October 18, 2013, by Leah Messner, Assistant City Attorney
2. Contract No. K-1314-88
3. Contract No. K-1112-120
4. Contract No. K-1213-48 with Exhibit A, location map

and the question being upon approving Contract No. K-1314-88 with Pioneer Library System and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and Contract No. K-1314-88 with Pioneer Library System approved; and the execution thereof was authorized.

* * * * *

Item 40, being:

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.

Councilmember Kovach moved that Contract No. K-1314-91 with Convergint Technologies, Inc., in the amount of $49,686.20 be approved, the execution thereof be authorized and Resolution No. R-1314-65 be adopted, which motion was duly seconded by Councilmember Griffith;

Item 40, continued:

Items submitted for the record
1. Text File No. K-1314-91 dated October 30, 2013, by Kari Madden, Network Manager
2. Contract No. K-1314-91 with Exhibit A, Quotation No. 2154730370, Proposal dated October 2, 2013, in the amount of $49,686.20 from Convergint Technologies, Inc.
3. Resolution No. R-1314-65

and the question being upon approving Contract No. K-1314-91 with Convergint Technologies, Inc., in the amount of $49,686.20 and upon the subsequent authorization and adoption, a vote was taken with the following result:

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

The Mayor declared the motion carried and Contract No. K-1314-91 with Convergint Technologies, Inc., in the amount of $49,686.20 approved; the execution thereof was authorized and Resolution No. R-1314-65 was adopted.

* * * * *

Item 41, being:

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.

Councilmember Kovach moved that Contract No. K-1314-92 with RFIP Security, Inc., in the amount of $27,088.64 be approved, the execution thereof be authorized and Resolution No. R-1314-66 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-92 dated October 30, 2013, by Kari Madden, Network Manager
2. Contract No. K-1314-92 with Exhibit A, Quotation No. AAAQ4259, Proposal dated September 17, 2013, in the amount of $27,088.64 from RFIP Security, Inc.
3. Resolution No. R-1314-66

and the question being upon approving Contract No. K-1314-92 with RFIP Security, Inc., in the amount of $27,088.64 and upon the subsequent authorization and adoption, a vote was taken with the following result:

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

The Mayor declared the motion carried and Contract No. K-1314-92 with RFIP Security, Inc., in the amount of $27,088.64 approved; the execution thereof was authorized and Resolution No. R-1314-66 was adopted.

* * * * *

Item 42, being:

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.

Councilmember Kovach moved that 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 for each network device at the City of Norman Investigations Center located at 1507 West Lindsey Street be approved and Resolution No. R-1314-67 be adopted; which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. GID-1314-47 dated October 30, 2013, by Kari Madden, Network Manager
2. Quotation No. 13-10301134 dated August 21, 2013, form Chickasaw Telecom, Inc., in the amount of $29,284.60
3. Resolution No. R-1314-67

and the question being upon approving 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 for each network device at the City of Norman Investigations Center located at 1507 West Lindsey Street and upon the subsequent adoption, a vote was taken with the following result:

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

The Mayor declared the motion carried that 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 for each network device at the City of Norman Investigations Center located at 1507 West Lindsey Street approved; and Resolution No. R-1314-67 was adopted.

* * * * *

Item 43, being:

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.

Councilmember Kovach moved that Contract No. K-1314-93 with Baron Exploration Company for a period of three years be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-93 dated November 6, 2013, by Leah Messner, Assistant City Attorney
2. Contract No. K-1314-93

and the question being upon approving Contract No. K-1314-93 with Baron Exploration Company for a period of three years and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and Contract No. K-1314-93 with Baron Exploration Company for a period of three years approved; and the execution thereof was authorized.

* * * * *

* * * * *

Councilmember Heiple asked that he be allowed to abstain from voting on Item 44 due to a conflict of interest. Thereupon, Councilmember Kovach moved that Councilmember Heiple be allowed to abstain from voting on Item 44 due to a conflict of interest, which motion was duly seconded by Councilmember Griffith; and the question being upon allowing Councilmember Heiple to abstain from voting on Item 44 due to a conflict of interest, a vote was taken with the following result:

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

The Mayor declared the motion carried and Councilmember Heiple was allowed to abstain from voting on Item 44 due to a conflict of interest.

* * * * *

Item 44, being:

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.

Councilmember Kovach moved that Contract No. K-1314-95, a revocable license agreement with Food and Shelter for Friends in the amount of $268 per year, be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. K-1314-95 dated November 6, 2013, by Leah Messner, Assistant City Attorney
2. Contract No. K-1314-95 with Exhibit A, location map

and the question being upon approving Contract No. K-1314-95, a revocable license agreement with Food and Shelter for Friends in the amount of $268 per year, and upon the subsequent authorization, a vote was taken with the following result:

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

The Mayor declared the motion carried and Contract No. K-1314-95, a revocable license agreement with Food and Shelter for Friends in the amount of $268 per year, approved; and the execution thereof was authorized.

* * * * *

Item 45, being:

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.

Councilmember Kovach moved that Resolution No. R-1314-56 be adopted, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. R-1314-56 dated November 4, 2013, by David Riesland, Traffic Engineer
2. Resolution No. R-1314-56 with Exhibit A, Wayfinding Action Plan dated October 31, 2013
3. Norman Signage and Wayfinding Plan prepared September 2013, for the City of Norman, Norman Convention and Visitors Bureau, and the Norman Chamber of Commerce with Appendix A, Stakeholder Survey Results; Appendix B, Selection Criteria; Appendix C, Phase 1 – Major and Primary Destinations; Appendix D, Destination Matrix; Appendix E, Phase 1 Implementation and Preliminary Cost Estimate; and Appendix F, Pilot Project

and the question being upon adopting Resolution No. R-1314-56, a vote was taken with the following result:

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

The Mayor declared the motion carried and Resolution No. R-1314-56 was adopted.

* * * * *

Item 46, being:

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.

Ordinance No. O-1314-22 having been Introduced and adopted upon First Reading by title in City Council's meeting of October 22, 2013, Councilmember Kovach moved that Ordinance No. O-1314-22 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record
1. Text File No. O-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. Ms. Susan Connors, Director of Planning and Community Development
2. Mr. Sean Rieger, 136 Thompson Drive, representing Builders Association of South Central Oklahoma, proponent

Item 46, continued:

and the question being upon adopting Ordinance No. O-1314-22 upon Second Reading section by section, a vote was taken with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1314-22 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1314-22 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Griffith and the question being upon adopting Ordinance No. O-1314-22 upon Final Reading as a whole, the roll was called with the following result:

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

The Mayor declared the motion carried and Ordinance No. O-1314-22 was adopted upon Final Reading as a whole.

* * * * *

Item 47, being:

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)

Councilmember Kovach moved that Resolution No. R-1314-44 be adopted and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. R-1314-44 dated September 11, 2013, by Jane Hudson, Principal Planner
2. Resolution No. R-1314-44
3. Location map
4. Staff Report dated October 10, 2013, recommending approval
5. Memorandum dated October 8, 2013, from Jane Hudson, Principal Planner, and Ken Danner, Development Manager, to Chairman and Members, Norman Planning Commission
6. City of Norman Predevelopment Summary, Case No. PD-13-23 dated August 22, 2013, for Parkcrest Builders Group, Ltd., for property located at the southeast corner of Lindsey Street and Classen Boulevard
7. Pertinent excerpts from Planning Commission minutes of October 10, 2013
8. Verbatim minutes prepared by Associated Reporting, Ltd., of Item 5A, Resolution No. R-1314-44; Item 5B, Ordinance No. O-1314-18; Item 5C, Ordinance No. O-1314-19; and Item 5D, Preliminary Plat for Millennium Addition, a Planned Unit Development

Item 47, continued:

Participants in discussion

1. Mr. Sean Rieger, 136 Thompson Drive, attorney representing the applicant
2. Mr. O'Neill Robinson, Cardinal Engineering, 3226 Bart Conner Drive, traffic engineer representing the applicant
3. Mr. Jud Foster, Director of Parks and Recreation
4. Ms. Ann Gallagher, 1522 East Boyd Street, asked questions
5. Mr. Steve Ellis, 633 Reed Avenue, made comments
6. Mr. David Kinnard, 942 Chautauqua Avenue, protestant
7. Ms. Karen Chapman, 1105 Idaho Street, asked questions

and the question being upon adopting Resolution No. R-1314-44 and upon the subsequent amendment, a vote was taken with the following result:

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

The Mayor declared the motion carried and Resolution No. R-1314-44 adopted; and the NORMAN 2025 Land Use and Transportation Plan was amended according thereto.

* * * * *

Item 48, being:

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)

Ordinance No. O-1314-18 having been Introduced and adopted upon First Reading by title in City Council's meeting of October 22, 2013, Councilmember Kovach moved that Ordinance No. O-1314-18 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-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
8. Verbatim minutes prepared by Associated Reporting, Ltd., of Item 5A, Resolution No. R-1314-44; Item 5B, Ordinance No. O-1314-18; Item 5C, Ordinance No. O-1314-19; and Item 5D, Preliminary Plat for Millennium Addition, a Planned Unit Development

Item 48, continued:

and the question being upon adopting Ordinance No. O-1314-18 upon Second Reading section by section, a vote was taken with the following result:
result:

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

The Mayor declared the motion carried and Ordinance No. O-1314-18 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1314-18 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Holman; and the question being upon adopting Ordinance No. O-1314-18 upon Final Reading as a whole, the roll was called with the following result:
result:

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

The Mayor declared the motion carried and Ordinance No. O-1314-18 was adopted upon Final Reading as a whole.

* * * * *

Item 49, being:

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)

Councilmember Kovach moved that the preliminary plat for Millennium Addition, a Planned Unit Development, be approved, which motion was duly seconded by Councilmember Holman;

Items submitted for the record

1. Text File No. PP-1314-7 dated September 11, 2013, by Ken Danner, Subdivision Manager with Attachment A, Traffic Impacts
2. Location map
3. Development Review Form, Transportation Impacts, dated October 2, 2013, reviewed by David R. Riesland, P.E., City Traffic Engineer, for Millennium Addition
4. Staff Report dated October 10, 2013, recommending approval
5. Preliminary plat
6. Memorandum dated October 8, 2013, from Jane Hudson, Principal Planner, and Ken Danner, Development Manager, to Chairman and Members, Norman Planning Commission
7. Preliminary site plan
8. Greenbelt Commission Final Comments dated August 19, 2013
9. Pertinent excerpts from Planning Commission minutes of October 10, 2013
10. Verbatim minutes prepared by Associated Reporting, Ltd., of Item 5A, Resolution No. R-1314-44; Item 5B, Ordinance No. O-1314-18; Item 5C, Ordinance No. O-1314-19; and Item 5D, Preliminary Plat for Millennium Addition, a Planned Unit Development

Item 49, continued:

and the question being upon approving the preliminary plat for Millennium Addition, a Planned Unit Development, 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 preliminary plat for Millennium Addition, a Planned Unit Development was approved.

* * * * *

Item 50, being:

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.

Ordinance No. O-1314-19 having been Introduced and adopted upon First Reading by title in City Council's meeting of October 22, 2013, Councilmember Kovach moved that Ordinance No. O-1314-19 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Holman;

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. 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
4. Radius Map
5. Ordinance No. O-1314-19
6. Location map
7. Staff Report dated October 10, 2013, recommending approval
8. Pertinent excerpts from Planning Commission minutes of October 10, 2013
9. Verbatim minutes prepared by Associated Reporting, Ltd., of Item 5A, Resolution No. R-1314-44; Item 5B, Ordinance No. O-1314-18; Item 5C, Ordinance No. O-1314-19; and Item 5D, Preliminary Plat for Millennium Addition, a Planned Unit Development

Participants in discussion

1. Mr. Sean Rieger, 136 Thompson Drive, attorney representing the applicant

and the question being upon adopting Ordinance No. O-1314-19 upon Second Reading section by section, a vote was taken with the following result:
result:

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

The Mayor declared the motion carried and Ordinance No. O-1314-19 was adopted upon Second Reading section by section.

Item 50, continued:

Thereupon, Councilmember Kovach moved that Ordinance No. O-1314-19 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Holman; and the question being upon adopting Ordinance No. O-1314-19 upon Final Reading as a whole, the roll was called with the following result:
result:

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

The Mayor declared the motion carried and Ordinance No. O-1314-19 was adopted upon Final Reading as a whole.

* * * * *

Item 51, 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)

Resolution No. R-1314-25 having been postponed in City Council's meeting of October 22, 2013, until November 12, 2013, Councilmember Griffith moved that Resolution No. R-1314-25 be adopted and the NORMAN 2025 Land Use and Transportation Plan be amended according thereto, 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. Resolution No. R-1314-25
3. Location map
4. Staff Report dated September 12, 2012, recommending approval
5. 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
6. Pertinent excerpts from Planning Commission minutes of September 12, 2013
7. Letter requesting postponement dated October 16, 2013, from R. Blaine Nice, Fellers Snider, to Brenda Hall, City of Norman City Clerk

Participants in discussion

1. Mr. Brent Swift, 301 South Porter Avenue, general contractor for Rose Rock School Foundation
2. Mr. Hans Butzer, Gardner Architects, 628 West Sheridan, Oklahoma City, architect representing the applicant
3. Mr. Aaron Pilat, Gardner Architects, 628 West Sheridan, Oklahoma City, architect representing the applicant
4. Ms. Shanah Ahmadi, 502 North Park Avenue, applicant
5. Mr. Riz Najmi, 4108 N.W. 131th Street, Oklahoma City, storm water engineer representing the applicant
6. Mr. B. J. Hawkins, 404 S.W. 171st, Oklahoma City, traffic engineer representing the applicant
7. Ms. Susan Connors, Director of Planning and Community Development
8. Mr. George Ahmadi, 502 North Park Avenue, applicant
9. Mr. Jeff Bryant, City Attorney
10. Mr. David Spradling, 134 Crestmont Avenue, proponent
11. Ms. Colette Fudge, 104 Foreman Avenue, protestant
12. Mr. Jim Kee-Rees, 135 Crestmont Avenue, proponent
13. Ms. Anne Harp, 313 Foreman Avenue, made comments
14. Ms. Ann Gallagher, 1522 East Boyd Street, asked questions
15. Ms. Phyllis Murray, 801 College Avenue, proponent
16. Mr. Sean Rieger, 136 Thompson Drive, attorney representing the Holbrook family
17. Mr. Blaine Nice, Fellers Snider, 100 North Broadway, Oklahoma City, attorney representing the applicant
18. Ms. Libbi Holbrook, 216 Foreman Circle, protestant

Item 51, continued:

Participants in discussion, continued

19. Mr. Steve Ellis, 633 Reed Avenue, made comments
20. Ms. Cynthia McPherson, 4500 Green Meadow Circle, proponent
21. Ms. Heidi Holman, 1507 Camelot Drive, proponent
22. Mr. Joevan Bullard, 302 Foreman Avenue, protestant
23. Ms. Lisa Schmidt, 1330 Salsbury Street, proponent
24. Ms. Dee Bigfoot, 119 Foreman Avenue, protestant
25. Mr. Dee Fink, 234 Foreman Avenue, proponent
26. Ms. Lori Bacigalupi, 807 South Ponca Avenue, proponent
27. Ms. Alicia Collins, 1517 Sunset Drive, proponent
28. Ms. Acacia Moore, 1515 West Main Street, Resident Manager, Rose Rock School
29. Mr. Mark Nanny, 1815 Lakehurst Drive, proponent
30. Mr. Fred Pope, 1501 Navajo Drive, made comments
31. Ms. Cindy Rogers, 633 Reed Avenue, made comments
32. Ms. Neera Singh, 1019 East 35th Place, Tulsa, Owner
33. Mr. Roger Gallagher, 1522 East Boyd Street, made comments

and the question being upon adopting Resolution No. R-1314-25 and upon the subsequent amendment, a vote was taken with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Mayor Rosenthal
NAYES:	Councilmember Williams

The Mayor declared the motion carried and Resolution No. R-1314-25 adopted; and the NORMAN 2025 Land Use and Transportation Plan was amended according thereto.

* * * * *

Item 52, 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, and Ordinance No. O-1314-12 having been postponed in City Council's meeting of October 22, 2013, until November 12, 2013, Councilmember Kovach moved that Ordinance No. O-1314-12 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Griffith;

Items submitted for the record

1. Text File No. O-1314-12 dated August 20, 2013, by Jane Hudson, Principal Planner
2. Ordinance No. O-1314-12 with Exhibit A, Site Development Plan, and Exhibit B, Rose Rock School Foundation PUD Narrative submitted August 5, 2013 and revised August 29 and September 5, 2013
3. Location map
4. Staff Report dated September 12, 2013, recommending approval
5. Architectural drawings of existing and proposed project
6. General Information of Johnson House
7. Protest and support map dated November 12, 2013, containing 51% protest and 10.7% support within notification area
8. Letter of protest filed September 3, 2013, from James F. Ryan, O.D. to Planning Commission c/o City Clerk
9. Letter of protest filed September 3, 2013, from Colette Fudge to Planning Commission
10. Petition of protest filed September 9, 2013, containing 32 signatures
11. Petition of protest filed November 8, 2013, containing seven signatures
12. Petition of support filed September 6, 2013, containing 56 signatures
13. Email of support filed September 6, 2013, from Stephanie Royse to Whom It May Concern

Item 52, continued:

Items submitted for the record, continued

14. Letter of support filed September 6, 2013, from Mr. L. Dee Fink to Norman City Council
15. Letter of support filed September 6, 2013, from Mary Jo Tinsley to City Council
16. Letter of support filed September 6, 2013, from David Kelso Spradling and Family to Whom It May Concern
17. Letter of support filed October 1, 2013, from Arletta Fink to Brenda Hall, City Clerk
18. Letter of support filed October 8, 2013, from Alicia M. Collins to Brenda Hall
19. Email dated November 6, 2013, from Ben Stapp, Open Door Management, L.L.C., to City Clerk
20. Letter of support filed November 8, 2013, from James Drummond to Whom It May Concern
21. Letter of support filed November 8, 2013, from Ms. Elizabeth Bangs and Dr. Brent Landau to Ms. Shanah Ahmadi, Rose Rock School
22. Letter of support filed November 8, 2013, from Mike and Teresa Schuster to City Councilmembers and Mayor Rosenthal
23. Letter of support filed November 8, 2013, from Cynthia Kruis Aldinger, Executive Director, LifeWays, to Mayor Rosenthal and City Councilmembers
24. Letter of support filed November 8, 2013, from Elizabeth Heath, Middle Earth Child Development Center, Executive Director, retired, to Members of the City Council
25. Letter of support filed November 8, 2013, from Judi Hadley, Broker/Owner, Judi Hadley Real Estate
26. Email received November 8, 2013, from Nancy Goodwin to Mr. Ahmadi
27. Petition of support containing 83 signatures
28. Power Point Presentation dated November 12, 2013, entitled "Rose Rock School Application for PUD Rezoning"
29. Questions submitted by Councilmember Castleberry regarding the Rose Rock School

and the question being upon adopting Ordinance No. O-1314-12 upon Second Reading section by section, a vote was taken with the following result:
result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Mayor Rosenthal
NAYES:	Councilmember Williams

The Mayor declared the motion carried and Ordinance No. O-1314-12 was adopted upon Second Reading section by section.

Thereupon, Councilmember Kovach moved that Ordinance No. O-1314-12 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Griffith; and the question being upon adopting Ordinance No. O-1314-12 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Castleberry, Griffith, Heiple, Holman, Jungman, Kovach, Miller, Mayor Rosenthal
NAYES:	Councilmember Williams

The Mayor declared the motion carried and Ordinance No. O-1314-12 was adopted upon Final Reading as a whole.

* * * * *

Item 53, being:

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

The preliminary plat for Rose Rock Addition having been postponed in City Council's meeting of October 22, 2013, until November 12, 2013, Councilmember Kovach moved that the preliminary plat for Rose Rock School Addition be approved, which motion was duly seconded by Councilmember Griffith;

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. Location map
3. Preliminary plat
4. Staff Report dated September 12, 2013, recommending approval
5. Development Review Form, Transportation Impacts, dated September 4, 2013, reviewed by David R. Riesland, P.R., City Traffic Engineer, for Rose Rock School
6. Site plan
7. Greenbelt Commission Final Comments dated August 19, 2013
8. Letter requesting postponement dated October 16, 2013, from R. Blaine Nice, Fellers Snider, to Brenda Hall, City Clerk

and the question being upon approving the preliminary plat for Rose Rock School Addition, 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 preliminary plat for Rose Rock School Addition was approved.

* * * * *

MISCELLANEOUS DISCUSSION

Rose Rock School. Mr. George Ahmadi, 502 North Park Avenue, thanked Councilmembers for taking time away from their families to study this project and the issues.

Mr. Dee Fink, 119 Foreman Avenue, said this is the first City Council meeting he had attended and complimented Council for their thoroughness and for listening to all sides.

Ms. Libbi Holbrook, 216 Foreman Avenue, said she was impressed with the amount of homework and energy put into all the decisions made by Council this evening. She was encouraged by the City process even though it could be frustrating at times. She said based on what happened this evening, she would vote on any of the Councilmembers even though they were not in her ward. She thanked everyone for their consideration and plans to work together with the neighborhood and the school because she wants the school to be successful.

Councilmember Williams said he always treats everyone fairly and sometimes changes his mind after hearing the full presentation. He said he digs in a lot deeper when there is a large protest because he feels he owes that to every citizen in Norman who owns a home. He said he is confident in the way he votes every time and he tries to vote his conviction as well.

Councilmember Heiple thanked Councilmember Williams for sticking to his decision. He said it is difficult to be the lone wolf and he sincerely respects his decision.

*

League of Women Voters Luncheon. Ms. Mary Francis, 850C Cardinal Creek Condos, invited everyone to attend the League of Women Voters Fall Hot Topic Luncheon on Wednesday, November 13th at 11:30 a.m. at the Interurban Restaurant. The guest speaker is Professor Joe Thai who will be speaking about the Supreme Court Decision regarding Campaign Financing.

*

Miscellaneous Discussion, continued:

Wastewater Rate Increase Election. Mayor Rosenthal thanked the voters who turned out today to approve the rate increase. She said the margin of approval, approximately 76% in favor, was very gratifying because this is very critical project.

Councilmember Holman said Precinct 13 which is in his ward consistently has the lowest turnout in the eleciton. He said at 3:00 p.m. today he was the sixth voter. This precinct is made up of 85% University students including all the dormitories and most of the fraternities and sororities. He said only 410 people voted in the City Council election out of 10,000 registered voters. He said many students he had spoken with did not know they could vote in City elections and only voted in Presidential or Gubernatorial elections. He stressed to all University students that decisions made at City Hall affect their experience in Norman and urged them to vote. He hoped students would vote in the City elections in order to gain some sort of ownership in the community. It might lead to someone staying in Norman and opening a business, building a home, or starting a family.

Councilmember Kovach said he is impressed by the citizens of Norman for making this a successful election. He said when Council gives citizens the facts and states them clearly, the Norman citizens always come through.

Councilmember Heiple thanked voters for approving the Wastewater proposal this evening.

*

Thanks for Attendance. Councilmember Holman thanked those who attended tonight's meeting and wished this many people would attend all Council meetings. 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.

*

Veteran's Day. Councilmember Williams thanked everyone who celebrated Veteran's Day on Monday. He said it was an honor to celebrate with several veterans and was gratified to know that there were many celebrations throughout the metro area.

* * * * *

ADJOURNMENT

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

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

The Mayor declared the motion carried and the meeting was adjourned at 11:50 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-1314-23

File ID: O-1314-23 **Type:** Zoning Ordinance **Status:** Consent Item

Version: 2 **Reference:** Item No. 5 **In Control:** City Council

Department: City Council Planning and Community Development Committee **Cost:** **File Created:** 10/17/2013

File Name: Sooner Mobile Home Redevelopment PUD O-1314-23 **Final Action:**

Title: CONSIDERATION OF ORDINANCE NO. O-1314-23 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 PART OF LOT 1, BLOCK 1, OF SOONER MOBILE HOME PARK ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-1, LOCAL COMMERCIAL DISTRICT, THE R-3, MULTI-FAMILY DWELLING DISTRICT, THE RM-4, MOBILE HOME PARK DISTRICT, AND THE A-2, RURAL AGRICULTURAL DISTRICT, AND PLACE THE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2601 SOUTH CLASSEN BOULEVARD)

Notes: ACTION NEEDED: Motion to introduce and adopt Ordinance No. O-1314-23 upon First Reading by title.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 5

Attachments: Text File O-1314-23.pdf, O-1314-23, PUD Narrative and Exhibits.pdf, Location Map, PUD Staff Report, 11-14-13 PC Minutes - Sooner Mobile Home Redevelopment

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:
2	Planning Commission	11/14/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	11/26/2013		Pass

Action Text: A motion was made by Commissioner Gasaway, 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 12/10/2013. The motion carried by the following vote:

Text of Legislative File O-1314-23

Body

SYNOPSIS: The applicant, Sooner Mobile Home Redevelopment, L.L.C. has submitted a request to rezone property from an existing mobile home and RV park currently zoned; C-1, Local Commercial District, R-3, Multi-family Dwelling District, RM-4, Mobile Home Park District and A-2, Rural Agricultural District into a PUD, Planned Unit Development for a student based housing project. The land under review was set aside on the first long range plan as High Density Residential. This designation of High Density Residential use was changed on the COMPLAN to Medium Density Residential in 1981. The NORMAN 2020 changed the area to High Density Residential in 1997. Then in 2004 the NORMAN 2025 Land Use and Transportation Plan changed the designation to Low Density Residential.

ANALYSIS: The particulars of this PUD include:

USE: As proposed, the project will be a student based housing development focusing on the University of Oklahoma student population as residents.

DESIGN: There will be two gated entrances for this PUD. One entrance will be from Classen Street and the second from Constitution Street. Both Classen Street and Constitution Street extend through the proposed commercial development located west of the area for the PUD. The project will consist of approximately 130 buildings, 179 units, 623 bedrooms and associated amenities of a pool, theater room and clubhouse. These buildings will be built in the "American Craftsman Style", similar to a townhouse design.

OPEN SPACE: There are open space and green space areas located throughout the PUD. The total open space area proposed is approximately 13 acres.

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 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."

PARKING: The parking is distributed throughout the development, and the number of spaces meet the City code requirements.

FENCING: Fencing may be constructed at all perimeter areas of the PUD. The materials may be of masonry, pre-cast concrete, metal/iron or wood. Per the current Zoning Ordinance any fencing materials are permitted except corrugated fiberglass, corrugated metal, unpainted sheet metal, or any barbed wire. The only area required to be screened with fencing is the north side of this PUD. However, staff recommends that with the large buffer/flood plain area along the north side of this development, between this proposal and the single-family to the north, that there be no fencing constructed in that location.

OTHER AGENCY COMMENTS:

PARK BOARD

The park fees were paid for this site when the Sooner Mobile Home Park was platted in 1981. There will be no additional park fees due for the residential portion of the development.

PUBLIC WORKS/UTILITIES

A detention facility will be provided for storm water run-off. Water and sanitary sewer is available to the property and will consist of both private and public lines within the PUD. Interior public sewer lines will be installed per City standards. Water lines will be installed per City standards to serve for fire protection.

A Traffic Impact Study was submitted and reviewed by City staff. A modification to the lane assignments, traffic signals and striping will be implemented for the Classen Boulevard and Constitution Street intersection. The existing split phasing element will be eliminated for the east/west leg of the intersection of Classen Boulevard

and Constitution Street. The construction of a left turn lane, signal modification, i.e. pole replacement/pole arm extensions will be implemented at the intersection of 12th Avenue SE and Classen Boulevard. Upgrading of the traffic signal, controller/cabinet and new pavement for roadway access will also be executed at the redesigned intersection of Classen Boulevard and 12th Avenue SE.

STAFF RECOMMENDATION: This area of south Norman has continued to grow in recent years. The new student based housing developments to the south and east of this proposal, in addition to the new commercial developments to the south and west demonstrates the area is changing. With the recent developments this proposal will fit well with the area.

Staff recommends approval of ORDINANCE NO. O-1314-23.

Planning Commission, at their meeting of November 14, 2013, unanimously recommended adoption of this ordinance, 9-0.

O-1314-23

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 LOT 1, BLOCK 1, OF SOONER MOBILE HOME PARK ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-1, LOCAL COMMERCIAL DISTRICT, THE R-3, MULTI-FAMILY DWELLING DISTRICT, THE RM-4, MOBILE HOME PARK DISTRICT, AND THE A-2, RURAL AGRICULTURAL DISTRICT, AND PLACE THE SAME IN THE PUD, PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2601 S. Classen Boulevard)

§ 1. WHEREAS, Sooner Mobile Home Redevelopment, L.L.C., has made application to have the subject property removed from the C-1, Local Commercial District, the R-3, Multi-Family Dwelling District, the RM-4, Mobile Home Park 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-1, Local Commercial District, the R-3, Multi-Family Dwelling District, the RM-4, Mobile Home Park District, and the A-2, Rural Agricultural District, and place the same in the PUD, Planned Unit Development District, to wit:

A tract of land being a part of Lot 1, Block 1, SOONER MOBILE HOME PARK, an Addition to the City of Norman, Cleveland County, Oklahoma according to the plat recorded in Book 13 of Plats, Page 21, AND a tract of land lying in the Southwest Quarter of Section 4, Township 8 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma, all being more particularly described as follows:
COMMENCING at the northwest corner of said Southwest Quarter;
THENCE South 00°41'23" East, along the west line of said Southwest Quarter, a distance of 1524.67 feet to the POINT OF BEGINNING;
THENCE North 89°16'56" East a distance of 571.40 feet;
THENCE North 00°09'12" West a distance of 1,016.83 feet to a point on the south line of Common Area B, CEDAR CREEK recorded in Book 20 of Plats, Page 7;
THENCE along said south line, the following Two (2) courses:

1. North 62°31'34" East a distance of 262.60 feet;
2. North 89°35'10" East a distance of 500.43 feet to the southeast corner of said Block B;

THENCE South 00°45'58" East, along the west line of Lot 1, Block 1, AMENDED FINAL PLAT OF THE COTTAGES AT NORMAN, an Addition to the City of Norman recorded in Book 23 of Plats, Page 13 extended north and the east line of said SOONER MOBILE HOME PARK extended north, a distance of 1,375.96 feet to the southeast corner of said SOONER MOBILE HOME PARK and the northeast corner of Lot 1, Block 1, CRIMSON PARK ADDITION, an Addition to the City of Norman, recorded in Book 20 of Plats, Page 143;
THENCE South 89°14'32" West, along the south line of said SOONER MOBILE HOME PARK, north line of said CRIMSON PARK ADDITION and the north line of Lot 1, Block 1, CRIMSON CENTRE ADDITION, an Addition to the City of Norman, recorded in Book 22 of Plats, Page 35, a distance of 1,251.19 feet to the southwest corner of said SOONER MOBILE HOME PARK, also being a point on the east right of way line of U.S. Highway 77 as shown on said plat;
THENCE North 27°36'15" West, along the west line of said SOONER MOBILE HOME PARK and said east right of way line, a distance of 146.72 feet to a point on the west line of said Southwest Quarter, also being the west line of said SOONER MOBILE HOME PARK;
THENCE North 00°41'23" West, along the west line of said SOONER MOBILE HOME PARK and west line of said Southwest Quarter, a distance of 113.63 feet to the POINT OF BEGINNING.

Said described tract of land contains an area of 1,142,433 square feet or 26.2267 acres, more or less.

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

a. The site shall be developed in accordance with the PUD Narrative (which includes: Exhibit A – Preliminary Plat; Exhibit B – Preliminary Site Development Plan; Exhibit C – Calculations of Intensity of Uses; Exhibit D – Proposed Open Space Areas; and Exhibit E – Landscape Plan), approved by the Planning Commission on November 14, 2013, 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)

SOONER MOBILE HOME REDEVELOPMENT

NORMAN, OKLAHOMA

OWNER: SOONER MOBILE HOME REDEVELOPMENT, LLC

APPLICATION FOR REZONING PLANNED UNIT DEVELOPMENT
APPLICATION FOR NORMAN 2025 LAND USE AND TRANSPORTATION PLAN AMENDMENT
PRELIMINARY PLAT

PREPARED BY:

EZZELL & WADLEY, P.L.L.C.
HAL WM. EZZELL
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NORMAN, OKLAHOMA 73072

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I. INTRODUCTION

This SOONER MOBILE HOME REDEVELOPMENT project (the "**Addition**") is proposed as a Planned Unit Development and Preliminary Plat of roughly 26.22 acres, located in Ward 1 of the City of Norman (see attached **EXHIBIT A**). The Addition lies on the East side of Classen Boulevard at the intersection of Classen Boulevard and Constitution Street, in Norman, Oklahoma. The Addition will provide for the development of multifamily, medium density residential units. The project is focused upon campus student housing, catering to students at the University of Oklahoma.

The Developer, Aspen Heights, is a national student housing developer and manager headquartered in Austin, Texas. Aspen Heights has reinvented the concept of student housing by building neighborhoods of American Craftsman-style homes with all of the amenities of a luxury apartment complex.

Aspen Heights' unique product includes residential buildings built in the American Craftsman style characterized by clean lines and quality materials. Aspen Heights' residences far exceed the prevailing standard in the student housing industry in their attention to detail, luxury finishes, amenities and size. Homes feature an open kitchen-den concept, large individual bedrooms and attached bathrooms and walk-in closets. Aspen Heights' neighborhoods typically feature resort-style pools, 24-hour fitness rooms, movie theaters, beach volleyball courts, running trails and more.

II. PROPERTY DESCRIPTION/GENERAL SITE CONDITIONS

A. Location

The Addition lies on the East side Classen Blvd. as its turns into 12th Avenue S.E. at Constitution Street, in Norman, Oklahoma.

B. Existing Land Use and Zoning

The proposed PUD is currently 2025 Planned for commercial and low density residential and is currently zoned C-1, RM-4, and R-3. The Property is currently the site of Sooner Mobile Home Park and RV Community with Classen Blvd. abutting the west boundary and similar student oriented housing projects located directly south and east with Crimson Park Apartments and the Cottages of Norman. To the west is C-2 General Commercial zoning, with occupied uses of a convenience store with a fuel station and a strip shopping center attached with a package liquor store on the northwest corner of the intersection of Classen Blvd. and Constitution St. and another strip shopping center on the southwest corner of Classen Blvd. and Constitution St. consisting of a movie rental store, hair salon and credit union branch. Also west of the property is the OU Motel. To the north is flood plain that will remain as undeveloped greenbelt and a buffer to the Cedar Creek subdivision. The owner plans to close the Sooner Mobile Home Park and RV Community and has notified the tenants of the closure and redevelopment to be sought for the property.

C. Elevation and Topography

This Property is generally flat with low slope topography. The north boundary of the Property is in the FEMA 100-year flood plain and will remain as essentially an undeveloped greenbelt area. This also leaves that portion of the Property available for utilization in the City of Norman Greenway Master Plan.

D. Drainage

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

E. Utility Services

Many of the required utility systems for the project (including water, sewer, gas, telephone and electric) are currently located adjacent to, or in very near proximity to, the boundaries of the Property. Many of the services exist along Classen Boulevard an Urban Principal Arterial Street.

F. Fire Protection Services

Fire Protection services will be provided by the City of Norman Fire Department and by Owner provided building sprinkler systems if required by building codes in individual structures.

G. Traffic Circulation and Access

Primary vehicular access to the Addition/PUD will be provided by way of Classen Boulevard. The access corridors within the PUD will be private.

III. DEVELOPMENT PLAN AND DESIGN CONCEPT

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

A. Medium Density Residential District

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

1. Uses; Design

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

a. The proposed intensity of uses shall be approved as put forth on attached **EXHIBIT C**.

b. Height: Structures may not exceed three stories, or forty-five (45) feet, whichever is greater.

c. Exterior Materials. The Addition/PUD homes and structures are designed in the American Craftsman style architecture. The exteriors are fiber-cement boards (cemintitious siding) with wood and natural stone accents. Roofs are architectural style asphalt shingles with select Aluminum accents.

d. Density: The Addition may be developed to a density of up to a maximum of 7.5 units per acre. That figure is based on the preliminary plans, which include approximately 179 residential units over 26.22 acres, which is planned density of 6.8 units per acre (7.5 being submitted to allow for up to a 10% overage as needed).

e. Impervious Area: The total amount of impervious area, including all building footprints and paved areas shall not cover more than seventy nine (79) percent of lot area.

f. Accessory Buildings: Accessory buildings such as, but not limited to, a common area clubhouse and related uses are allowed and may contain uses consistent with, but not limited to, office, fitness, residents' movie theater, game room, library, lounge, meeting room, swimming pool and accessory buildings, model unit, maintenance and equipment rooms, etc. Accessory buildings not to exceed the height of the principal residential buildings and shall be in harmony with the adjacent buildings.

g. Athletic and recreational courts and facilities are allowed as support uses within the residential district.

h. Minimum building setbacks shall be maintained as per the City Council approved Preliminary Site Development Plan, which is attached herewith and as shown as **EXHIBIT B**.

2. Parking

Parking will be accommodated by way of common area parking lots within the PUD, and/or by way of parallel parking along the private streets within the PUD. The areas allowing parallel parking will provide a 20' (twenty-foot) clear aisle for emergency vehicles.

3. Dumpster and Trash Enclosures

A trash compactor and its enclosure may be located on site to facilitate resident trash removal. Any dumpster enclosure will be built of materials to be compatible with the building exteriors in the Addition. Location of dumpsters and compacters will be as approved by the City of Norman Sanitation department. Dumpster enclosures will be built to city standards.

B. Miscellaneous Development Criteria

1. Site Plan and Final Plat

The preliminary site development plan for the medium density residential areas currently submitted with this PUD shall be incorporated herein as an integral part of the PUD, upon approval by the City Council, 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. Amenities

Open space and green space areas are located throughout the Addition. Within the area of the Addition, open green space totals over approximately 13.99 acres, or over approximately 53% of the total site area. See **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; buffering

Fencing may be constructed at all perimeter areas of the Addition/PUD, and within the Addition, per the Developer's discretion. Construction material may be of masonry, pre-cast concrete, metal/iron, or wood, or any combination thereof, and other materials as compatible with the building

structures of the Addition in sufficient manner to secure and screen that edge condition.

5. **Traffic access/circulation/parking and sidewalks**

The access to the PUD will be from Classen Boulevard. Developer reserves the option to provide gated access at West boundary of the PUD property subject to any such gated entry being designed per the City of Norman standards as required for emergency vehicle access and adequate traffic control. If applicable, landscape buffers will accommodate all City of Norman traffic division sight triangle requirements. All internal drives and streets will be private and will have adequate circulation provided for the Fire Department and City Waste Management Services.

All interior sidewalks for PUD will be at least four feet (4') wide and provide adequate access to the buildings along with all project amenities.

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. The proposed Landscaping Plan is attached as **EXHIBIT E**.

8. **Public Parkland**

Fees in lieu of a park land dedication were paid under the platting process for the original Sooner Mobile Home Park.

EXHIBIT "A"

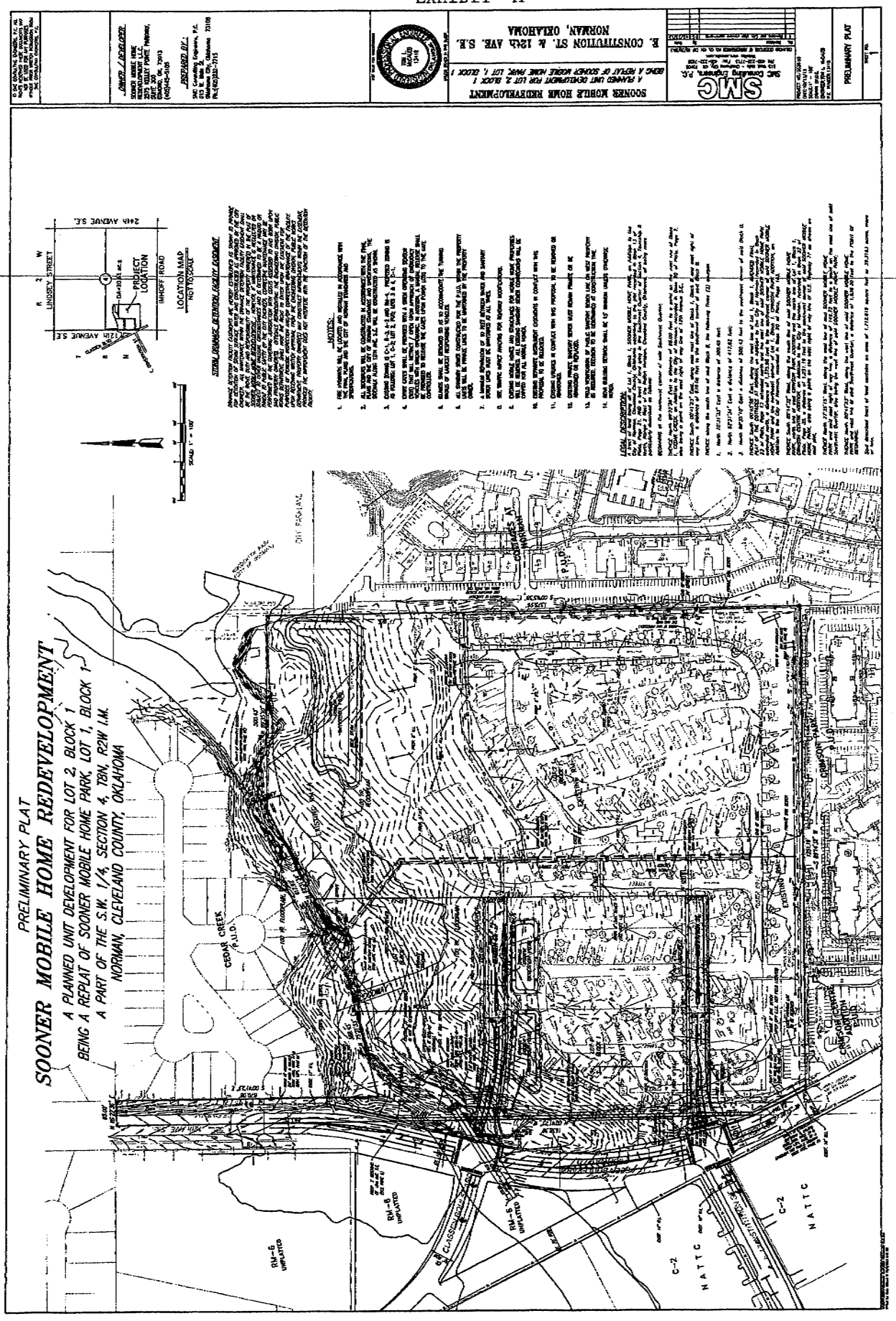

PRELIMINARY PLAT
SOONER MOBILE HOME REDEVELOPMENT
A PLANNED UNIT DEVELOPMENT FOR LOT 2, BLOCK 1
BEING A REPLAT OF SOONER MOBILE HOME PARK, LOT 1, BLOCK 1
A PART OF THE S.W. 1/4, SECTION 4, T8N, R2W I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA
SOONER MOBILE HOME REDEVELOPMENT
E. CONSTITUTION ST. & 12th AVE. S.E.
NORMAN, OKLAHOMA
PRELIMINARY PLAT
LOCATION MAP
NOT TO SCALE
PROJECT LOCATION
24th AVENUE S.E.
12th AVENUE S.E.
UNDSEY STREET
IMHOFF ROAD
CEDAR CREEK P.U.D.
RM-6 UNPLATTED
C-2
NATTC

EXHIBIT "B"

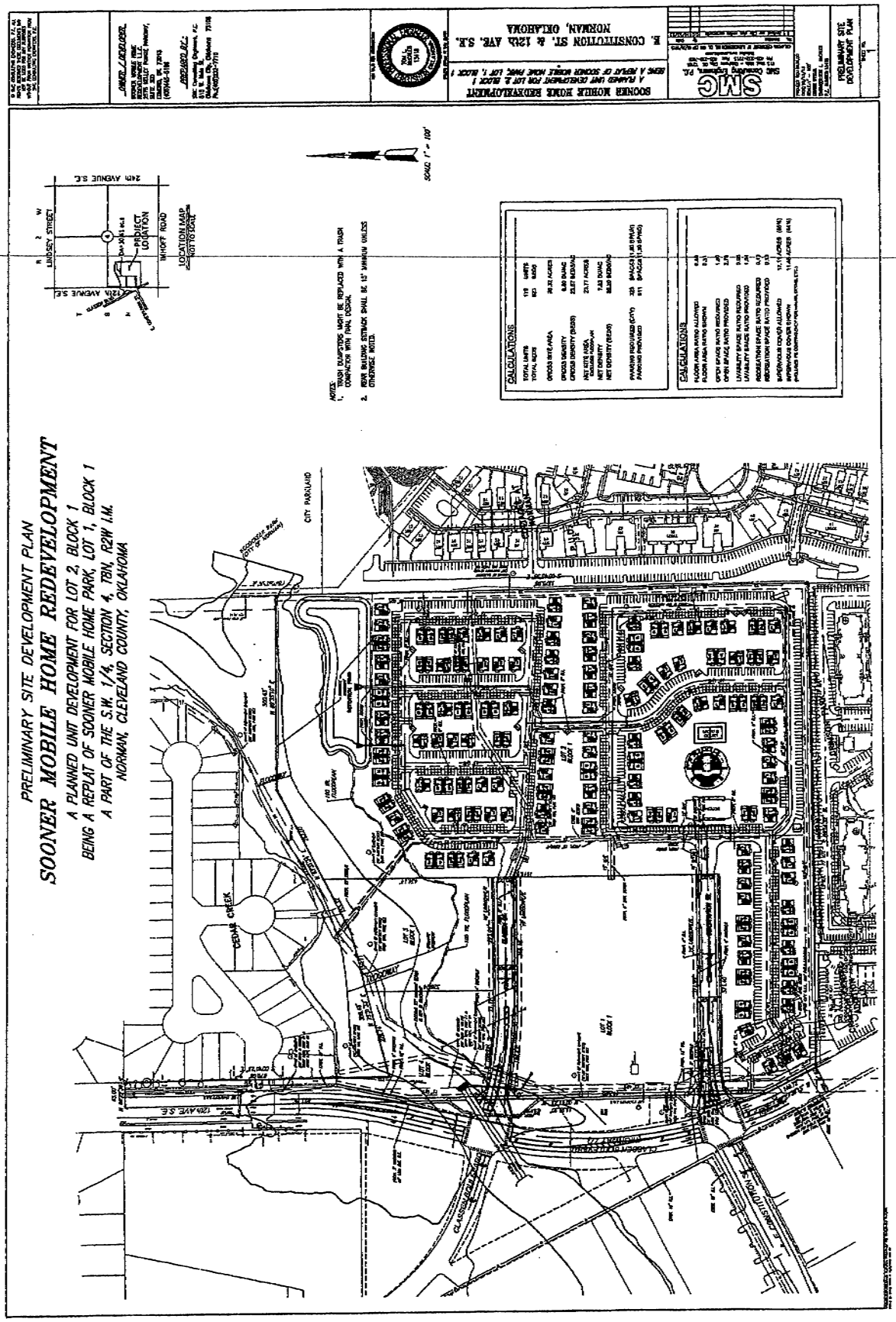

PRELIMINARY SITE DEVELOPMENT PLAN
SOONER MOBILE HOME REDEVELOPMENT
A PLANNED UNIT DEVELOPMENT FOR LOT 2, BLOCK 1
BEING A REPLAT OF SOONER MOBILE HOME PARK, LOT 1, BLOCK 1
A PART OF THE S.W. 1/4, SECTION 4, T8N, R2W I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA
CITY PARKLAND
CEDAR CREEK
LINDSEY STREET
24th AVENUE S.E.
12th AVENUE S.E.
PROJECT LOCATION
IMHOFF ROAD
LOCATION MAP
NOT TO SCALE
SCALE: 1" = 100'
CALCULATIONS
SOONER MOBILE HOME REDEVELOPMENT
E. CONSTITUTION ST. & 12th AVE. S.E.
NORMAN, OKLAHOMA
PRELIMINARY SITE DEVELOPMENT PLAN

EXHIBIT C

Calculations of Intensity of Uses

CALCULATIONS

TOTAL UNITS	179 UNITS
TOTAL BEDS	623 BEDS
GROSS SITE AREA	26.32 ACRES
GROSS DENSITY	6.8 DU/AC
GROSS DENSITY (BEDS)	23.67 BEDS/AC
NET SITE AREA EXCLUDES FLOODPLAIN	23.77 ACRES
NET DENSITY	7.53 DU/AC
NET DENSITY (BEDS)	26.2 BEDS/AC
PARKING REQUIRED (CITY)	323 SPACES (1.80 SP/UN)
PARKING PROVIDED	811 SPACES (3.60 SP/UN)

CALCULATIONS

FLOOR AREA RATIO ALLOWED	0.40
FLOOR AREA RATIO SHOWN	0.31
OPEN SPACE RATIO REQUIRED	1.80
OPEN SPACE RATIO PROVIDED	2.75
LIVABILITY SPACE RATIO REQUIRED	0.95
LIVABILITY SPACE RATIO PROVIDED	1.94
RECREATION SPACE RATIO REQUIRED	0.13
RECREATION SPACE RATIO PROVIDED	0.13
IMPERVIOUS COVER ALLOWED	17.11 ACRES (65%)
IMPERVIOUS COVER SHOWN (INCLUDES 7% CONTINGENCY FOR WALKS, DECKS, ETC.)	11.48 ACRES (444%)

EXHIBIT D
Proposed Open Space Areas

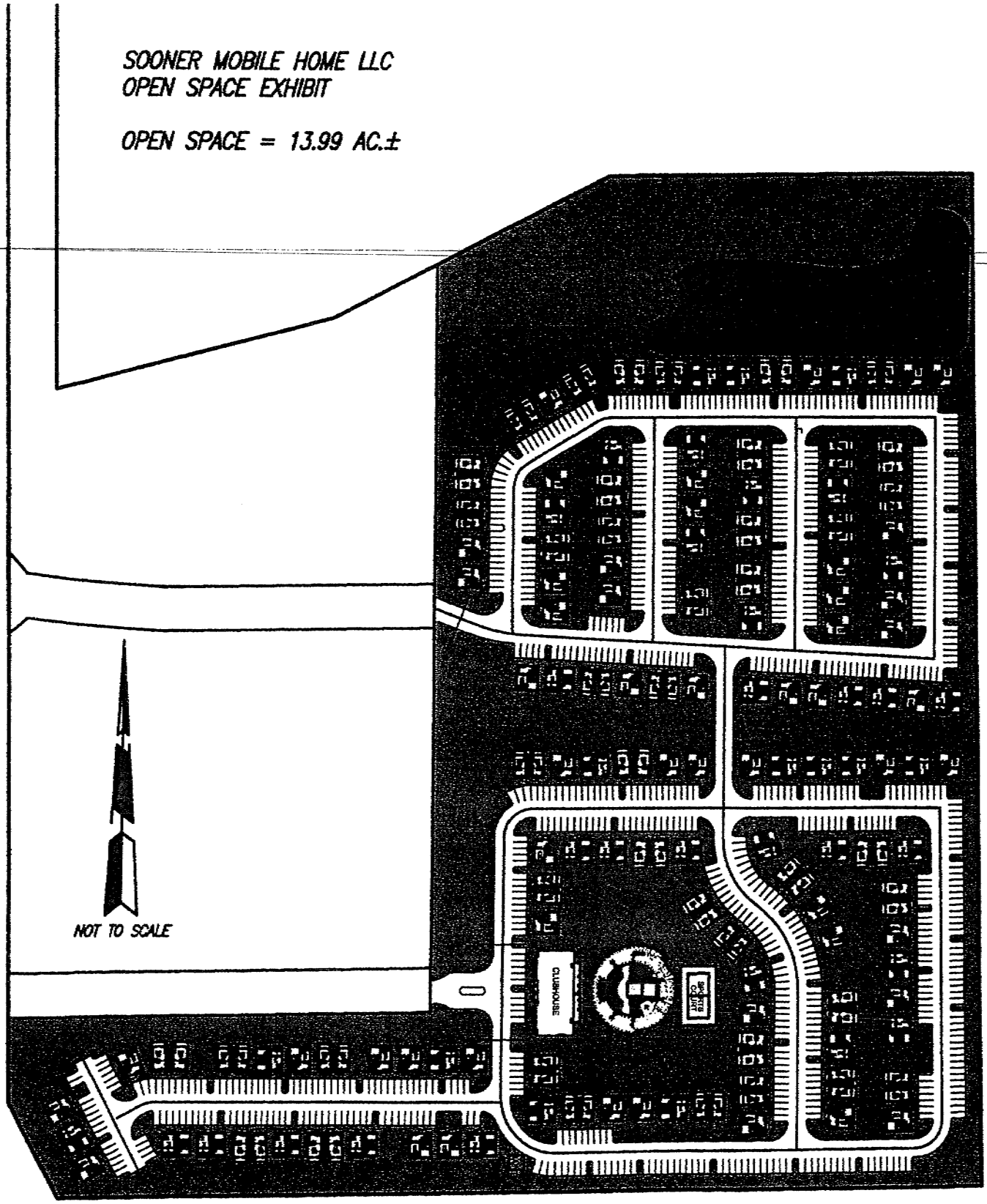
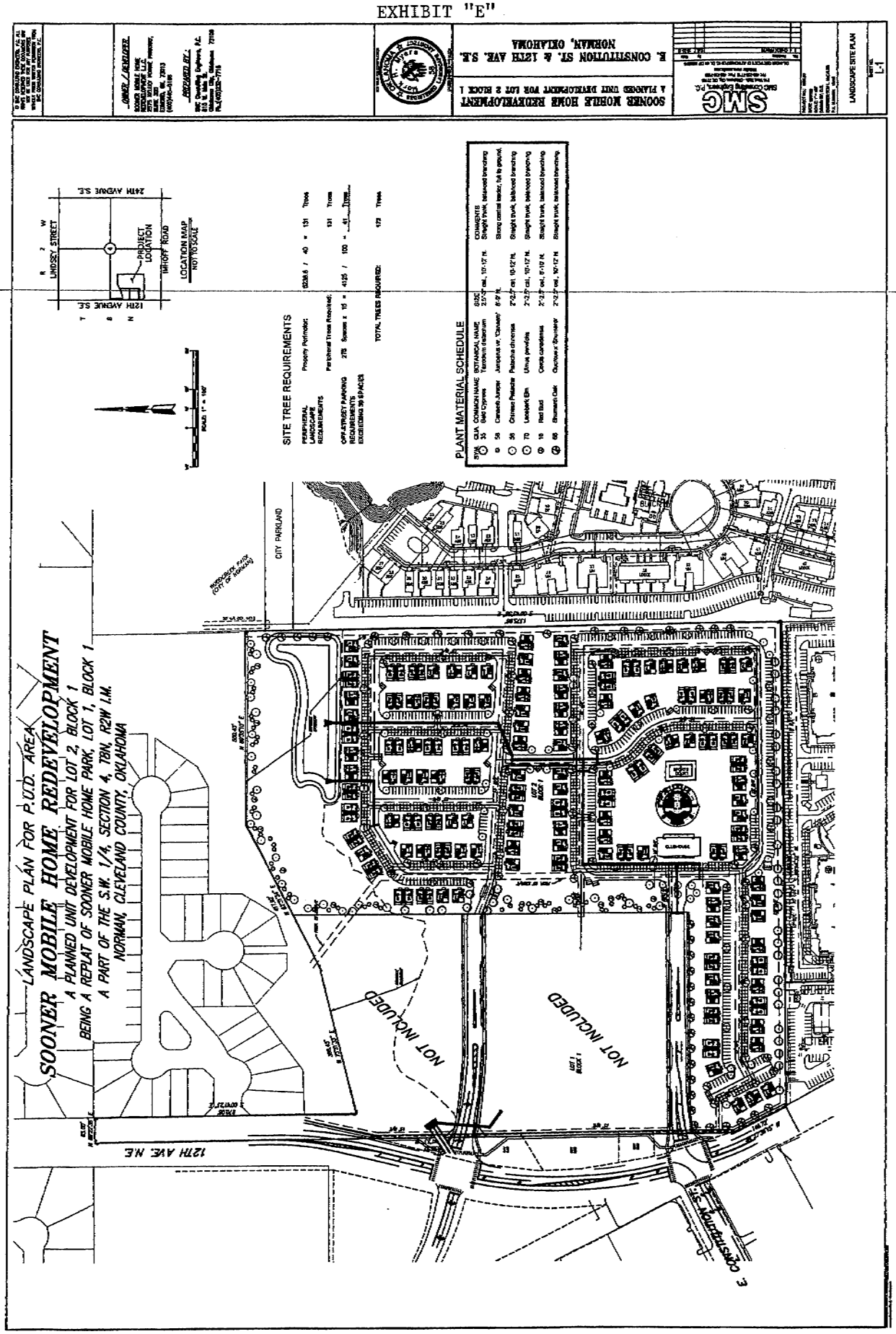
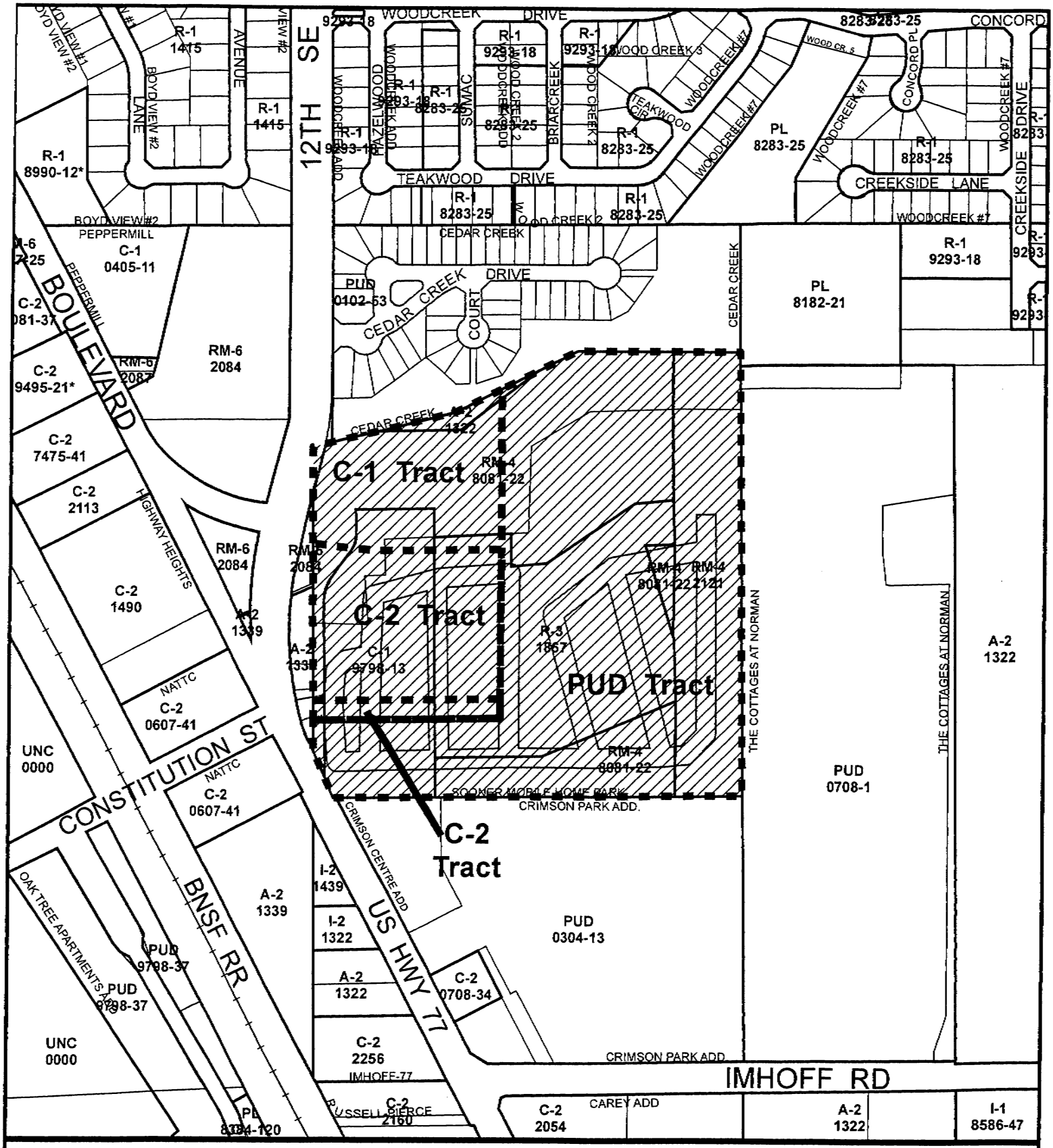


EXHIBIT "E"


LANDSCAPE PLAN FOR P.U.D. AREA
SOONER MOBILE HOME REDEVELOPMENT
A PLANNED UNIT DEVELOPMENT FOR LOT 2, BLOCK 1
BEING A REPLAT OF SOONER MOBILE HOME PARK, LOT 1, BLOCK 1
A PART OF THE S.W. 1/4, SECTION 4, T8N, R2W I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA
SITE TREE REQUIREMENTS
PLANT MATERIAL SCHEDULE
LOCATION MAP
NOT TO SCALE
PROJECT LOCATION
LINDSEY STREET
24TH AVENUE S.E.
12TH AVENUE S.E.
CITY PARKLAND
NOT INCLUDED
NOT INCLUDED
12TH AVE. N.E.
E. CONSTITUTION ST.
SOONER MOBILE HOME REDEVELOPMENT
A PLANNED UNIT DEVELOPMENT FOR LOT 2 BLOCK 1
E. CONSTITUTION ST. & 12TH AVE. S.E.
NORMAN, OKLAHOMA
LANDSCAPE SITE PLAN
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

October 22, 2013

0 200 400 Ft.

Subject Tract

Zoning

5-16

ORDINANCE NO. O-1314-23 ITEM NO. 3b

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Sooner Mobile Home Redevelopment, L.L.C.
REQUESTED ACTION	Rezoning to PUD, Planned Unit Development District
EXISTING ZONING	C-1, Local Commercial District; RM-4, Mobile Home Park District; R-3, Multi-Family Dwelling District and A-2, Rural Agricultural District
SURROUNDING ZONING	North: PUD, Planned Unit Development East: PUD, Planned Unit Development South: PUD, Planned Unit Development West: C-1, Local Commercial District; RM-4, Mobile Home Park District; R-3, Multi-Family Dwelling District
LOCATION	2601 South Classen Boulevard
SIZE	26.22 acres
PURPOSE	Student Based Housing Development
EXISTING LAND USE	Mobile Home Park
SURROUNDING LAND USE	North: Single-Family Residential East: Multi-Family Residential South: Multi-Family Residential and Commercial West: Commercial

SYNOPSIS: The applicant has submitted a request to rezone property from an existing mobile home and RV park, RM-4, Mobile Home Park District, into a PUD, Planned Unit Development for a student based housing project. The land under review was set aside on the first long range plan as High Density Residential. This designation of High Density Residential use was changed on the COMPLAN to Medium Density Residential in 1981. The NORMAN 2020 changed the area to High Density Residential in 1997. Then in 2004 the

NORMAN 2025 Land Use and Transportation Plan changed the designation to Low Density Residential.

ANALYSIS: The particulars of this PUD include:

1. USE As proposed, the project will be a student based housing development focusing on the University of Oklahoma student population as residents.

2. DESIGN There will be two gated entrances for this PUD. One entrance will be from Classen Street and the second from Constitution Street. Both Classen Street and Constitution Street extend through the proposed commercial development located west of the area for the PUD. The project will consist of approximately 130 buildings, 179 units, 623 bedrooms and associated amenities of a pool, theater room and clubhouse. These buildings will be built in the "American Craftsman Style", similar to a townhouse design.

3. OPEN SPACE There are open space and green space areas located throughout the PUD. The total open space area proposed is approximately 13 acres.

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

5. SIGNAGE All signage shall be in conformance with the City of Norman 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."

6. PARKING The parking is distributed throughout the development, in number of spaces that meet the City requirements.

7. FENCING Fencing may be constructed at all perimeter areas of the PUD. The materials may be of masonry, pre-cast concrete, metal/iron or wood. Per the current Zoning Ordinance any fencing materials are permitted except that of corrugated fiberglass, corrugated metal, or unpainted sheet metal, nor any barbed wire. The only area required to be screened with fencing is the north side of this PUD. However, staff recommends that with the large buffer/flood plain area along the north side of this development, between this proposal and the single-family to the north, that there be no fencing required.

OTHER AGENCY COMMENTS:

- **PARK BOARD** The park fees were paid for this site when the Sooner Mobile Home Park was platted in 1981. There will be no additional fees due for the residential portion of the development.

- **PUBLIC WORKS/UTILITIES** A detention facility will be provided for storm water run-off. Water and sanitary sewer is available to the property and will consist of both private and public lines within the PUD. Interior public sewer lines will be installed per City standards. Water lines will be installed per City standards to serve for fire protection.

A Traffic Impact Study was submitted and reviewed by City staff. A modification to the lane assignments, traffic signals and striping will be implemented for the Classen Boulevard and Constitution Street intersection. The existing split phasing element will be eliminated for the east/west leg of the intersection of Classen Boulevard and Constitution Street. The construction of a left turn lane, signal modification, i.e. pole replacement/pole arm extensions will be implemented at the intersection of 12th Avenue SE and Classen Boulevard. Upgrading of the traffic signal, controller/cabinet and new pavement for roadway access will also be executed at the redesigned intersection of Classen Boulevard and 12th Avenue SE.

STAFF RECOMMENDATION: This area of south Norman has continued to grow in recent years. The new student based housing developments to the south and east of this proposal, in addition to the new commercial developments to the south and west demonstrates the area is changing. With the recent developments this proposal will fit well with the area.

Staff recommends approval of ORDINANCE NO. O-1314-23.

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

NOVEMBER 14, 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 14th day of November 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	Curtis McCarty Jim Gasaway Roberta Pailes Andy Sherrer Cindy Gordon Dave Boeck Sandy Bahan Tom Knotts Chris Lewis
MEMBERS ABSENT	None

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 Scott Sturtz, City Engineer Roné Tromble, Recording Secretary Leah Messner, Asst. City Attorney Larry Knapp, GIS Analyst II Terry Floyd, Development Coordinator

* * *

Item No. 3, being:
SOONER MOBILE HOME REDEVELOPMENT, L.L.C. AT 2601 S. CLASSEN BOULEVARD

3A. R-1314-54 – SOONER MOBILE HOME REDEVELOPMENT, L.L.C., REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM LOW DENSITY RESIDENTIAL DESIGNATION, FLOODPLAIN DESIGNATION, AND COMMERCIAL DESIGNATION TO MEDIUM DENSITY RESIDENTIAL DESIGNATION AND COMMERCIAL DESIGNATION FOR PROPERTY LOCATED AT 2601 S. CLASSEN BOULEVARD.

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

3B. O-1314-23 – SOONER MOBILE HOME REDEVELOPMENT, L.L.C. REQUESTS REZONING FROM C-1, LOCAL COMMERCIAL DISTRICT, RM-4, MOBILE HOME PARK DISTRICT, R-3, MULTI-FAMILY DWELLING DISTRICT, AND A-2, RURAL AGRICULTURAL DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT, FOR PROPERTY GENERALLY LOCATED AT 2601 S. CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. PUD Narrative with Exhibits A-E

3C. O-1314-24 – SOONER MOBILE HOME REDEVELOPMENT, L.L.C. REQUESTS REZONING FROM C-1, LOCAL COMMERCIAL DISTRICT, RM-4, MOBILE HOME PARK DISTRICT, AND R-3, MULTI-FAMILY DWELLING DISTRICT, TO C-2, GENERAL COMMERCIAL DISTRICT, FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 12TH AVENUE S.E. BETWEEN CLASSEN BOULEVARD AND CONSTITUTION STREET, AT 2601 S. CLASSEN BOULEVARD.
and
3D. O-1314-25 – SOONER MOBILE HOME REDEVELOPMENT, L.L.C. REQUESTS REZONING FROM RM-4, MOBILE HOME PARK DISTRICT, AND A-2, RURAL AGRICULTURAL DISTRICT, TO C-1, LOCAL COMMERCIAL DISTRICT, FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 12TH AVENUE S.E. NORTH OF THE INTERSECTION WITH CLASSEN BOULEVARD, AT 2601 S. CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Site Development Plan

3E. PP-1314-10 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY SOONER MOBILE HOME REDEVELOPMENT, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR SOONER MOBILE HOME REDEVELOPMENT ADDITION, A PLANNED UNIT DEVELOPMENT, (A REPLAT OF SOONER MOBILE HOME PARK ADDITION), LOCATED AT 2601 S. CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Preliminary Site Plan (Commercial Areas)
6. Preliminary Site Development Plan (PUD Area)
7. Request for Alley Waiver (Commercial Areas)

PRESENTATION BY STAFF:
1. Jane Hudson – You have five applications before you tonight for the redevelopment of the Sooner Mobile Park and RV Community. The existing 2025 Land Use and Transportation Plan

shows that the current site has Low Density Residential and Commercial. If updated, you would have Medium Density Residential with Commercial. You have Low Density Residential to the north and to the east, Medium Density Residential and Commercial to the south, and Commercial across Classen to the west. The existing zoning for the Planned Unit Development shows a single-family PUD to the north, multi-family student housing PUDs to the east and to the south, and commercial zoning to the west. The C-1 tract would consist of possibly some restaurants. The C-2 tract is proposed for a gas station and a grocery store. The existing zoning in that area is, again, like the Planned Unit Development with single-family to the north, multi-family to the east and south. The preliminary plat encompasses the entire proposal. The existing land use in the area is the single-family to the north, multi-family student housing to the east and south, additional commercial to the south and across Classen Boulevard. This is a photo of the site at the corner of Constitution and Classen Boulevard; that is the current entrance for the mobile home park. This is the existing commercial strip mall to the southwest at Constitution and Classen. There is also commercial on the northwest corner of Constitution and Classen. This is a photo of the gated single-family Planned Unit Development that is on the north side of the development. This is looking back to the south; that's the heavily treed area where the mobile home park currently exists. This is that commercial strip mall that is directly south of the proposed development. This is the multi-family to the south and the multi-family area to the east of the proposal. This is an aerial photo to give you an idea of the mobile home park in the center with the multi-family on the east and south, the commercial development, and the single-family to the north. The application has gone through the process for us. It has gone through Pre-Development; no protests at the Pre-Development meeting. It went before Greenbelt Commission, however there was not a quorum at the Greenbelt Commission, so it was moved forward to Planning Commission tonight. Staff is in support of these applications and does recommend approval for Resolution No. R-1314-54, which is for the land use changes, Ordinance Nos. O-1314-23, O-1314-24, and O-1314-25, which are the Planned Unit Development, C-2 zoning, and C-1 zoning, as well as PP-1314-10 for the preliminary plat. The applicant's representative is here with a presentation and staff is available for questions if you have any.

PRESENTATION BY THE APPLICANT:

1. Hal Ezzell, 100 48th Avenue N.W., representing the applicant Sooner Mobile Home Redevelopment, L.L.C. – I'm only going to speak very briefly, and I'm going to turn it over to Mr. Tommy Martin with SMC Engineers to go through some of the technical aspects and utility aspects of the project, and then I will come back up to address some of the items with regard to the PUD development within it. We also have available, should you have any questions, representatives from the traffic engineering firm, as well as the ownership, and as well as the people who will be developing the PUD. So, with that, I'm going to turn it over to Mr. Tommy Martin and let him move forward on some of the technical aspects. Thank you.

2. Tommy Martin, SMC Consulting Engineers, 815 W. Main Street in Oklahoma City, engineer for the applicant – First of all, I'd like to thank this Commission for allowing us to address you this evening. This tract of land is further described in your staff report. All engineering issues have been identified and examined. A brief history: the site was previously platted in 1983 by our firm for the mobile home usage. Subsequently, our firm also rezoned a small area of the western portion of the tract to C-1. Solutions have been prepared and submitted to staff. Staff has reviewed those solutions and required joint meetings, resulting in staff recommendations for approval. I will now briefly present those solutions. Sanitary sewer – there were several sanitary sewer lines constructed for this tract, some public and some private. As you know, the mobile home park does not require all lines to be public. There were a few sanitary sewer lines constructed by other parties other than our firm. To identify and allow for a comprehensive review of the sewer lines associated with this tract, SMC required a complete ALTA, topographic and utility survey to be performed. With the assistance of staff, we have formulated a plan to resolve the quantity of the sewer lines and have resolved 90% of those issues. Some of the lines that are constructed have no easements by title examination and, therefore, must be

considered private. The site does have sanitary sewer available and capacity does exist. The site plan that SMC prepared complies with staff's approval for the alignment and use to sewer the entire preliminary plat. Water line -- currently there is no public water line along the west boundary. This will help me depict a little bit better how we're going to route the water on this. There is no water line along the west boundary. The applicant is required to construct a 12" line which will connect to an existing 12" line located at the northwest corner of the plat, and then extend a new line along the west boundary to the southwest corner of the plat. From there, a bore will be extended under Classen to connect to an existing 16" line located on the west side of Classen. The commercial tract and apartment tract will extend two 8" water lines easterly along the proposed Classen and Constitution Streets. These lines will transverse into and through the apartments and loop together. The design will have fire hydrants installed per City requirements and per review of the Fire Department. The results will give a looped system to provide sufficient water for domestic and fire protection. Storm sewer -- SMC prepared a drainage and detention analysis that has been reviewed and approved by Norman Engineering staff. The detention will be constructed with three ponds that will provide the required detention and guarantee the release to be at the historic discharge. The northeast detention pond will not encroach on the 100-year floodplain. SMC has already prepared a floodplain permit and been approved by the Norman Floodplain Committee to allow the construction of the reinforced concrete box to extend into the floodplain, as dictated by the location of the existing box along Classen. Traffic was a concern of both staff and the developer. SMC engaged Traffic Engineering Consultants to review those issues and submit the results in the form of a Traffic Impact Analysis. BJ Hawkins is present tonight and can respond to those questions, if any. Briefly, traffic improvements to be constructed by the applicant include a 3' widening on the east side of Classen/Highway 77 to create a southbound left-turn lane into the development, providing 150' of storage. Two: traffic signal modifications as further described in your packet. And three: two new public roads – Constitution Street and Classen Street. These new public roads will extend east to the proposed public access to both gated entrances to the apartment site. The development will create no adverse congestion beyond the existing conditions, and staff has concurred with the traffic report. Other traffic issues for access are clearly described in your packet and staff is recommending approval. One other item to note is there are no existing oil wells on the site and no concerns for such. In closing, as stated in the beginning, all technical engineering issues have been addressed and staff is recommending approval. We ask for this Commission's concurrence with staff's recommendations. Again, thank you for allowing us to speak with you tonight.

3. Hal Ezzell – Thank you for your time this evening. This project – a portion of it – you've seen before in the form of the Aspen Heights project, which was originally proposed, as you will recall, on a site directly adjacent to Hitachi. When that site did not pan out, they began looking for a secondary site in the general area and identified this site as one that would be even, in fact, more suitable for the project.

This is the aerial that's been discussed somewhat, but I wanted to emphasize a couple of things here. Number one, you see an extensive and a very heavily forested floodplain area that will act as a buffer to this R-1 neighborhood. There will be some interior shots that will also show you how heavily treed the area is on parts of the interior. One of the things that the PUD developer has taken great pains to do, and is actually readjusting again, is to keep as many of these trees as possible. These are very nice, very mature trees. It was correctly stated that the Greenbelt Commission did not have a quorum that night, but this area is part of the trail master plan, and what the trail master plan shows is a trail basically coming through this area, coming down through here, and connecting to the Classen site. That area is going to be preserved and that's going to be an option should the City figure out a way to ultimately fund the trail master plan. So those options are going to be maintained for the future.

Crimson Park is directly to the south, and The Cottages is directly to the east boundary of the property. In the 2025 Plan, as you well know, there are generally two criteria that you're looking at to decide if a Plan change is appropriate and in order. The first criteria can be

generally summarized as that the development around the area has changed such that it warrants a different use, and the second criteria is generally described as there's no adverse impact as a result of the requested changed. Staff put in the report, and I greatly appreciate it, the history of how this property has been dealt with and treated throughout the course of strategic planning by the City. Up until 2004, this property has always been designated either as high density, within the traditional meaning of that, or medium density. It was only in 2004 that it was changed to low density residential. At that time, in 2004 when that was done, none of this existed. This is now – and you'll see from some of the aerials – it would really make it highly improbable that this would ever be suitable for R-1 single-family housing. Here is Constitution Street – you can see OU golf course right there. Unfortunately, this is not on the CART path, but hopefully the City and the University will get some – this is a great multi-modal location here if they ever do it leading straight up to the south campus area. Again, you've already seen that.

The C-2 tract is going to be a grocery store. That's one of the things I think that's very exciting about this project. The southeastern part of Norman, if you're not familiar with it, is considered long-neglected – at least to the people who live over there – in the provision of services such as grocery stores, restaurants, etc. I would agree. It would seem that the west side of Norman has an abundance of grocery stores, while the eastern and southeastern part has not seen that same flourishing. That will be an excellent service for the area and for the residents. The C-1 tract is designated as a probable restaurant site – again, something I think is sorely lacking in that area. You can see it's currently a hodge-podge of zoning. I'm not going to really talk at length, but you can see the layout.

In the Planned Unit Development part of this, there are 179 units. I think that's noteworthy because it's not really a greater density change than what is there currently. Currently there were 85 mobile homes and 50 RVs, and those 50 RVs were long-term RVs, most of which were occupied as though they were residences. So you're going from 135 units, if you will, to 179 units. This is looking to the interior of the site from Constitution. This is important because I think it's illustrative to look at why this is not going to be a single-family site. You can see the scale of the height of The Cottages. I don't see anyone barbequing in their back yard with that staring down in on them. This is another interior view; this is standing on the front part of the site looking in. This – it's hard to tell – but you're looking south at Crimson Park. This is a little bit better view of what someone on the southern boundary would be seeing if they were in their back yards. So I think this really is a use that is appropriate; it makes it more compatible with what's around it. As you will recall from the satellite, you maintain appropriate buffers to the single-family to the north. This is the northeastern corner of the property. Again, I'm trying to give you an idea of the density of the foliage there and the trees. This is what is going to be put there. I think you've seen this before. But this is in the American Craftsman style. They're structured as separate housing. The theory behind that is that there are a lot of people that like to live in housing, and they like to have the amenities of a community, but they don't necessarily want to be all attached together. That seems to be the trend in multi-family. Again, more representations of how this would look. Again, American Craftsman style.

This slide I want to talk on because there has been a lot – and I've seen this developing – of discussion that's arising about we are approving lots of multi-family – another multi-family project. Don't we have enough multi-family? The answer is that the market would tell us not yet. So what I have here – these are straight off the U.S. Census Bureau website. Our 2012 estimate of population is 115,562; our 2010 estimate was 110,925. That represents over that period of time – April of 2010 to July of 2012 – a 4.2% increase in our population in the City of Norman, while the State as a whole only increased 1.7%. So what that means is that you all are doing your job successfully; the Council is doing its job successfully and Norman is becoming an ever more desirable place within the State of Oklahoma to live. Going back to the decennial census in 2000, the population was 95,694. So if you take that number from 2000 to 2012, what you see is a 20.8% increase over that period of time, and that averages out to an annual average of about 1.73%. I had always heard that anecdotally the number is 1.6-1.8 – and that lines up with that. What municipal planning officials will tell you is growth is not a problem or difficult to control until you hit about the 7% number. At a 7% growth number you're now outstripping your ability to

add infrastructure and provide services. So now let's take a look at multi-family. In 2000, the number of renter-occupied housing units – and this is the whole rental housing stock – is 17,393 and in 2000 we had a vacancy rate of all rental housing of 8%. In 2010, that number of renter-occupied housing units was 20,238. The 2010 vacancy rate of all rental housing had declined to 7.2%. So over that 10-year period of time, we added 2,845 rental units and our vacancy rates declined for the whole of the rental stock from 8 to 7.2. Now, I think that's important and it illustrates a couple of facts. Anecdotally – and I know people have said this to you before – we have the sense that we're approving so many multi-family. I think those are valid questions, so my standpoint is what does the data say? What do the numbers say? Not our emotive reaction to that, but what do the numbers say? So that illustrates the fact that, even though we're adding multi-family units – and, frankly, we're adding multi-family units at a rate greater than what was contemplated under the 2025 Plan when it was originally set forth – I believe the rental units contemplated under the 2025 Plan was something in the neighborhood of 1,742 and we are, since adoption of that plan, we've – we being collectively the City of Norman, not me – has allowed 2,200 and some odd units to be slated for construction. The problem with the 2025 multi-family numbers is they're not prepared by experts – they're shot in the dark guessing. Multi-family is an animal that is more complex than people at first assume. Not all multi-family is the same. Within multi-family you have several layers of multi-family. You have market rate properties, such as the most recent one, The Falls at Brookhaven that came online in the last few months. You have senior, such as The Mansions at Brookhaven. You have low-income oriented housing. You have student-oriented housing. So multi-family has lots of different stripes that you have to look at, and they each have different demand curves for them. So one of the questions that was raised at the April meeting was, well, that's great that your projects are going to be so successful, but doesn't that create softness elsewhere within our rental markets? And the answer, as you see from the data and the numbers, is no, it doesn't create a softening. We have a declining vacancy curve, even though we're adding rental units. The other issue is I think it's an over-simplification to say student housing means that it's going to be all students and that it's going to be all OU students. There are a lot of college students in Norman that do not attend the University of Oklahoma. We have people who attend Oklahoma City Community College, Oklahoma City University, the University of Central Oklahoma, Rose State. So there are lots of students beyond just what is at the University of Oklahoma community, but there's no guarantee – it's not a covenant or restriction that you have to be a student to live in the complex. I personally think it's more correct to characterize it as an age-driven factor, rather than just purely student. I think those are all important factors to look at when you're evaluating whether or not another multi-family housing project is appropriate.

In addition to that – and I know it's been mentioned previously, but I want to reiterate – these projects just don't go forward because somebody thinks it's a good idea. If you're going to loan somebody 75% of $30 or $40 million for a project, you're going to well vet the data associated with that project, from the competition, the vacancy rates, the absorption rates, etc. Your lenders, especially the larger lenders, are not going to accept we just think this is a great college town and a great place to put this project. You have to prove that it will work. I think also lost in the discussion is the idea that everything that's ever permitted gets built. There are a lot of things that move forward that don't ever actually get constructed, and I suspect because at the end of the day they were not able to justify that the project would support itself, either based on location or other factors. These numbers – and I just want to implore you as you consider this project and any other multi-family project that comes forward – the data shows that we have not reached our tipping point. I think there probably is a tipping point that the market would tell you, and I hope as the City revisits its plans in either the 2030 or 2035 update – I know there are some industry folks that are very interested in partnering with the City and even cost-sharing with the City to do a true feasibility study or market analysis and let's say and set conclusively where the probable tipping point is. Every housing – whether it's single-family, multi-family – everything has a tipping point, but what the data shows is we are not there as of yet.

The other thing I wanted to talk about very briefly that's unique in this project is the reality of it is there are 85 individuals and families who are being displaced. Those 85 people who are

being displaced – this is not convenient for them and that is not a factor that the developer and owner of this property have taken lightly. We have assisted them in coming up with what I think is a very good set of incentives to assist in the relocation efforts with regards to those residents. And just to describe them for you, generally speaking, the cost to move a mobile home is about $5,500-$5,600, depending on who is doing the moving. We negotiated with some other mobile home parks in the area -- specifically Sunnylane Estates and Granada Village are the two who are offering incentives to the residents of Sooner Mobile Home Park where they will pay for the move. So that covers the up-front cost for them, and they're also providing two months free rent – December to December, in essence. When you live in a mobile home park, December typically is one of your tighter months, so if you're going to get a concession, December is the ideal month to have your free rent. So both Sunnylane Estates and Granada Village are offering to pay for the move for the individuals. Now that is about a $5,500 value, or more if you have a double wide mobile home. Now Sooner Mobile Home Redevelopment is offering to the residents cash payments to assist in relocation of $4,000 for those that have a single-wide, and $7,000 for those that have a double-wide. In addition to that, there is a rent abatement on the table that, if you pay rent through the 31st of May, then the rent from January through May will be rebated back to you in the form of a cash payment. That makes the total on a single-wide $5,650 or the total on a double-wide $8,650. So that is, I think, a very fair sharing of the expense and a very good gesture. It was very important for the owner to treat the folks in the park fairly, equitably, and assist them to the extent possible. Now that assistance is conditioned on a couple of factors. One is the property has to be successfully rezoned. If it is not successfully rezoned, then it will not be purchased and there will be no funds available to pay those incentives. That's just the reality of where the money is coming from. In essence, I refer to this as a profit-sharing plan on the part of the owner. They are taking a portion of the proceeds from the sale and they are distributing that to the residents in the form of direct cash payments. To date, 22 mobile homes have been relocated already. The park is going to be closed regardless, and that is in process, so those 22 individuals have already taken the initiative – they've gone, they're toured the parks, they've decided where they want to go, they've arranged for their move, and they have moved. The other conditions associated with that assistance are – and this may be more detail than you want, but I want to share it with you – they have to move their mobile homes, they have to clear the site, and that's really it. It has to be successfully rezoned and they don't get to protest. We presented them with a contract. This is not an empty promise – it's a binding written agreement that says what we're going to do and what they're going to do. It's a very creative thing to do. I've not seen it, frankly, done in any development I've ever observed, either in my time on the Council or otherwise. I think it speaks highly of the ownership group and their sense of taking care of those folks.

With that, I think that has kind of covered the things I wanted to hit on, which is, number one, the 2025 Plan adjustment is appropriate. The development around this site has changed. It is no longer suitable for single-family homes, and the single-family homes to the north of it have an adequate wooded buffer that will prevent that from ever being an issue to them. As the engineering firm mentioned, the traffic service has been addressed; the service level will stay the same. It's not negatively impacted. There are appropriate utilities available. From a general sense of multi-family, I know it can seem like multi-family fatigue, but what the data shows us is that we should not yet be concerned about the number of multi-family projects. With that, I would respectfully request that you approve the project this evening. I think it will be a boon to the southeast quadrant of Norman. I think they will greatly appreciate having a convenient grocery store as well. With that, I'd be happy to answer any questions that you may have.

4. Ms. Pailes – One of the things we were talking about before we began was what was going to happen to the folks in that area. So it's nice to hear that that was addressed. I live in the area and normally people think trailer parks – but it's actually a very nice neighborhood.

Mr. Ezzell – It is. They have a great sense of community there.

Ms. Pailes – Those folks buy those homes, right? And then sell them to the next. They're rarely moved. I'm kind of surprised that they manage to move any of them, because they

haven't been moved in a long time, most of them. So I'm assuming a lot of them will probably take the cash payment of $4,000 and leave, I would guess. Do you have any notion ...

Mr. Ezzell – Well, you are correct that there are instances where a mobile home can't be moved. We have done our own assessment, prior to engaging in this process, and we identified four that we thought fit the bill of there is going to be no way they can move these things. When the machine yanks them, the doors are going to buckle, the windows are going to pop. We think there are four. The owner has allocated a budget for a discretionary item to deal with those very limited instances where the home just absolutely can't be moved. They are going to receive the $4,000 assistance payment and, if appropriate, a rent abatement. But we have also allocated some discretionary funds within that because, for those individuals – and the hard part is, when you're looking at this and saying I'm trying to write a contract and I'm going to have to address it to 85 different situations potentially – it's very difficult to do. So what we do is we set a general parameters that are going to cover everybody, and what we have communicated, and in addition to communicating that directly to the residents, we've also communicated with April at Food and Shelter for Friends to say if people come to you with needs, please make us aware of what they're coming and asking you for, because we can probably assist with that. One of the things, for example, is there may be some folks that need help with utility deposits and that's great that Sunnylane Estates is going to move their mobile home and they will have this future cash payment coming from Sooner Mobile Home Redevelopment, but they've still got to come up with the $220 electric deposit and oftentimes they do reach out to groups such as Food and Shelter, and we've reached out to Food and Shelter to say if these people reach out to you, please reach out to us. The best thing we could do is set aside a discretionary budget to deal with those instances. We think there's going to be three to four where they truly cannot be moved and, as you've correctly stated, they do own them. So, from their perspective, it's well I own this; I wish I could move it, but I can't. So we're going to help those folks. We've only yet – I've been contacted by one that they went to move it on Tuesday and that's exactly what happened – the doors buckled, the windows popped out of it and the mover said we can't move it. So we will have a meeting on Monday and we're going to decide how to help that individual.

Ms. Pailes – It's a very odd situation. It's kind of like you buy a house in a subdivision and then later your subdivision is sold. I mean, you've purchased it in good faith and all that, so it's a very odd situation, and I hope no resident loses badly and I'm glad you've addressed that.

5. Ms. Pailes – It looked kind of like the C-1 area went up into the floodplain area.

Mr. Ezzell – The lot does go into the floodplain area, but there's nothing that will be constructed on it. You cannot – to the extent that there's a lot line there, then that's not in the floodplain. That may be the boundary, but you would never be able to permit any structure whatsoever in that floodplain right there.

6. Ms. Pailes – Planning Commission is not supposed to worry about the economics of things – that's the builder's discretion. There's a lot of empty commercial space in this area. The corner of Lindsey and 12th is almost entirely empty, and that's been up for three or four years. Do you think this is going to work?

Mr. Ezzell – I don't think anything will go on that site until somebody believes that it will work and they have something for it. There's nothing speculative that's going to be constructed on that site.

Ms. Pailes – And there's actually two grocery stores within a mile of this.

Mr. Ezzell – Yes. At Lindsey and 12th.

Ms. Pailes – Lindsey and 12th and Lindsey and Classen.

Mr. Ezzell – But this will be a much better grocery store, I assure you. Not a Whole Foods. I wish. I don't think Whole Foods will locate on a 6-acre site. But it will have some very nice amenities that I think some folks will enjoy and appreciate the alternative. But, no, there's nothing speculative going on this site. This is actually being retained by the owner and they're

just going to hang onto it. I expect, in reality, given the site and the debts and what's in the floodplain, that will probably be consolidated at some point and really it will be one site.

7. Ms. Pailes – And the elevations you showed us of buildings – is that exactly what's going in – sort of their two story roughly Craftsman style?

Mr. Ezzell – Yes. I can invite Charlie Vatterott up from Aspen to talk about what they build.

Ms. Pailes – That's okay.

Mr. Ezzell – Yes, that's what they build. That's their product and they've built them all over the southeastern United States.

8. Ms. Pailes – In terms of the greenbelt – usually for greenbelt projects there's an engineer's report – usually from Tom McCaleb. Or there used to be. Maybe we don't get.

Ms. Connors – The Greenbelt Commission does not require an engineer's report.

Ms. Pailes – I mean we used to have a report, usually from Tom McCaleb, on ...

Ms. Connors – As you know – as Jane indicated, the Greenbelt did not have a quorum the night this came before them, so there is no report coming out of Greenbelt because they couldn't vote.

Ms. Pailes – But I assume that the report done by Tom McCaleb and or his ...

Ms. Connors – Well, Hal, I think, prepared it.

Mr. Ezzell – I prepared the Greenbelt submission.

Ms. Pailes – So we didn't – that report exists, but we didn't see it.

Ms. Connors – That's correct, because it didn't get moved.

Ms. Pailes – Because it was not acted upon. It's just extremely frustrating, because, like you said, this actually would complete a trail.

Mr. Ezzell – I agree.

Ms. Pailes – And it didn't get acted on.

Mr. Ezzell – One of the things I want to thank staff for is they've actually changed the Greenbelt Enhancement Statement – the application form is much more improved over what we've had to work with previously. You're right. This is a trailway master plan opportunity and you could tie it right through.

Mr. Sherrer – Excuse me. It's over 50% greenspace – is that correct? – on the project. I think I read that.

Mr. Ezzell – I think in total that's a correct statement, because so much of the northern wooded boundary of the property is in the floodplain, it remains green and open.

Mr. Sherrer – That's pretty exceptional to me for most projects I've seen.

Mr. Ezzell – And they're also – I know the architect currently is working on how they're going to end up ultimately orienting the buildings because there are some really, really nice mature trees in there that they want to keep from an aesthetic standpoint. The trees have spent 50 years growing – you can't replicate that.

9. Mr. Knotts – Are you planning safe rooms in any part of this housing project?

Charlie Vatterot, Aspen Heights Executive Vice President – Not at this time. No.

10. Mr. Gasaway – Mr. Ezzell, I think you had mentioned that, if this project passes, the people that live in the mobile homes will be given the funding as you stated.

Mr. Ezzell – That's correct.

Mr. Gasaway – If, for some reason, it doesn't pass and the park closes anyway, then they're all on their own?

Mr. Ezzell – That's correct. The park is closing and we have, to date, moved 22 homes already, and many of the RVs are just there month-to-month. So that process is happening. It will only be a matter of do they have a check coming – yes or no – and to the extent that the ones are still left, then yes they will unceremoniously be getting the notices to vacate. That's the

only downside of this type of housing is you do not own the dirt underneath it. You're like a tenant at will with that regard.

Mr. Gasaway – So the ones that have moved now have already paid it out of their pockets?

Mr. Ezzell – Well, most of them have moved to either Granada Village or Sunnylane Estates, and those parks have paid the cost of the move.

Mr. Lewis – And, Hal, that was the clarification I wanted to make, just to make certain. The housing residents that choose to move to one of the mobile home parks that are actually doing their own subsidy – they'll get paid regardless of whether this project goes through or not?

Mr. Ezzell – They get the cost of the move paid for and the free rent those parks have offered.

Mr. Lewis – That's a negotiation that they made with that mobile home park that doesn't have anything to do with you?

Mr. Ezzell – That's correct. We helped in setting some of that up, but that's their decision and they've made different decisions about how long of a lease that they require in order to get that assistance. Then there are some parks in the area that have offered no concession or assistance whatsoever. For example, Canadian Trails or Shores here in Norman at 48th and Main is offering nothing. We feel very fortunate with having talked to the new owners of Sunnylane Estates and Granada Village – oddly enough both out of the Denver area, but unrelated – they want to replicate what these folks had at Sooner Mobile Home Park. Sooner Mobile Home Park is very unique in the sense of community that it had, and that's one of the things that we hate, but it's an unfortunate consequence and the fact is that that will be disrupted, but we are comfortable that, at least with regards to those two parks, they are doing everything they can to recreate that sense of community, and I think that's why they're asking and so excited about Sooner's good residents relocating there.

Mr. Lewis – And that's something that happens regardless of what happens with this project?

Mr. Ezzell – Correct. It's already happened.

11. Mr. Gasaway – Hal, I don't know if you want to cover this or have your traffic engineer do it. I'm sure you all have done a proposed count from the grocery store, the gas station, and the new residences on the traffic count entering.

Mr. Ezzell – I will say that's correct, and that's about all I can say. I'll have to turn it over.

Mr. Gasaway – The main reason I'm asking – my son works for a large grocery store here in town and when I take him or pick him up, there's five or six cars at every instant during the day – during the peak hours of the day – either coming or going. So that probably will be a pretty large number.

B.J. Hawkins, 404 SW 171st Street – I'm the traffic engineer. Yes, we did take into account the gas station, the grocery store, and the apartment complex on our traffic study. All the volumes of the traffic at the peak hours of the day are included.

Mr. Gasaway – What were those numbers?

Mr. Hawkins – Just for those specific, or the entire development?

Mr. Gasaway – Entire development, because ...

Mr. Hawkins – Entering in the a.m. is 137; existing in the a.m. is 216. Entering in the p.m. is 370; and exiting in the p.m. is 287.

Mr. Gasaway – So those are half-day periods, then?

Mr. Hawkins – No. Those are the peak hours. The a.m. is going to be anywhere 7:00 to 9:00 and then the p.m. is 4:00 to 6:00. It's just a one-hour period in there.

Mr. Gasaway – Also, you all said in the presentation that you were going to pay for some traffic signalization changes.

Mr. Hawkins – Both intersections – Constitution and Classen – will have to get modified. The north intersection, obviously, there's no drive to the east, so they have to add that drive and a signal for that. I'm not sure about the north location, but I know the south location had a

couple of traffic signal poles that are going to have to get moved. So it's just modifying the intersection to work with the new driveway alignment.

Mr. Gasaway – For the public's benefit that might be watching, could you pull that up and show us where that new signal would go?

Mr. Hawkins – It's going to be at the existing intersections.

Mr. Gasaway – Where would the new signal be?

Mr. Hawkins – A new signal pole at that intersection. Because, obviously, if you're heading westbound at the newly constructed drive to the north, there is no signal pole because there is no drive. They're just adding that signal pole at that intersection on the northwest corner.

12. Ms. Pailes – Are there septic tanks there in some of those units from old?

Mr. Ezzell – I don't believe so. Those were plotted in the early 80s – 80-81 was when they really started coming through. I think you said 83 was the final plat. They're all private sewer lines, but there are no septic tanks. No.

Ms. Connors – I can answer that, Commissioner. There are no septic tanks on the site.

13. Mr. Gasaway – Those are both fairly new intersections and fairly new design, but there's lots of kind of convoluted things that go on there, with the turn-off and the split and the turn-around. What's that main intersection rated right now?

Mr. Riesland – In terms of level of service?

Mr. Gasaway – Yes. Level of service rating.

Mr. Riesland – Off the top of my head, it's probably B or C, I would guess. Are you talking about the northernmost one – 12th and Classen?

Mr. Gasaway – Well, both, really.

Mr. Riesland – Constitution is a little bit worse than 12th and Classen, I believe. 12th and Classen is an A in the morning and a C in the afternoon. Classen and Constitution is a B in the morning and D in the afternoon.

Mr. Gasaway – So I guess my question is, we've got two intersections that at the peak times one is rated a C and one's a D and we're adding several hundred cars to those. What would the rating be then?

Mr. Riesland – Well, with some of the modifications they're going to make as part of the improvements, it stays the same at 12th and Classen, and about the same. Slight increase in the amount of delay per vehicle, but the level of service letter stays the same.

Mr. Gasaway – So we've still got a C and a D.

Mr. Riesland – Yes.

Mr. Gasaway – Okay. And you all are comfortable with that?

Mr. Riesland – Yes.

AUDIENCE PARTICIPATION:
None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. Gasaway – I will say that I'm going to support this. It's a good project and I think covers some needed amenities, such as the grocery store and that type of housing. It does cover some good areas. But I do still have some concern for the added traffic. I hope, when it comes to City Council, that we'll see that addressed a little more, because when I went through there today, it was about 3:30 in the afternoon – it was backed up from the north and from the south for a full block waiting on the light to change. I think adding from a fourth direction that essentially has no traffic now, when you're adding several hundred vehicles, I think it's going to have a major impact. I don't think a C and a D rating – I think those have happened by natural growth of the city, but then I think when we approve something that adds that traffic count, I think that's something that we need to seriously take a look at. So I hope when you all do go to Council, that you will cover that in a little greater detail.

2. Mr. Lewis – Hal, I have a quick question. About what amount of economic monetary impact is this going to have on the City of Norman? Not only the construction costs, but long-term.

Mr. Ezzell – That would be difficult for me to estimate.

Mr. Lewis – Millions?

Mr. Ezzell – Easily in the millions. The question would be with regard to – on sales tax, for example. You're going to have the property tax revenues that come from probably pushing $50 million of construction. In round numbers, from a property tax standpoint, you can always look at that in a sort of factor of 10. So if you have a $50 million project, you're going to expect that that's going to throw off about $5 million in ad valorem revenues – or is my math – $500,000, excuse me, would be the ad valorem impact on an annual basis. That's new impact. That's certainly a much higher taxation factor than you have currently with the mobile home park and the travel trailers. That's a new positive added impact. Other impacts that you will see with regards to the finances are a project of this size is going to – on the PUD element alone – generate impact fees for the City pushing probably in the neighborhood of $550,000, give or take, and that's not the commercial side of it; that's just the PUD part. A great portion, as you know, of those impact fees go to the funds that we're setting aside for future infrastructure growth. So this is the classic case where the future growth is certainly paying its own way. One of the things that you get with multi-family is you get a much greater density and use of service from a City utility standpoint – you get a lot more bang for your buck in a smaller period of time. That's a benefit. Sales tax revenues from the grocery store – that's really difficult to predict or to classify as a new value, because that's a probable shift. They're probably driving to some other grocery store in Norman and buying their groceries, so that's going to be a convenience factor. So I think it would be erroneous to say that there's a huge long-term sales tax benefit from the grocery store. That's probably just a neutral and a reassignment from somewhere else in Norman. But the property tax benefits are real. The impact fee benefits are real. And, to the extent that those are one or two functional restaurant sites – you know, someone may be voting with their entertainment dollar there from a convenience standpoint that might otherwise have gone to Bricktown or some other area. Again, difficult to predict, but there's probably some bump from that. But the probably clearest and most tangible benefit that you would look at would be those additional ad valorem tax revenues, which will add up – you know, at $500,000 a year over 10 years, that's not an inconsequential sum.

3. Mr. Lewis – One can never put a price tag on displacing a homeowner, and that was my concern when this actually came to the table. It sounds as though a plan has been put in place that is going to accommodate and help those individuals who have lived in the mobile home park for many years to be able to move to another community and be well-established again. It also seems to me that we have a multi-million dollar investment coming into the City of Norman potentially, if we do approve this item – recommend this item for adoption, that's going to continue on year after year after year to put into, not only the City of Norman revenue funds, but also into the Cleveland County revenue funds, hundreds of thousands of dollars. So I think it is a very well-designed item that's coming before the Planning Commission. Certainly it's going to be a very positive impact for the City of Norman, not only once it's developed, but for many, many years to come. So I definitely will be planning on voting for the adoption of this item.

Jim Gasaway moved to recommend adoption of Resolution No. R-1314-54, Ordinance No. O-1314-23, Ordinance No. O-1314-24, Ordinance No. O-1314-25, and PP-1314-10, the Preliminary Plat for SOONER MOBILE HOME REDEVELOPMENT ADDITION, A Planned Unit Development, (A Replat of Sooner Mobile Home Park Addition), 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	Curtis McCarty, Jim Gasaway, Roberta Pailes, Andy Sherrer, Cindy Gordon, Dave Boeck, Sandy Bahan, Tom Knotts, Chris Lewis
NAYS	None
ABSENT	None

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1314-54, Ordinance No. O-1314-23, Ordinance No. O-1314-24, Ordinance No. O-1314-25, and Preliminary Plat No. PP-1314-10 to City Council, passed by a vote of 9-0.

* * *

City of Norman, OK

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

Master

File Number: O-1314-24

File ID: O-1314-24 **Type:** Zoning Ordinance **Status:** Consent Item

Version: 1 **Reference:** Item No. 6 **In Control:** City Council

Department: City Council Planning and Community Development Committee **Cost:** **File Created:** 10/17/2013

File Name: Sooner Mobile Home Redevelopment C-2 O-1314-24 **Final Action:**

Title: CONSIDERATION OF ORDINANCE NO. O-1314-24 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 PART OF LOT 1, BLOCK 1, SOONER MOBILE HOME PARK ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-1, LOCAL COMMERCIAL DISTRICT, THE R-3, MULTI-FAMILY DWELLING DISTRICT, AND THE RM-4, MOBILE HOME PARK DISTRICT, AND PLACE THE SAME IN THE C-2, GENERAL COMMERCIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (EAST SIDE OF 12TH AVENUE S.E. BETWEEN CLASSEN BOULEVARD AND CONSTITUTION STREET, AT 2601 S. CLASSEN BOULEVARD)

Notes: ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1314-24 upon First Reading by title.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 6

Attachments: text File O-1314-24.pdf, O-1314-24, Location Map, Commercial Staff Report, Preliminary Site Plan O-1314-24.pdf, 11-14-13 PC Minutes - Sooner Mobile Home Redevelopment

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	11/14/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	11/26/2013		Pass

Action Text: A motion was made by Commissioner Gasaway, 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 12/10/2013. The motion carried by the following vote:

Text of Legislative File O-1314-24

Body

SYNOPSIS: Along with the PUD rezoning request, Sooner Mobile Home Redevelopment, L.L.C. is also requesting to rezone a different area of the existing mobile home park. In this request the proposal is for C-2, General Commercial District to allow for the location of a grocery store with a fueling station on the southwest corner of the lot. This lot is the centrally located western tract of the entire redevelopment project, adjacent to Classen Boulevard.

ANALYSIS:

C-2, General Commercial District Defined:
This commercial district is intended for the conduct of personal and business services and the general retail business of the community. Persons living in the community and in the surrounding trade territory require direct and frequent access. Traffic generated by the uses will be primarily passenger vehicles and only those trucks and commercial vehicles required for stocking and delivery of retail goods.

ALTERNATIVES/ISSUES:

IMPACTS: There is a proposal to have a less intense zoning district to the north of this C-2, General Commercial District proposal; C-1, Local Commercial District. As a result of the large open spaces in and around this project and the less intense zoning north of this proposal the single-family residential property to the north of this development will be buffered from the grocery store and fueling station. The PUD proposed to the east of the grocery store and fueling station is situated such that the buildings are set back away from the rear and side of the grocery store to eliminate impacts such as noise and lights. The east side of the grocery store will be fenced to help any noise and light impacts on the PUD.

ACCESS: Access to the commercial sites will be from Classen Boulevard by way of two streets extending into this development on the north and south sides of the proposed grocery store; Classen Street located on the north side and Constitution Street located on the south side.

SITE PLAN: The grocery store is set back off of Classen Boulevard, with the parking along the west side of the store, abutting Classen Boulevard. There is a drive-thru pharmacy located on the south side of the grocery store. The delivery and trash area is on the east side of the store, abutting the lot for the PUD, student based housing project to the east. The PUD design has the residential buildings set back from the grocery store/commercial area, helping to eliminate any impacts on the residential area from noise or lights.

OTHER AGENCY COMMENTS:

PUBLIC WORKS/UTILITIES: Detention facilities for this development of the commercial area will be provided for storm water run-off. Water and Sanitary sewer will be public and installed per City Standards.

A Traffic Impact Study was submitted and reviewed by City staff. A modification to the lane assignments, traffic signals and striping will be implemented for the Classen Boulevard and Constitution Street intersection. Existing split phasing will be eliminated for the east/west leg of the intersection of Classen Boulevard and Constitution Street. The construction of a left turn lane, signal modification, i.e. pole replacement/pole arm extensions will be implemented at the intersection of 12th Avenue SE and Classen Boulevard. Upgrading of the traffic signal, controller/cabinet and new pavement for roadway access will also be executed at the redesigned intersection of Classen Boulevard and 12th Avenue SE.

STAFF RECOMMENDATION: With the continued growth in south Norman this proposal for commercial development/grocery store will benefit the area. In addition to the grocery store and fueling station being an amenity for the growing area, vehicular circulation has been well designed. Sidewalks will be installed to provide pedestrian access to and from the development in all directions. The infrastructure improvements in this area have paved the way for this future growth.

Staff recommends approval of ORDINANCE NO. O-1314-24, C-2, General Commercial District - 6.14 acres.

Planning Commission, at their meeting of November 14, 2013, unanimously recommended adoption of this ordinance, 9-0.

O-1314-24

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 LOT 1, BLOCK 1, SOONER MOBILE HOME PARK ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-1, LOCAL COMMERCIAL DISTRICT, THE R-3, MULTI-FAMILY DWELLING DISTRICT, AND THE RM-4, MOBILE HOME PARK DISTRICT, AND PLACE THE SAME IN THE C-2, GENERAL COMMERCIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (East side of 12th Avenue S.E. between Classen Boulevard and Constitution Street, at 2601 S. Classen Boulevard)

§ 1. WHEREAS, Sooner Mobile Home Redevelopment, L.L.C. has made application to have the property described below removed from the C-1, Local Commercial District, the R-3, Multi-Family Dwelling District, and the RM-4, Mobile Home Park District, and to have the same placed in the C-2, General Commercial District; and

§ 2. WHEREAS, said application has been referred to the Planning Commission of said City and said body has, after conducting a public hearing as required by law, considered the same and recommended that the same should be granted and an ordinance adopted to effect and accomplish such 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-1, Local Commercial District, the R-3, Multi-Family Dwelling District, and the RM-4, Mobile Home Park District, and place the same in the C-2, General Commercial District, to wit:

A tract of land being a part of Lot 1, Block 1, SOONER MOBILE HOME PARK, an Addition to the City of Norman, Cleveland County, Oklahoma according to the plat recorded in Book 13 of Plats, Page 21 AND a tract of land lying in the Southwest Quarter of Section 4, Township 8 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma, all being more particularly described as follows:
COMMENCING at the northwest corner of said Southwest Quarter;
THENCE South 00°41'23" East, along the west line of said Southwest Quarter, a distance of 977.39 feet to a point on a curve and the POINT OF BEGINNING;
THENCE Easterly along a non tangent curve to the left having a radius of 2,136.39 feet (said curve subtended by a chord which bears South 84°02'03" East a distance of 211.54 feet) for an arc distance of 211.63 feet;
THENCE North 89°16'56" East a distance of 366.18 feet;
THENCE South 00°09'12" East a distance of 462.68 feet;
THENCE South 89°16'56" West a distance of 571.96 feet to a point on the west line of said Southwest Quarter;
THENCE North 00°41'23" West, along said west line, a distance of 487.28 feet to the POINT OF BEGINNING.

Said described tract of land contains an area of 267,841 square feet or 6.1488 acres, more or less.

AND

A tract of land being in a part of Lot 1, Block 1, SOONER MOBILE HOME PARK, an addition to the City of Norman, Cleveland County, Oklahoma according to the plat recorded in Book 13 of Plats, Page 21, AND a tract of land lying in the Southwest Quarter of Section 4, Township 8 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma, all being more particularly described as follows:
Commencing at the Northwest Corner of said Southwest Quarter;
Thence South 00°41'23" East, along the West line of said Southwest Quarter, a distance of 1,464.67 feet to a point on the West line of said Southwest Quarter and the POINT OF BEGINNING;
Thence South 00°41'23" East, along the West line of said Southwest Quarter, a distance of 60.00 feet;
Thence North 89°16'56" East a distance of 571.40 feet;
Thence North 00°09'12" West a distance of 60.00 feet;
Thence South 89°16'56" West a distance of 571.96 feet;
Thence South 75°31'33" West a distance of 455.38 feet to the POINT OF BEGINNING.

Said described tract of land contains an area of 34,301 square feet, or 0.787 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)

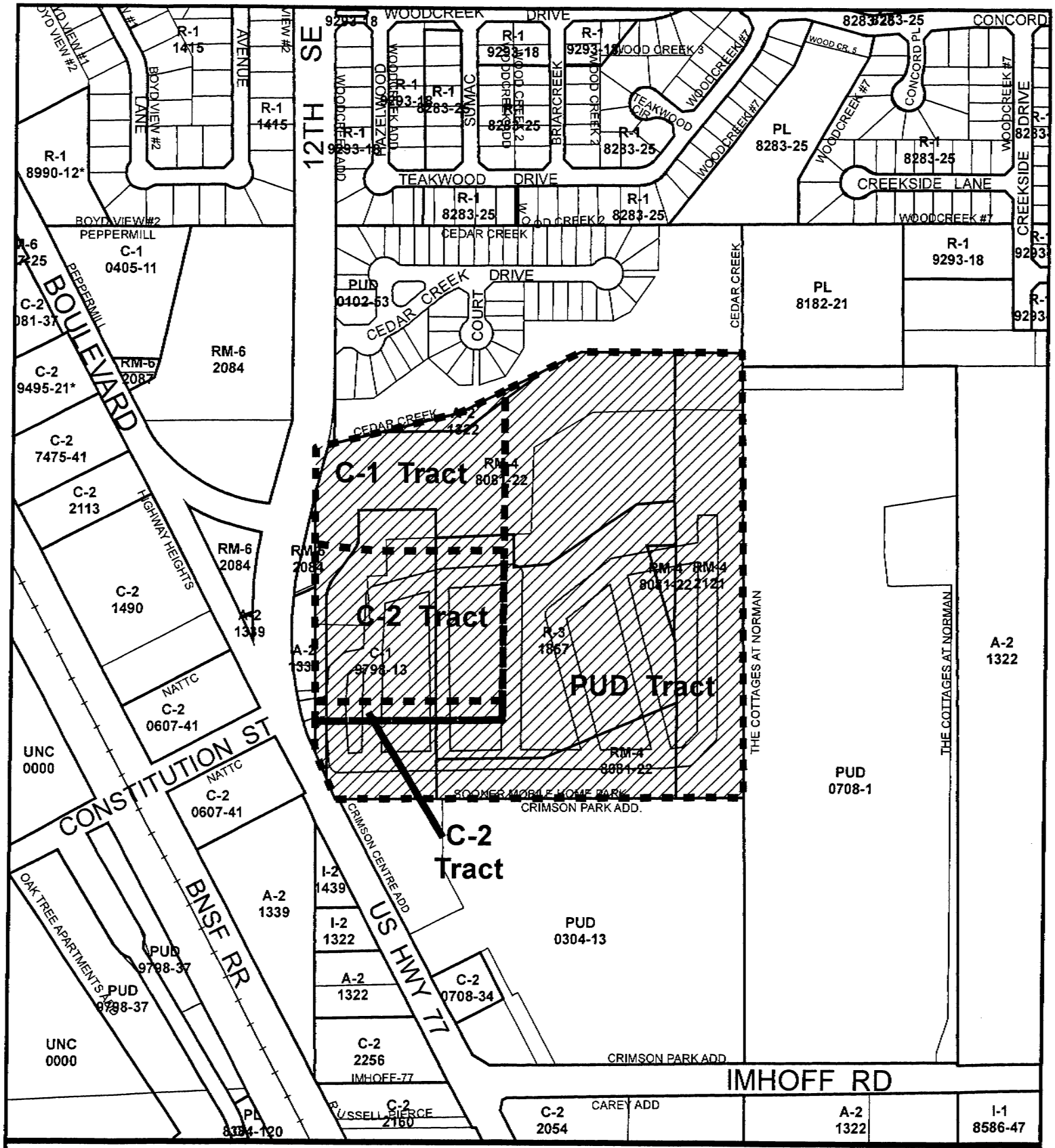
ATTEST:

_____
(City Clerk)

NOT ADOPTED this _____day of

_____, 2013.

_____
(Mayor)



Location Map

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

N
W E
S

October 22, 2013

0 200 400 Ft.

Subject Tract

Zoning

ORDINANCE NO. O-1314-24 ITEM NO. 3c
ORDINANCE NO. O-1314-25 ITEM NO. 3d

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Sooner Mobile Home Redevelopment, L.L.C.
REQUESTED ACTION	Rezoning to C-1, Local Commercial District (North Area) and Rezoning to C-2, General Commercial District (South Area)
EXISTING ZONING	C-1, Local Commercial District; R-3, Multi-Family Dwelling District, RM-4, Mobile Home Park District and A-2, Rural Agricultural District
SURROUNDING ZONING OF SITE	North: PUD, Planned Unit Development East: PUD, Planned Unit Development South: PUD, Planned Unit Development West: C-2, General Commercial District and RM-6, Medium Density Apartment District
LOCATION	East side of Classen Boulevard and 12th Avenue S.E. between Classen Boulevard and Constitution Street
SIZE	C-2, General Commercial District - 6.14 acres C-1, Local Commercial District – 5.14 acres
PURPOSE/USE	Restaurants/Commercial – C-1, Local Commercial District Grocery Store and Fueling Station – C-2, General Commercial District
EXISTING LAND USE	Mobile Home Park
SURROUNDING LAND USE	North: Single Family Residential East: Multi-Family Residential

	South: Multi-Family Residential and Commercial West: Commercial
LAND USE PLAN DESIGNATION	Commercial and Low Density Residential

SYNOPSIS: This staff report is a combination of two applications, one for the C-1, Local Commercial District rezoning request and the other for the C-2, General Commercial District rezoning request. These are separate items but for the convenience of outlining the requests staff has prepared one staff report.

- The proposal for the C-1, Local Commercial District is to locate two commercial businesses on the northwest portion of this development. This area proposed for the commercial development is the northern portion of the property. The uses permitted might be a restaurant or some other commercial use permitted under C-1, Local Commercial District.

- The proposal for the C-2, General Commercial District is to allow for the location of a grocery store with a fueling station on the southwest corner of the lot. This lot is the centrally located western tract of the entire redevelopment project, adjacent to Classen Boulevard.

ANALYSIS:

C-1, Local Commercial District Defined:
This commercial district is intended for the conduct of retail trade and to provide personal services to meet the regular needs and for the convenience of the people of adjacent residential areas. It is anticipated that this district will be the predominately used commercial district in the community. Because these shops and stores may be an integral part of the neighborhood closely associated with residential, religious, recreational and education elements, more restrictive requirements for light, air, open space, and off-street parking are made than are provided in other commercial districts.

C-2, General Commercial District Defined:
This commercial district is intended for the conduct of personal and business services and the general retail business of the community. Persons living in the community and in the surrounding trade territory require direct and frequent access. Traffic generated by the uses will be primarily passenger vehicles and only those trucks and commercial vehicles required for stocking and delivery of retail goods.

ALTERNATIVES/ISSUES:

- **IMPACTS**

  C-1, Local Commercial District Rezoning: There are no expected negative impacts from this proposed rezoning and future use of the site. There is a single-family development to the north of this proposal; however, there is a large flood plain/buffer area between the two developments.

C-2, General Commercial District Rezoning: There will be a less intense zoning to the north of this proposal; C-1, Local Commercial District. As a result of the large open spaces on this project and the less intense zoning north of this proposal the residential property to the north will be buffered from the grocery store and fueling station. The PUD proposed to the east of the grocery store and fueling station is situated such that the buildings are set back away from the rear and side of the grocery store to eliminate impacts such as noise and lights. The east side of the grocery store will be fenced to help any noise and light impacts on the PUD.

- **ACCESS** Access to these commercial sites will be from Classen Boulevard by way of two streets extending into this development on the north and south sides of the proposed grocery store; Classen Street located on the north side and Constitution Street located on the south side.

- **SITE PLAN** The site development plan details two commercial buildings with required setbacks and parking adequate to support the average drive-thru restaurant facility for the north portion; C-1 Local Commercial District. The grocery store is set back off of Classen Boulevard, with the parking along the west side of the store, abutting Classen Boulevard. There is a drive-thru pharmacy located on the south side of the grocery store. The delivery and trash area is on the east side of the store, abutting the lot for the PUD, student based housing project to the east. The PUD design has the residential buildings set back from the grocery store/commercial area, helping to eliminate any impacts on the residential area from noise or lights.

OTHER AGENCY COMMENTS:

- **PUBLIC WORKS/UTILITIES** Detention facilities for this development of the commercial area will be provided for storm water run-off. Water and Sanitary sewer will be public and installed per City Standards.

  A Traffic Impact Study was submitted and reviewed by City staff. A modification to the lane assignments, traffic signals and striping will be implemented for the Classen Boulevard and Constitution Street intersection. Existing split phasing will be eliminated for the east/west leg of the intersection of Classen Boulevard and Constitution Street. The construction of a left turn lane, signal modification, i.e. pole replacement/pole arm extensions will be implemented at the intersection of 12th Avenue SE and Classen Boulevard. Upgrading of the traffic signal, controller/cabinet and new pavement for roadway access will also be executed at the redesigned intersection of Classen Boulevard and 12th Avenue SE.

STAFF RECOMMENDATION With the continued growth in south Norman this proposal for commercial development will complement the area. In addition to being an amenity for the growing area, vehicular circulation has been well designed. Sidewalks will be installed to provide pedestrian access to and from the development in all directions. The infrastructure improvements in this area have paved the way for this future growth.

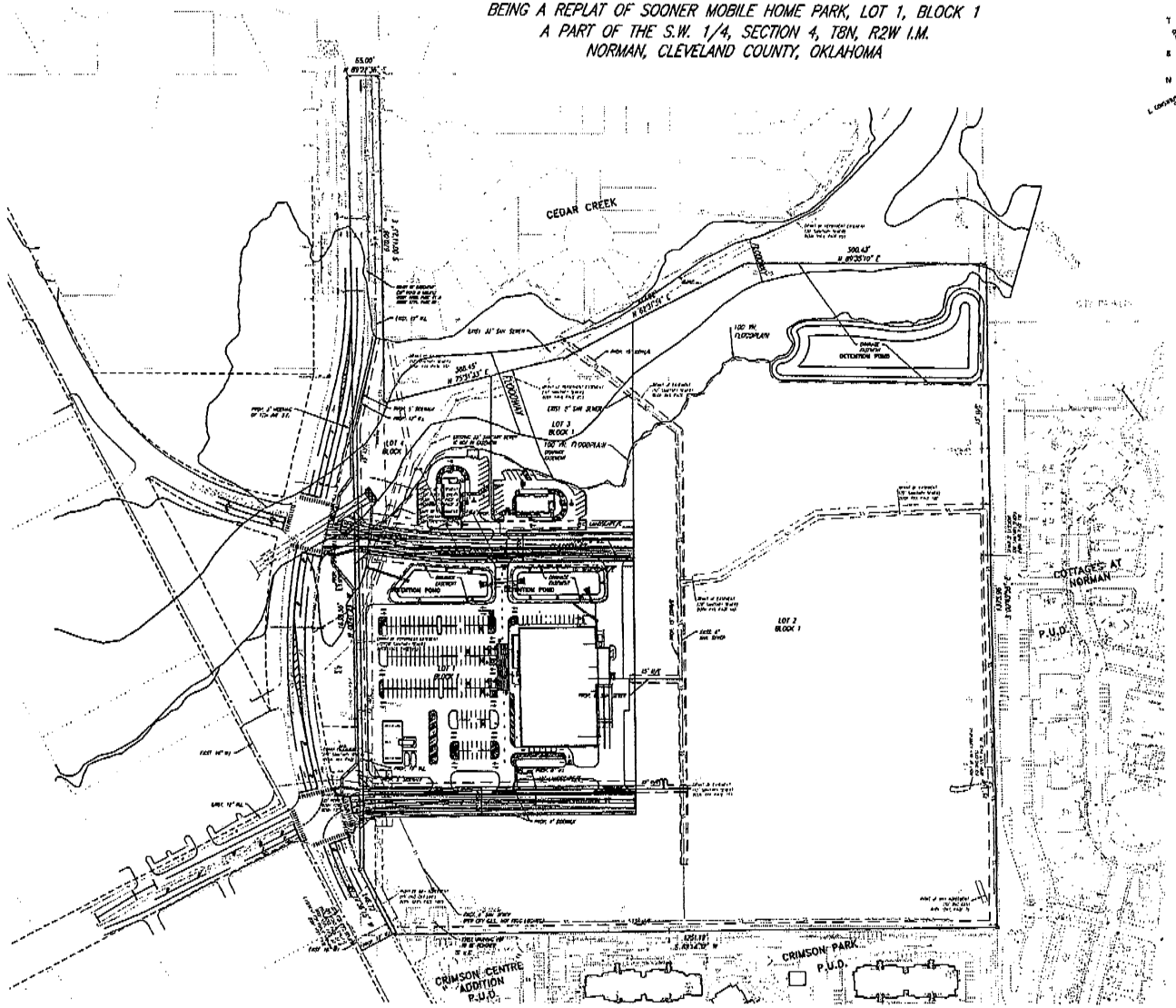
Staff recommends approval of ORDINANCE NO. O-1314-24, C-2, General Commercial District - 6.14 acres

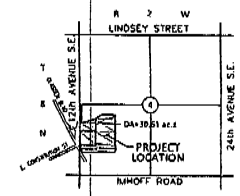
Staff recommends approval of ORDINANCE NO. O-1314-25, C-1, Local Commercial District – 5.14 acres

PRELIMINARY SITE PLAN

SOONER MOBILE HOME REDEVELOPMENT

BEING A REPLAT OF SOONER MOBILE HOME PARK, LOT 1, BLOCK 1
A PART OF THE S.W. 1/4, SECTION 4, T8N, R2W I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA





LOCATION MAP
NOT TO SCALE

SCALE: 1" = 100'

NOTES:
1. TRASH DUMPSTERS MIGHT BE REPLACED WITH A TRASH COMPACTOR WITH FINAL DESIGN.

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OWNER / DEVELOPER

SOONER MOBILE HOME REDEVELOPMENT L.L.C.
2575 KELLEY POINTE PARKWAY, SUITE 300
EDMOND, OK. 73013
(405)445-5186

PREPARED BY:

SMC Consulting Engineers, P.C.
815 W. Main St.
Oklahoma City, Oklahoma 73106
Ph.:(405)232-7715

TOM L. McCALEB 13418 OKLAHOMA

SOONER MOBILE HOME REDEVELOPMENT
BEING A REPLAT OF SOONER MOBILE HOME PARK, LOT 1, BLOCK 1

E. CONSTITUTION ST. & 12th AVE. S.E.
NORMAN, OKLAHOMA

SMC Consulting Engineers, P.C.

PROJECT NO.: 3030.00
DATE: 10/13/13
SCALE: 1" = 100'
DRAWN BY: S.L.
ENGINEER: TOM L. McCALEB
P.E. NUMBER: 13418

PRELIMINARY SITE PLAN

SHEET NO. 1

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

NOVEMBER 14, 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 14th day of November 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	Curtis McCarty Jim Gasaway Roberta Pailes Andy Sherrer Cindy Gordon Dave Boeck Sandy Bahan Tom Knotts Chris Lewis
MEMBERS ABSENT	None

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 Scott Sturtz, City Engineer Roné Tromble, Recording Secretary Leah Messner, Asst. City Attorney Larry Knapp, GIS Analyst II Terry Floyd, Development Coordinator

* * *

Item No. 3, being:
SOONER MOBILE HOME REDEVELOPMENT, L.L.C. AT 2601 S. CLASSEN BOULEVARD

3A. R-1314-54 – SOONER MOBILE HOME REDEVELOPMENT, L.L.C., REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM LOW DENSITY RESIDENTIAL DESIGNATION, FLOODPLAIN DESIGNATION, AND COMMERCIAL DESIGNATION TO MEDIUM DENSITY RESIDENTIAL DESIGNATION AND COMMERCIAL DESIGNATION FOR PROPERTY LOCATED AT 2601 S. CLASSEN BOULEVARD.

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

3B. O-1314-23 – SOONER MOBILE HOME REDEVELOPMENT, L.L.C. REQUESTS REZONING FROM C-1, LOCAL COMMERCIAL DISTRICT, RM-4, MOBILE HOME PARK DISTRICT, R-3, MULTI-FAMILY DWELLING DISTRICT, AND A-2, RURAL AGRICULTURAL DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT, FOR PROPERTY GENERALLY LOCATED AT 2601 S. CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. PUD Narrative with Exhibits A-E

3C. O-1314-24 – SOONER MOBILE HOME REDEVELOPMENT, L.L.C. REQUESTS REZONING FROM C-1, LOCAL COMMERCIAL DISTRICT, RM-4, MOBILE HOME PARK DISTRICT, AND R-3, MULTI-FAMILY DWELLING DISTRICT, TO C-2, GENERAL COMMERCIAL DISTRICT, FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 12TH AVENUE S.E. BETWEEN CLASSEN BOULEVARD AND CONSTITUTION STREET, AT 2601 S. CLASSEN BOULEVARD.
and
3D. O-1314-25 – SOONER MOBILE HOME REDEVELOPMENT, L.L.C. REQUESTS REZONING FROM RM-4, MOBILE HOME PARK DISTRICT, AND A-2, RURAL AGRICULTURAL DISTRICT, TO C-1, LOCAL COMMERCIAL DISTRICT, FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 12TH AVENUE S.E. NORTH OF THE INTERSECTION WITH CLASSEN BOULEVARD, AT 2601 S. CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Site Development Plan

3E. PP-1314-10 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY SOONER MOBILE HOME REDEVELOPMENT, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR SOONER MOBILE HOME REDEVELOPMENT ADDITION, A PLANNED UNIT DEVELOPMENT, (A REPLAT OF SOONER MOBILE HOME PARK ADDITION), LOCATED AT 2601 S. CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Preliminary Site Plan (Commercial Areas)
6. Preliminary Site Development Plan (PUD Area)
7. Request for Alley Waiver (Commercial Areas)

PRESENTATION BY STAFF:
1. Jane Hudson – You have five applications before you tonight for the redevelopment of the Sooner Mobile Park and RV Community. The existing 2025 Land Use and Transportation Plan

shows that the current site has Low Density Residential and Commercial. If updated, you would have Medium Density Residential with Commercial. You have Low Density Residential to the north and to the east, Medium Density Residential and Commercial to the south, and Commercial across Classen to the west. The existing zoning for the Planned Unit Development shows a single-family PUD to the north, multi-family student housing PUDs to the east and to the south, and commercial zoning to the west. The C-1 tract would consist of possibly some restaurants. The C-2 tract is proposed for a gas station and a grocery store. The existing zoning in that area is, again, like the Planned Unit Development with single-family to the north, multi-family to the east and south. The preliminary plat encompasses the entire proposal. The existing land use in the area is the single-family to the north, multi-family student housing to the east and south, additional commercial to the south and across Classen Boulevard. This is a photo of the site at the corner of Constitution and Classen Boulevard; that is the current entrance for the mobile home park. This is the existing commercial strip mall to the southwest at Constitution and Classen. There is also commercial on the northwest corner of Constitution and Classen. This is a photo of the gated single-family Planned Unit Development that is on the north side of the development. This is looking back to the south; that's the heavily treed area where the mobile home park currently exists. This is that commercial strip mall that is directly south of the proposed development. This is the multi-family to the south and the multi-family area to the east of the proposal. This is an aerial photo to give you an idea of the mobile home park in the center with the multi-family on the east and south, the commercial development, and the single-family to the north. The application has gone through the process for us. It has gone through Pre-Development; no protests at the Pre-Development meeting. It went before Greenbelt Commission, however there was not a quorum at the Greenbelt Commission, so it was moved forward to Planning Commission tonight. Staff is in support of these applications and does recommend approval for Resolution No. R-1314-54, which is for the land use changes, Ordinance Nos. O-1314-23, O-1314-24, and O-1314-25, which are the Planned Unit Development, C-2 zoning, and C-1 zoning, as well as PP-1314-10 for the preliminary plat. The applicant's representative is here with a presentation and staff is available for questions if you have any.

PRESENTATION BY THE APPLICANT:

1. Hal Ezzell, 100 48th Avenue N.W., representing the applicant Sooner Mobile Home Redevelopment, L.L.C. – I'm only going to speak very briefly, and I'm going to turn it over to Mr. Tommy Martin with SMC Engineers to go through some of the technical aspects and utility aspects of the project, and then I will come back up to address some of the items with regard to the PUD development within it. We also have available, should you have any questions, representatives from the traffic engineering firm, as well as the ownership, and as well as the people who will be developing the PUD. So, with that, I'm going to turn it over to Mr. Tommy Martin and let him move forward on some of the technical aspects. Thank you.

2. Tommy Martin, SMC Consulting Engineers, 815 W. Main Street in Oklahoma City, engineer for the applicant – First of all, I'd like to thank this Commission for allowing us to address you this evening. This tract of land is further described in your staff report. All engineering issues have been identified and examined. A brief history: the site was previously platted in 1983 by our firm for the mobile home usage. Subsequently, our firm also rezoned a small area of the western portion of the tract to C-1. Solutions have been prepared and submitted to staff. Staff has reviewed those solutions and required joint meetings, resulting in staff recommendations for approval. I will now briefly present those solutions. Sanitary sewer – there were several sanitary sewer lines constructed for this tract, some public and some private. As you know, the mobile home park does not require all lines to be public. There were a few sanitary sewer lines constructed by other parties other than our firm. To identify and allow for a comprehensive review of the sewer lines associated with this tract, SMC required a complete ALTA, topographic and utility survey to be performed. With the assistance of staff, we have formulated a plan to resolve the quantity of the sewer lines and have resolved 90% of those issues. Some of the lines that are constructed have no easements by title examination and, therefore, must be

considered private. The site does have sanitary sewer available and capacity does exist. The site plan that SMC prepared complies with staff's approval for the alignment and use to sewer the entire preliminary plat. Water line -- currently there is no public water line along the west boundary. This will help me depict a little bit better how we're going to route the water on this. There is no water line along the west boundary. The applicant is required to construct a 12" line which will connect to an existing 12" line located at the northwest corner of the plat, and then extend a new line along the west boundary to the southwest corner of the plat. From there, a bore will be extended under Classen to connect to an existing 16" line located on the west side of Classen. The commercial tract and apartment tract will extend two 8" water lines easterly along the proposed Classen and Constitution Streets. These lines will transverse into and through the apartments and loop together. The design will have fire hydrants installed per City requirements and per review of the Fire Department. The results will give a looped system to provide sufficient water for domestic and fire protection. Storm sewer – SMC prepared a drainage and detention analysis that has been reviewed and approved by Norman Engineering staff. The detention will be constructed with three ponds that will provide the required detention and guarantee the release to be at the historic discharge. The northeast detention pond will not encroach on the 100-year floodplain. SMC has already prepared a floodplain permit and been approved by the Norman Floodplain Committee to allow the construction of the reinforced concrete box to extend into the floodplain, as dictated by the location of the existing box along Classen. Traffic was a concern of both staff and the developer. SMC engaged Traffic Engineering Consultants to review those issues and submit the results in the form of a Traffic Impact Analysis. BJ Hawkins is present tonight and can respond to those questions, if any. Briefly, traffic improvements to be constructed by the applicant include a 3' widening on the east side of Classen/Highway 77 to create a southbound left-turn lane into the development, providing 150' of storage. Two: traffic signal modifications as further described in your packet. And three: two new public roads – Constitution Street and Classen Street. These new public roads will extend east to the proposed public access to both gated entrances to the apartment site. The development will create no adverse congestion beyond the existing conditions, and staff has concurred with the traffic report. Other traffic issues for access are clearly described in your packet and staff is recommending approval. One other item to note is there are no existing oil wells on the site and no concerns for such. In closing, as stated in the beginning, all technical engineering issues have been addressed and staff is recommending approval. We ask for this Commission's concurrence with staff's recommendations. Again, thank you for allowing us to speak with you tonight.

3. Hal Ezzell – Thank you for your time this evening. This project – a portion of it – you've seen before in the form of the Aspen Heights project, which was originally proposed, as you will recall, on a site directly adjacent to Hitachi. When that site did not pan out, they began looking for a secondary site in the general area and identified this site as one that would be even, in fact, more suitable for the project.

This is the aerial that's been discussed somewhat, but I wanted to emphasize a couple of things here. Number one, you see an extensive and a very heavily forested floodplain area that will act as a buffer to this R-1 neighborhood. There will be some interior shots that will also show you how heavily treed the area is on parts of the interior. One of the things that the PUD developer has taken great pains to do, and is actually readjusting again, is to keep as many of these trees as possible. These are very nice, very mature trees. It was correctly stated that the Greenbelt Commission did not have a quorum that night, but this area is part of the trail master plan, and what the trail master plan shows is a trail basically coming through this area, coming down through here, and connecting to the Classen site. That area is going to be preserved and that's going to be an option should the City figure out a way to ultimately fund the trail master plan. So those options are going to be maintained for the future.

Crimson Park is directly to the south, and The Cottages is directly to the east boundary of the property. In the 2025 Plan, as you well know, there are generally two criteria that you're looking at to decide if a Plan change is appropriate and in order. The first criteria can be

generally summarized as that the development around the area has changed such that it warrants a different use, and the second criteria is generally described as there's no adverse impact as a result of the requested changed. Staff put in the report, and I greatly appreciate it, the history of how this property has been dealt with and treated throughout the course of strategic planning by the City. Up until 2004, this property has always been designated either as high density, within the traditional meaning of that, or medium density. It was only in 2004 that it was changed to low density residential. At that time, in 2004 when that was done, none of this existed. This is now – and you'll see from some of the aerials – it would really make it highly improbable that this would ever be suitable for R-1 single-family housing. Here is Constitution Street – you can see OU golf course right there. Unfortunately, this is not on the CART path, but hopefully the City and the University will get some – this is a great multi-modal location here if they ever do it leading straight up to the south campus area. Again, you've already seen that.

The C-2 tract is going to be a grocery store. That's one of the things I think that's very exciting about this project. The southeastern part of Norman, if you're not familiar with it, is considered long-neglected – at least to the people who live over there – in the provision of services such as grocery stores, restaurants, etc. I would agree. It would seem that the west side of Norman has an abundance of grocery stores, while the eastern and southeastern part has not seen that same flourishing. That will be an excellent service for the area and for the residents. The C-1 tract is designated as a probable restaurant site – again, something I think is sorely lacking in that area. You can see it's currently a hodge-podge of zoning. I'm not going to really talk at length, but you can see the layout.

In the Planned Unit Development part of this, there are 179 units. I think that's noteworthy because it's not really a greater density change than what is there currently. Currently there were 85 mobile homes and 50 RVs, and those 50 RVs were long-term RVs, most of which were occupied as though they were residences. So you're going from 135 units, if you will, to 179 units. This is looking to the interior of the site from Constitution. This is important because I think it's illustrative to look at why this is not going to be a single-family site. You can see the scale of the height of The Cottages. I don't see anyone barbequing in their back yard with that staring down in on them. This is another interior view; this is standing on the front part of the site looking in. This – it's hard to tell – but you're looking south at Crimson Park. This is a little bit better view of what someone on the southern boundary would be seeing if they were in their back yards. So I think this really is a use that is appropriate; it makes it more compatible with what's around it. As you will recall from the satellite, you maintain appropriate buffers to the single-family to the north. This is the northeastern corner of the property. Again, I'm trying to give you an idea of the density of the foliage there and the trees. This is what is going to be put there. I think you've seen this before. But this is in the American Craftsman style. They're structured as separate housing. The theory behind that is that there are a lot of people that like to live in housing, and they like to have the amenities of a community, but they don't necessarily want to be all attached together. That seems to be the trend in multi-family. Again, more representations of how this would look. Again, American Craftsman style.

This slide I want to talk on because there has been a lot – and I've seen this developing – of discussion that's arising about we are approving lots of multi-family – another multi-family project. Don't we have enough multi-family? The answer is that the market would tell us not yet. So what I have here – these are straight off the U.S. Census Bureau website. Our 2012 estimate of population is 115,562; our 2010 estimate was 110,925. That represents over that period of time – April of 2010 to July of 2012 – a 4.2% increase in our population in the City of Norman, while the State as a whole only increased 1.7%. So what that means is that you all are doing your job successfully; the Council is doing its job successfully and Norman is becoming an ever more desirable place within the State of Oklahoma to live. Going back to the decennial census in 2000, the population was 95,694. So if you take that number from 2000 to 2012, what you see is a 20.8% increase over that period of time, and that averages out to an annual average of about 1.73%. I had always heard that anecdotally the number is 1.6-1.8 – and that lines up with that. What municipal planning officials will tell you is growth is not a problem or difficult to control until you hit about the 7% number. At a 7% growth number you're now outstripping your ability to

add infrastructure and provide services. So now let's take a look at multi-family. In 2000, the number of renter-occupied housing units – and this is the whole rental housing stock – is 17,393 and in 2000 we had a vacancy rate of all rental housing of 8%. In 2010, that number of renter-occupied housing units was 20,238. The 2010 vacancy rate of all rental housing had declined to 7.2%. So over that 10-year period of time, we added 2,845 rental units and our vacancy rates declined for the whole of the rental stock from 8 to 7.2. Now, I think that's important and it illustrates a couple of facts. Anecdotally – and I know people have said this to you before – we have the sense that we're approving so many multi-family. I think those are valid questions, so my standpoint is what does the data say? What do the numbers say? Not our emotive reaction to that, but what do the numbers say? So that illustrates the fact that, even though we're adding multi-family units – and, frankly, we're adding multi-family units at a rate greater than what was contemplated under the 2025 Plan when it was originally set forth – I believe the rental units contemplated under the 2025 Plan was something in the neighborhood of 1,742 and we are, since adoption of that plan, we've – we being collectively the City of Norman, not me – has allowed 2,200 and some odd units to be slated for construction. The problem with the 2025 multi-family numbers is they're not prepared by experts – they're shot in the dark guessing. Multi-family is an animal that is more complex than people at first assume. Not all multi-family is the same. Within multi-family you have several layers of multi-family. You have market rate properties, such as the most recent one, The Falls at Brookhaven that came online in the last few months. You have senior, such as The Mansions at Brookhaven. You have low-income oriented housing. You have student-oriented housing. So multi-family has lots of different stripes that you have to look at, and they each have different demand curves for them. So one of the questions that was raised at the April meeting was, well, that's great that your projects are going to be so successful, but doesn't that create softness elsewhere within our rental markets? And the answer, as you see from the data and the numbers, is no, it doesn't create a softening. We have a declining vacancy curve, even though we're adding rental units. The other issue is I think it's an over-simplification to say student housing means that it's going to be all students and that it's going to be all OU students. There are a lot of college students in Norman that do not attend the University of Oklahoma. We have people who attend Oklahoma City Community College, Oklahoma City University, the University of Central Oklahoma, Rose State. So there are lots of students beyond just what is at the University of Oklahoma community, but there's no guarantee – it's not a covenant or restriction that you have to be a student to live in the complex. I personally think it's more correct to characterize it as an age-driven factor, rather than just purely student. I think those are all important factors to look at when you're evaluating whether or not another multi-family housing project is appropriate.

In addition to that – and I know it's been mentioned previously, but I want to reiterate – these projects just don't go forward because somebody thinks it's a good idea. If you're going to loan somebody 75% of $30 or $40 million for a project, you're going to well vet the data associated with that project, from the competition, the vacancy rates, the absorption rates, etc. Your lenders, especially the larger lenders, are not going to accept we just think this is a great college town and a great place to put this project. You have to prove that it will work. I think also lost in the discussion is the idea that everything that's ever permitted gets built. There are a lot of things that move forward that don't ever actually get constructed, and I suspect because at the end of the day they were not able to justify that the project would support itself, either based on location or other factors. These numbers – and I just want to implore you as you consider this project and any other multi-family project that comes forward – the data shows that we have not reached our tipping point. I think there probably is a tipping point that the market would tell you, and I hope as the City revisits its plans in either the 2030 or 2035 update – I know there are some industry folks that are very interested in partnering with the City and even cost-sharing with the City to do a true feasibility study or market analysis and let's say and set conclusively where the probable tipping point is. Every housing – whether it's single-family, multi-family – everything has a tipping point, but what the data shows is we are not there as of yet.

The other thing I wanted to talk about very briefly that's unique in this project is the reality of it is there are 85 individuals and families who are being displaced. Those 85 people who are

being displaced – this is not convenient for them and that is not a factor that the developer and owner of this property have taken lightly. We have assisted them in coming up with what I think is a very good set of incentives to assist in the relocation efforts with regards to those residents. And just to describe them for you, generally speaking, the cost to move a mobile home is about $5,500-$5,600, depending on who is doing the moving. We negotiated with some other mobile home parks in the area -- specifically Sunnylane Estates and Granada Village are the two who are offering incentives to the residents of Sooner Mobile Home Park where they will pay for the move. So that covers the up-front cost for them, and they're also providing two months free rent – December to December, in essence. When you live in a mobile home park, December typically is one of your tighter months, so if you're going to get a concession, December is the ideal month to have your free rent. So both Sunnylane Estates and Granada Village are offering to pay for the move for the individuals. Now that is about a $5,500 value, or more if you have a double wide mobile home. Now Sooner Mobile Home Redevelopment is offering to the residents cash payments to assist in relocation of $4,000 for those that have a single-wide, and $7,000 for those that have a double-wide. In addition to that, there is a rent abatement on the table that, if you pay rent through the 31st of May, then the rent from January through May will be rebated back to you in the form of a cash payment. That makes the total on a single-wide $5,650 or the total on a double-wide $8,650. So that is, I think, a very fair sharing of the expense and a very good gesture. It was very important for the owner to treat the folks in the park fairly, equitably, and assist them to the extent possible. Now that assistance is conditioned on a couple of factors. One is the property has to be successfully rezoned. If it is not successfully rezoned, then it will not be purchased and there will be no funds available to pay those incentives. That's just the reality of where the money is coming from. In essence, I refer to this as a profit-sharing plan on the part of the owner. They are taking a portion of the proceeds from the sale and they are distributing that to the residents in the form of direct cash payments. To date, 22 mobile homes have been relocated already. The park is going to be closed regardless, and that is in process, so those 22 individuals have already taken the initiative – they've gone, they're toured the parks, they've decided where they want to go, they've arranged for their move, and they have moved. The other conditions associated with that assistance are – and this may be more detail than you want, but I want to share it with you – they have to move their mobile homes, they have to clear the site, and that's really it. It has to be successfully rezoned and they don't get to protest. We presented them with a contract. This is not an empty promise – it's a binding written agreement that says what we're going to do and what they're going to do. It's a very creative thing to do. I've not seen it, frankly, done in any development I've ever observed, either in my time on the Council or otherwise. I think it speaks highly of the ownership group and their sense of taking care of those folks.

With that, I think that has kind of covered the things I wanted to hit on, which is, number one, the 2025 Plan adjustment is appropriate. The development around this site has changed. It is no longer suitable for single-family homes, and the single-family homes to the north of it have an adequate wooded buffer that will prevent that from ever being an issue to them. As the engineering firm mentioned, the traffic service has been addressed; the service level will stay the same. It's not negatively impacted. There are appropriate utilities available. From a general sense of multi-family, I know it can seem like multi-family fatigue, but what the data shows us is that we should not yet be concerned about the number of multi-family projects. With that, I would respectfully request that you approve the project this evening. I think it will be a boon to the southeast quadrant of Norman. I think they will greatly appreciate having a convenient grocery store as well. With that, I'd be happy to answer any questions that you may have.

4. Ms. Pailes – One of the things we were talking about before we began was what was going to happen to the folks in that area. So it's nice to hear that that was addressed. I live in the area and normally people think trailer parks – but it's actually a very nice neighborhood.

Mr. Ezzell – It is. They have a great sense of community there.

Ms. Pailes – Those folks buy those homes, right? And then sell them to the next. They're rarely moved. I'm kind of surprised that they manage to move any of them, because they

haven't been moved in a long time, most of them. So I'm assuming a lot of them will probably take the cash payment of $4,000 and leave, I would guess. Do you have any notion ...

Mr. Ezzell – Well, you are correct that there are instances where a mobile home can't be moved. We have done our own assessment, prior to engaging in this process, and we identified four that we thought fit the bill of there is going to be no way they can move these things. When the machine yanks them, the doors are going to buckle, the windows are going to pop. We think there are four. The owner has allocated a budget for a discretionary item to deal with those very limited instances where the home just absolutely can't be moved. They are going to receive the $4,000 assistance payment and, if appropriate, a rent abatement. But we have also allocated some discretionary funds within that because, for those individuals – and the hard part is, when you're looking at this and saying I'm trying to write a contract and I'm going to have to address it to 85 different situations potentially – it's very difficult to do. So what we do is we set a general parameters that are going to cover everybody, and what we have communicated, and in addition to communicating that directly to the residents, we've also communicated with April at Food and Shelter for Friends to say if people come to you with needs, please make us aware of what they're coming and asking you for, because we can probably assist with that. One of the things, for example, is there may be some folks that need help with utility deposits and that's great that Sunnylane Estates is going to move their mobile home and they will have this future cash payment coming from Sooner Mobile Home Redevelopment, but they've still got to come up with the $220 electric deposit and oftentimes they do reach out to groups such as Food and Shelter, and we've reached out to Food and Shelter to say if these people reach out to you, please reach out to us. The best thing we could do is set aside a discretionary budget to deal with those instances. We think there's going to be three to four where they truly cannot be moved and, as you've correctly stated, they do own them. So, from their perspective, it's well I own this; I wish I could move it, but I can't. So we're going to help those folks. We've only yet – I've been contacted by one that they went to move it on Tuesday and that's exactly what happened – the doors buckled, the windows popped out of it and the mover said we can't move it. So we will have a meeting on Monday and we're going to decide how to help that individual.

Ms. Pailes – It's a very odd situation. It's kind of like you buy a house in a subdivision and then later your subdivision is sold. I mean, you've purchased it in good faith and all that, so it's a very odd situation, and I hope no resident loses badly and I'm glad you've addressed that.

5. Ms. Pailes – It looked kind of like the C-1 area went up into the floodplain area.

Mr. Ezzell – The lot does go into the floodplain area, but there's nothing that will be constructed on it. You cannot – to the extent that there's a lot line there, then that's not in the floodplain. That may be the boundary, but you would never be able to permit any structure whatsoever in that floodplain right there.

6. Ms. Pailes – Planning Commission is not supposed to worry about the economics of things – that's the builder's discretion. There's a lot of empty commercial space in this area. The corner of Lindsey and 12th is almost entirely empty, and that's been up for three or four years. Do you think this is going to work?

Mr. Ezzell – I don't think anything will go on that site until somebody believes that it will work and they have something for it. There's nothing speculative that's going to be constructed on that site.

Ms. Pailes – And there's actually two grocery stores within a mile of this.

Mr. Ezzell – Yes. At Lindsey and 12th.

Ms. Pailes – Lindsey and 12th and Lindsey and Classen.

Mr. Ezzell – But this will be a much better grocery store, I assure you. Not a Whole Foods. I wish. I don't think Whole Foods will locate on a 6-acre site. But it will have some very nice amenities that I think some folks will enjoy and appreciate the alternative. But, no, there's nothing speculative going on this site. This is actually being retained by the owner and they're

just going to hang onto it. I expect, in reality, given the site and the debts and what's in the floodplain, that will probably be consolidated at some point and really it will be one site.

7. Ms. Pailes – And the elevations you showed us of buildings – is that exactly what's going in – sort of their two story roughly Craftsman style?

Mr. Ezzell – Yes. I can invite Charlie Vatterott up from Aspen to talk about what they build.

Ms. Pailes – That's okay.

Mr. Ezzell – Yes, that's what they build. That's their product and they've built them all over the southeastern United States.

8. Ms. Pailes – In terms of the greenbelt – usually for greenbelt projects there's an engineer's report – usually from Tom McCaleb. Or there used to be. Maybe we don't get.

Ms. Connors – The Greenbelt Commission does not require an engineer's report.

Ms. Pailes – I mean we used to have a report, usually from Tom McCaleb, on ...

Ms. Connors – As you know – as Jane indicated, the Greenbelt did not have a quorum the night this came before them, so there is no report coming out of Greenbelt because they couldn't vote.

Ms. Pailes – But I assume that the report done by Tom McCaleb and or his ...

Ms. Connors – Well, Hal, I think, prepared it.

Mr. Ezzell – I prepared the Greenbelt submission.

Ms. Pailes – So we didn't – that report exists, but we didn't see it.

Ms. Connors – That's correct, because it didn't get moved.

Ms. Pailes – Because it was not acted upon. It's just extremely frustrating, because, like you said, this actually would complete a trail.

Mr. Ezzell – I agree.

Ms. Pailes – And it didn't get acted on.

Mr. Ezzell – One of the things I want to thank staff for is they've actually changed the Greenbelt Enhancement Statement – the application form is much more improved over what we've had to work with previously. You're right. This is a trailway master plan opportunity and you could tie it right through.

Mr. Sherrer – Excuse me. It's over 50% greenspace – is that correct? – on the project. I think I read that.

Mr. Ezzell – I think in total that's a correct statement, because so much of the northern wooded boundary of the property is in the floodplain, it remains green and open.

Mr. Sherrer – That's pretty exceptional to me for most projects I've seen.

Mr. Ezzell – And they're also – I know the architect currently is working on how they're going to end up ultimately orienting the buildings because there are some really, really nice mature trees in there that they want to keep from an aesthetic standpoint. The trees have spent 50 years growing – you can't replicate that.

9. Mr. Knotts – Are you planning safe rooms in any part of this housing project?

Charlie Vatterot, Aspen Heights Executive Vice President – Not at this time. No.

10. Mr. Gasaway – Mr. Ezzell, I think you had mentioned that, if this project passes, the people that live in the mobile homes will be given the funding as you stated.

Mr. Ezzell – That's correct.

Mr. Gasaway – If, for some reason, it doesn't pass and the park closes anyway, then they're all on their own?

Mr. Ezzell – That's correct. The park is closing and we have, to date, moved 22 homes already, and many of the RVs are just there month-to-month. So that process is happening. It will only be a matter of do they have a check coming – yes or no – and to the extent that the ones are still left, then yes they will unceremoniously be getting the notices to vacate. That's the

only downside of this type of housing is you do not own the dirt underneath it. You're like a tenant at will with that regard.

Mr. Gasaway – So the ones that have moved now have already paid it out of their pockets?

Mr. Ezzell – Well, most of them have moved to either Granada Village or Sunnylane Estates, and those parks have paid the cost of the move.

Mr. Lewis – And, Hal, that was the clarification I wanted to make, just to make certain. The housing residents that choose to move to one of the mobile home parks that are actually doing their own subsidy – they'll get paid regardless of whether this project goes through or not?

Mr. Ezzell – They get the cost of the move paid for and the free rent those parks have offered.

Mr. Lewis – That's a negotiation that they made with that mobile home park that doesn't have anything to do with you?

Mr. Ezzell – That's correct. We helped in setting some of that up, but that's their decision and they've made different decisions about how long of a lease that they require in order to get that assistance. Then there are some parks in the area that have offered no concession or assistance whatsoever. For example, Canadian Trails or Shores here in Norman at 48th and Main is offering nothing. We feel very fortunate with having talked to the new owners of Sunnylane Estates and Granada Village – oddly enough both out of the Denver area, but unrelated – they want to replicate what these folks had at Sooner Mobile Home Park. Sooner Mobile Home Park is very unique in the sense of community that it had, and that's one of the things that we hate, but it's an unfortunate consequence and the fact is that that will be disrupted, but we are comfortable that, at least with regards to those two parks, they are doing everything they can to recreate that sense of community, and I think that's why they're asking and so excited about Sooner's good residents relocating there.

Mr. Lewis – And that's something that happens regardless of what happens with this project?

Mr. Ezzell – Correct. It's already happened.

11. Mr. Gasaway – Hal, I don't know if you want to cover this or have your traffic engineer do it. I'm sure you all have done a proposed count from the grocery store, the gas station, and the new residences on the traffic count entering.

Mr. Ezzell – I will say that's correct, and that's about all I can say. I'll have to turn it over.

Mr. Gasaway – The main reason I'm asking – my son works for a large grocery store here in town and when I take him or pick him up, there's five or six cars at every instant during the day – during the peak hours of the day – either coming or going. So that probably will be a pretty large number.

B.J. Hawkins, 404 SW 171st Street – I'm the traffic engineer. Yes, we did take into account the gas station, the grocery store, and the apartment complex on our traffic study. All the volumes of the traffic at the peak hours of the day are included.

Mr. Gasaway – What were those numbers?

Mr. Hawkins – Just for those specific, or the entire development?

Mr. Gasaway – Entire development, because ...

Mr. Hawkins – Entering in the a.m. is 137; existing in the a.m. is 216. Entering in the p.m. is 370; and exiting in the p.m. is 287.

Mr. Gasaway – So those are half-day periods, then?

Mr. Hawkins – No. Those are the peak hours. The a.m. is going to be anywhere 7:00 to 9:00 and then the p.m. is 4:00 to 6:00. It's just a one-hour period in there.

Mr. Gasaway – Also, you all said in the presentation that you were going to pay for some traffic signalization changes.

Mr. Hawkins – Both intersections – Constitution and Classen – will have to get modified. The north intersection, obviously, there's no drive to the east, so they have to add that drive and a signal for that. I'm not sure about the north location, but I know the south location had a

couple of traffic signal poles that are going to have to get moved. So it's just modifying the intersection to work with the new driveway alignment.

Mr. Gasaway – For the public's benefit that might be watching, could you pull that up and show us where that new signal would go?

Mr. Hawkins – It's going to be at the existing intersections.

Mr. Gasaway – Where would the new signal be?

Mr. Hawkins – A new signal pole at that intersection. Because, obviously, if you're heading westbound at the newly constructed drive to the north, there is no signal pole because there is no drive. They're just adding that signal pole at that intersection on the northwest corner.

12. Ms. Pailes – Are there septic tanks there in some of those units from old?

Mr. Ezzell – I don't believe so. Those were plotted in the early 80s – 80-81 was when they really started coming through. I think you said 83 was the final plat. They're all private sewer lines, but there are no septic tanks. No.

Ms. Connors – I can answer that, Commissioner. There are no septic tanks on the site.

13. Mr. Gasaway – Those are both fairly new intersections and fairly new design, but there's lots of kind of convoluted things that go on there, with the turn-off and the split and the turn-around. What's that main intersection rated right now?

Mr. Riesland – In terms of level of service?

Mr. Gasaway – Yes. Level of service rating.

Mr. Riesland – Off the top of my head, it's probably B or C, I would guess. Are you talking about the northernmost one – 12th and Classen?

Mr. Gasaway – Well, both, really.

Mr. Riesland – Constitution is a little bit worse than 12th and Classen, I believe. 12th and Classen is an A in the morning and a C in the afternoon. Classen and Constitution is a B in the morning and D in the afternoon.

Mr. Gasaway – So I guess my question is, we've got two intersections that at the peak times one is rated a C and one's a D and we're adding several hundred cars to those. What would the rating be then?

Mr. Riesland – Well, with some of the modifications they're going to make as part of the improvements, it stays the same at 12th and Classen, and about the same. Slight increase in the amount of delay per vehicle, but the level of service letter stays the same.

Mr. Gasaway – So we've still got a C and a D.

Mr. Riesland – Yes.

Mr. Gasaway – Okay. And you all are comfortable with that?

Mr. Riesland – Yes.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. Gasaway – I will say that I'm going to support this. It's a good project and I think covers some needed amenities, such as the grocery store and that type of housing. It does cover some good areas. But I do still have some concern for the added traffic. I hope, when it comes to City Council, that we'll see that addressed a little more, because when I went through there today, it was about 3:30 in the afternoon – it was backed up from the north and from the south for a full block waiting on the light to change. I think adding from a fourth direction that essentially has no traffic now, when you're adding several hundred vehicles, I think it's going to have a major impact. I don't think a C and a D rating – I think those have happened by natural growth of the city, but then I think when we approve something that adds that traffic count, I think that's something that we need to seriously take a look at. So I hope when you all do go to Council, that you will cover that in a little greater detail.

2. Mr. Lewis – Hal, I have a quick question. About what amount of economic monetary impact is this going to have on the City of Norman? Not only the construction costs, but long-term.

Mr. Ezzell – That would be difficult for me to estimate.

Mr. Lewis – Millions?

Mr. Ezzell – Easily in the millions. The question would be with regard to – on sales tax, for example. You're going to have the property tax revenues that come from probably pushing $50 million of construction. In round numbers, from a property tax standpoint, you can always look at that in a sort of factor of 10. So if you have a $50 million project, you're going to expect that that's going to throw off about $5 million in ad valorem revenues – or is my math -- $500,000, excuse me, would be the ad valorem impact on an annual basis. That's new impact. That's certainly a much higher taxation factor than you have currently with the mobile home park and the travel trailers. That's a new positive added impact. Other impacts that you will see with regards to the finances are a project of this size is going to – on the PUD element alone – generate impact fees for the City pushing probably in the neighborhood of $550,000, give or take, and that's not the commercial side of it; that's just the PUD part. A great portion, as you know, of those impact fees go to the funds that we're setting aside for future infrastructure growth. So this is the classic case where the future growth is certainly paying its own way. One of the things that you get with multi-family is you get a much greater density and use of service from a City utility standpoint – you get a lot more bang for your buck in a smaller period of time. That's a benefit. Sales tax revenues from the grocery store – that's really difficult to predict or to classify as a new value, because that's a probable shift. They're probably driving to some other grocery store in Norman and buying their groceries, so that's going to be a convenience factor. So I think it would be erroneous to say that there's a huge long-term sales tax benefit from the grocery store. That's probably just a neutral and a reassignment from somewhere else in Norman. But the property tax benefits are real. The impact fee benefits are real. And, to the extent that those are one or two functional restaurant sites – you know, someone may be voting with their entertainment dollar there from a convenience standpoint that might otherwise have gone to Bricktown or some other area. Again, difficult to predict, but there's probably some bump from that. But the probably clearest and most tangible benefit that you would look at would be those additional ad valorem tax revenues, which will add up – you know, at $500,000 a year over 10 years, that's not an inconsequential sum.

3. Mr. Lewis – One can never put a price tag on displacing a homeowner, and that was my concern when this actually came to the table. It sounds as though a plan has been put in place that is going to accommodate and help those individuals who have lived in the mobile home park for many years to be able to move to another community and be well-established again. It also seems to me that we have a multi-million dollar investment coming into the City of Norman potentially, if we do approve this item – recommend this item for adoption, that's going to continue on year after year after year to put into, not only the City of Norman revenue funds, but also into the Cleveland County revenue funds, hundreds of thousands of dollars. So I think it is a very well-designed item that's coming before the Planning Commission. Certainly it's going to be a very positive impact for the City of Norman, not only once it's developed, but for many, many years to come. So I definitely will be planning on voting for the adoption of this item.

Jim Gasaway moved to recommend adoption of Resolution No. R-1314-54, Ordinance No. O-1314-23, Ordinance No. O-1314-24, Ordinance No. O-1314-25, and PP-1314-10, the Preliminary Plat for SOONER MOBILE HOME REDEVELOPMENT ADDITION, A Planned Unit Development, (A Replat of Sooner Mobile Home Park Addition), 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	Curtis McCarty, Jim Gasaway, Roberta Pailes, Andy Sherrer, Cindy Gordon, Dave Boeck, Sandy Bahan, Tom Knotts, Chris Lewis
NAYS	None
ABSENT	None

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1314-54, Ordinance No. O-1314-23, Ordinance No. O-1314-24, Ordinance No. O-1314-25, and Preliminary Plat No. PP-1314-10 to City Council, passed by a vote of 9-0.

* * *

City of Norman, OK

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

Master

File Number: O-1314-25

File ID:	O-1314-25	**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:**	10/17/2013
File Name:	Sooner Mobile Home Redevelopment C-1 O-1314-25			**Final Action:**	

Title: CONSIDERATION OF ORDINANCE NO. O-1314-25 UPON FIRST READING BY TITLE: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE PART OF LOT 1, BLOCK 1, SOONER MOBILE HOME PARK ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT AND RM-4, MOBILE HOME PARK DISTRICT AND PLACE THE SAME IN THE C-1, LOCAL COMMERCIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (EAST SIDE OF 12TH AVENUE S.E. NORTH OF THE INTERSECTION WITH CLASSEN BOULEVARD, AT 2601 S. CLASSEN BOULEVARD)

Notes: ACTION NEEDED: Motion to Introduce and adopt Ordinance No. O-1314-25 upon First Reading by title.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 7

Attachments: Text File O-1314-25.pdf, O-1314-25, Location Map, Commercial Staff Report, Preliminary Site Plan O-1314-25.pdf, 11-14-13 PC Minutes - Sooner Mobile Home Redevelopment

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	11/14/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	11/26/2013		Pass

Action Text: A motion was made by Commissioner Gasaway, 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 12/10/2013. The motion carried by the following vote:

Text of Legislative File O-1314-25

Body

SYNOPSIS: Along with the PUD and the C-2, General Commercial District requests, the third rezoning request for the Sooner Mobile Home and RV Park is for C-1, Local Commercial District. This proposal is to locate two commercial businesses on the northwest portion of this development. The use for this area may possibly be a restaurant or some other commercial use permitted under C-1, Local Commercial District.

ANALYSIS:

C-1, Local Commercial District Defined:
This commercial district is intended for the conduct of retail trade and to provide personal services to meet the regular needs and for the convenience of the people of adjacent residential areas. It is anticipated that this district will be the predominately used commercial district in the community. Because these shops and stores may be an integral part of the neighborhood closely associated with residential, religious, recreational and education elements, more restrictive requirements for light, air, open space, and off-street parking are made than are provided in other commercial districts.

ALTERNATIVES/ISSUES:

IMPACTS: There are no expected negative impacts from this proposed rezoning and future use of the site. There is a single-family development to the north of this proposal; however, there is a large flood plain/buffer area between the two developments.

ACCESS: Access to these commercial sites will be from Classen Street by way of Classen Boulevard.

SITE PLAN: The site development plan details two commercial buildings with required setbacks and parking adequate to support the average drive-thru restaurant facility for the north portion; C-1 Local Commercial District.

OTHER AGENCY COMMENTS:

PUBLIC WORKS/UTILITIES: Detention facilities for this development of the commercial area will be provided for storm water run-off. Water and Sanitary sewer will be public and installed per City Standards.

A Traffic Impact Study was submitted and reviewed by City staff. A modification to the lane assignments, traffic signals and striping will be implemented for the Classen Boulevard and Constitution Street intersection. Existing split phasing will be eliminated for the east/west leg of the intersection of Classen Boulevard and Constitution Street. The construction of a left turn lane, signal modification, i.e. pole replacement/pole arm extensions will be implemented at the intersection of 12th Avenue SE and Classen Boulevard. Upgrading of the traffic signal, controller/cabinet and new pavement for roadway access will also be executed at the redesigned intersection of Classen Boulevard and 12th Avenue SE.

STAFF RECOMMENDATION: With the continued growth in south Norman this proposal for commercial development/restaurants will complement the area. In addition to this development being an amenity for the growing area, vehicular circulation has been well designed. Sidewalks will be installed to provide pedestrian access to and from the development in all directions, creating walkability. The infrastructure improvements in this area have paved the way for this future growth.

Staff recommends approval of ORDINANCE NO. O-1314-25, C-1, Local Commercial District - 5.14 acres.

Planning Commission, at their meeting of November 14, 2013, unanimously recommended adoption of this ordinance, 9-0.

O-1314-25

AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE PART OF LOT 1, BLOCK 1, SOONER MOBILE HOME PARK ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE A-2, RURAL AGRICULTURAL DISTRICT AND RM-4, MOBILE HOME PARK DISTRICT AND PLACE THE SAME IN THE C-1, LOCAL COMMERCIAL DISTRICT, OF SAID CITY; AND PROVIDING FOR THE SEVERABILITY THEREOF. (East side of 12th Avenue S.E. north of the intersection with Classen Boulevard, at 2601 S. Classen Boulevard)

§ 1. WHEREAS, Sooner Mobile Home Redevelopment, L.L.C. has made application to have the property described below removed from the A-2, Rural Agricultural District, and RM-4, Mobile Home Park District, and have the same placed in the C-1, Local Commercial District; and

§ 2. WHEREAS, said application has been referred to the Planning Commission of said City and said body has, after conducting a public hearing as required by law, considered the same and recommended that the same should be granted and an ordinance adopted to effect and accomplish such 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 A-2, Rural Agricultural District, and RM-4, Mobile Home Park District, and to place the same in the C-1, Local Commercial District, to wit:

A tract of land being in a part of Lot 1, Block 1, SOONER MOBILE HOME PARK, an addition to the City of Norman, Cleveland County, Oklahoma according to the plat recorded in Book 13 of Plats, Page 21, AND a tract of land lying in the Southwest Quarter of Section 4, Township 8 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma, all being more particularly described as follows:
COMMENCING at the Northwest Corner of said Southwest Quarter;
THENCE South 00°41'23" East, along the West line of said Southwest Quarter, a distance of 675.70 feet to a point on the West line of said Southwest Quarter and the POINT OF BEGINNING;
THENCE South 00°41'23" East, along the West line of said Southwest Quarter, a distance of 291.29 feet;
THENCE around a curve to the left having a radius of 2,136.39 feet (said curve subtended by a chord which bears South 84°02'03" East, a distance of 211.54 feet) and an arc length of 211.63 feet;
THENCE North 89°16'56" East a distance of 366.18 feet;
THENCE North 00°09'12" West a distance of 494.14 feet;
THENCE South 62°31'34" West a distance of 155.32 feet;
THENCE South 75°31'33" West a distance of 455.38 feet to the POINT OF BEGINNING.

Said described tract of land contains an area of 223,964 square feet, or 5.142 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)

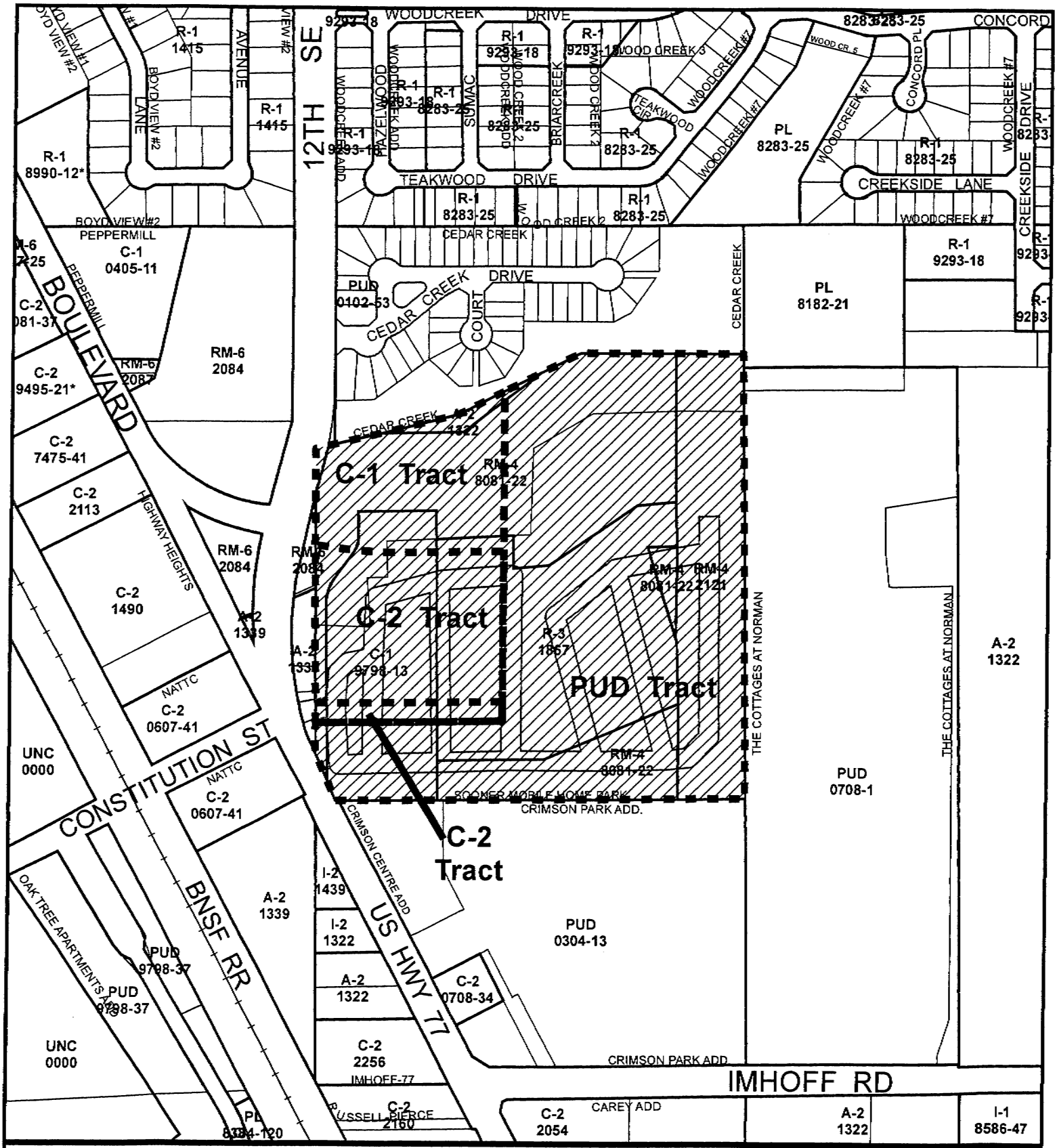
ATTEST:

_____
(City Clerk)

NOT ADOPTED this _____day of

_____, 2013.

_____
(Mayor)



Location Map

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

N
W E
S

October 22, 2013

0 200 400 Ft.

Subject Tract

Zoning

7-3

ORDINANCE NO. O-1314-24 ITEM NO. 3c
ORDINANCE NO. O-1314-25 ITEM NO. 3d

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Sooner Mobile Home Redevelopment, L.L.C.
REQUESTED ACTION	Rezoning to C-1, Local Commercial District (North Area) and Rezoning to C-2, General Commercial District (South Area)
EXISTING ZONING	C-1, Local Commercial District; R-3, Multi-Family Dwelling District, RM-4, Mobile Home Park District and A-2, Rural Agricultural District
SURROUNDING ZONING OF SITE	North: PUD, Planned Unit Development East: PUD, Planned Unit Development South: PUD, Planned Unit Development West: C-2, General Commercial District and RM-6, Medium Density Apartment District
LOCATION	East side of Classen Boulevard and 12th Avenue S.E. between Classen Boulevard and Constitution Street
SIZE	C-2, General Commercial District - 6.14 acres C-1, Local Commercial District – 5.14 acres
PURPOSE/USE	Restaurants/Commercial – C-1, Local Commercial District Grocery Store and Fueling Station – C-2, General Commercial District
EXISTING LAND USE	Mobile Home Park
SURROUNDING LAND USE	North: Single Family Residential East: Multi-Family Residential

South: Multi-Family Residential and Commercial
West: Commercial

LAND USE PLAN DESIGNATION — Commercial and Low Density Residential

SYNOPSIS: This staff report is a combination of two applications, one for the C-1, Local Commercial District rezoning request and the other for the C-2, General Commercial District rezoning request. These are separate items but for the convenience of outlining the requests staff has prepared one staff report.

- The proposal for the C-1, Local Commercial District is to locate two commercial businesses on the northwest portion of this development. This area proposed for the commercial development is the northern portion of the property. The uses permitted might be a restaurant or some other commercial use permitted under C-1, Local Commercial District.

- The proposal for the C-2, General Commercial District is to allow for the location of a grocery store with a fueling station on the southwest corner of the lot. This lot is the centrally located western tract of the entire redevelopment project, adjacent to Classen Boulevard.

ANALYSIS:

C-1, Local Commercial District Defined:
This commercial district is intended for the conduct of retail trade and to provide personal services to meet the regular needs and for the convenience of the people of adjacent residential areas. It is anticipated that this district will be the predominately used commercial district in the community. Because these shops and stores may be an integral part of the neighborhood closely associated with residential, religious, recreational and education elements, more restrictive requirements for light, air, open space, and off-street parking are made than are provided in other commercial districts.

C-2, General Commercial District Defined:
This commercial district is intended for the conduct of personal and business services and the general retail business of the community. Persons living in the community and in the surrounding trade territory require direct and frequent access. Traffic generated by the uses will be primarily passenger vehicles and only those trucks and commercial vehicles required for stocking and delivery of retail goods.

ALTERNATIVES/ISSUES:

- **IMPACTS**

  C-1, Local Commercial District Rezoning: There are no expected negative impacts from this proposed rezoning and future use of the site. There is a single-family development to the north of this proposal; however, there is a large flood plain/buffer area between the two developments.

C-2, General Commercial District Rezoning: There will be a less intense zoning to the north of this proposal; C-1, Local Commercial District. As a result of the large open spaces on this project and the less intense zoning north of this proposal the residential property to the north will be buffered from the grocery store and fueling station. The PUD proposed to the east of the grocery store and fueling station is situated such that the buildings are set back away from the rear and side of the grocery store to eliminate impacts such as noise and lights. The east side of the grocery store will be fenced to help any noise and light impacts on the PUD.

- **ACCESS** Access to these commercial sites will be from Classen Boulevard by way of two streets extending into this development on the north and south sides of the proposed grocery store; Classen Street located on the north side and Constitution Street located on the south side.

- **SITE PLAN** The site development plan details two commercial buildings with required setbacks and parking adequate to support the average drive-thru restaurant facility for the north portion; C-1 Local Commercial District. The grocery store is set back off of Classen Boulevard, with the parking along the west side of the store, abutting Classen Boulevard. There is a drive-thru pharmacy located on the south side of the grocery store. The delivery and trash area is on the east side of the store, abutting the lot for the PUD, student based housing project to the east. The PUD design has the residential buildings set back from the grocery store/commercial area, helping to eliminate any impacts on the residential area from noise or lights.

OTHER AGENCY COMMENTS:

- **PUBLIC WORKS/UTILITIES** Detention facilities for this development of the commercial area will be provided for storm water run-off. Water and Sanitary sewer will be public and installed per City Standards.

  A Traffic Impact Study was submitted and reviewed by City staff. A modification to the lane assignments, traffic signals and striping will be implemented for the Classen Boulevard and Constitution Street intersection. Existing split phasing will be eliminated for the east/west leg of the intersection of Classen Boulevard and Constitution Street. The construction of a left turn lane, signal modification, i.e. pole replacement/pole arm extensions will be implemented at the intersection of 12th Avenue SE and Classen Boulevard. Upgrading of the traffic signal, controller/cabinet and new pavement for roadway access will also be executed at the redesigned intersection of Classen Boulevard and 12th Avenue SE.

STAFF RECOMMENDATION With the continued growth in south Norman this proposal for commercial development will complement the area. In addition to being an amenity for the growing area, vehicular circulation has been well designed. Sidewalks will be installed to provide pedestrian access to and from the development in all directions. The infrastructure improvements in this area have paved the way for this future growth.

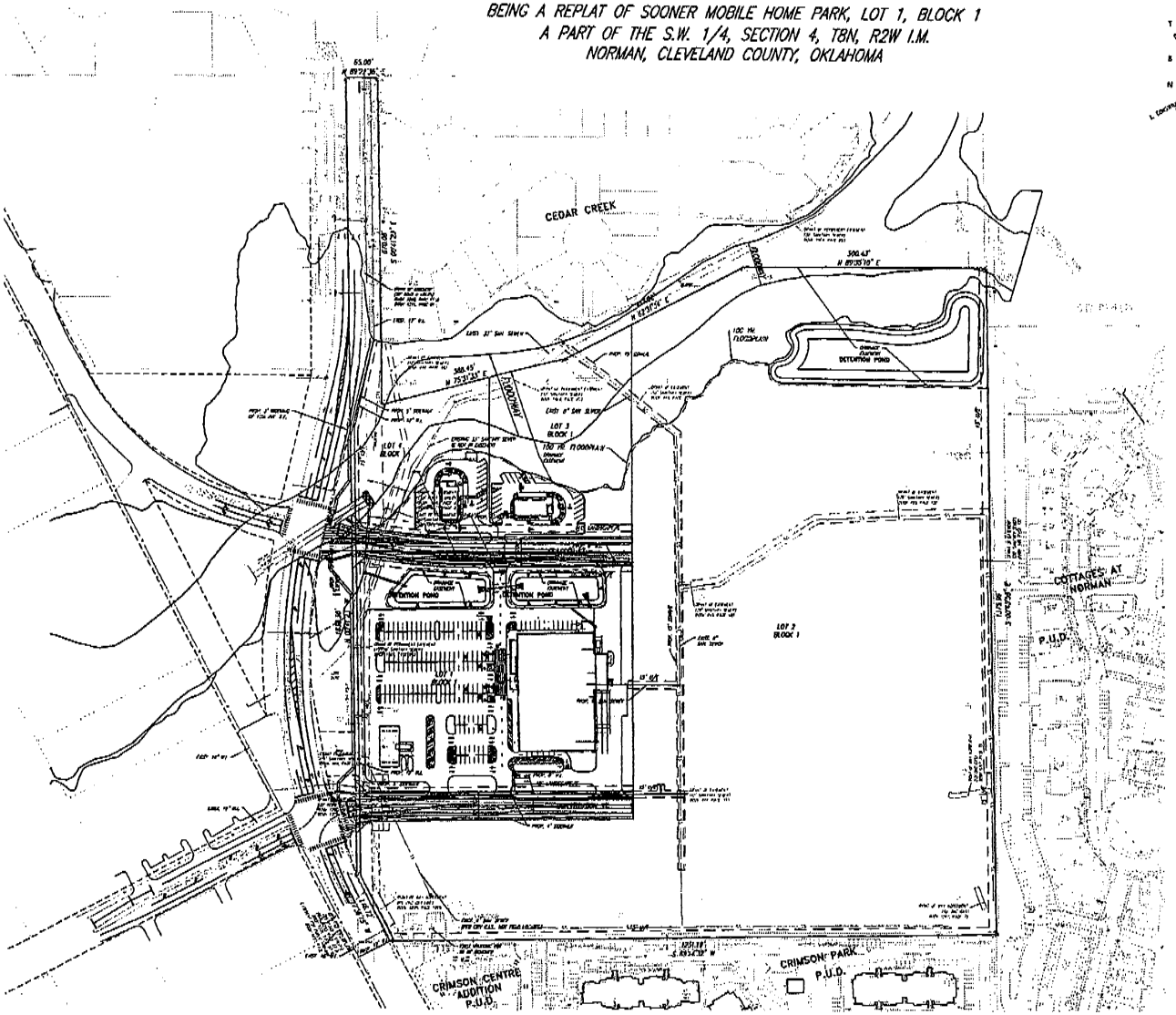
Staff recommends approval of ORDINANCE NO. O-1314-24, C-2, General Commercial District - 6.14 acres

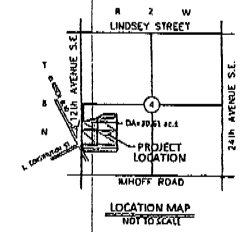
Staff recommends approval of ORDINANCE NO. O-1314-25, C-1, Local Commercial District – 5.14 acres

PRELIMINARY SITE PLAN

SOONER MOBILE HOME REDEVELOPMENT

BEING A REPLAT OF SOONER MOBILE HOME PARK, LOT 1, BLOCK 1
A PART OF THE S.W. 1/4, SECTION 4, T8N, R2W I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA





LOCATION MAP
NOT TO SCALE

SCALE: 1" = 100'

NOTES:
1. TRASH DUMPSTERS MUST BE REPLACED WITH A TRASH COMPACTOR WITH FINAL DESIGN

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OWNER / DEVELOPER
SOONER MOBILE HOME REDEVELOPMENT L.L.C.
2575 KELLEY POINTE PARKWAY, SUITE 300
EDMOND, OK. 73013
(405)445-5106

PREPARED BY:
SMC Consulting Engineers, P.C.
815 W. Main St.
Oklahoma City, Oklahoma 73106
Ph.:(405)232-7715

NOT VALID FOR CONSTRUCTION
TOM L. McCALEB 13418
OKLAHOMA
UNLESS SEALED IN THIS BLOCK

SOONER MOBILE HOME REDEVELOPMENT
BEING A REPLAT OF SOONER MOBILE HOME PARK, LOT 1, BLOCK 1

E. CONSTITUTION ST. & 12th AVE. S.E.
NORMAN, OKLAHOMA

SMC
SMC Consulting Engineers, P.C.
815 West Main, Oklahoma City, OK 73106
Ph. 405-232-7715 Fax 405-232-7699

No.	Revision	By	Date
1	1/13/13		

PROJECT NO. 30-30-09
DATE: 10/13/13
SCALE: 1" = 100'
DRAWN BY: S.G.
ENGINEER: TOM L. McCALEB
P.E. NUMBER 13418

PRELIMINARY SITE PLAN

SHEET NO.
1

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

NOVEMBER 14, 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 14th day of November 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	Curtis McCarty Jim Gasaway Roberta Pailes Andy Sherrer Cindy Gordon Dave Boeck Sandy Bahan Tom Knotts Chris Lewis
MEMBERS ABSENT	None

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 Scott Sturtz, City Engineer Roné Tromble, Recording Secretary Leah Messner, Asst. City Attorney Larry Knapp, GIS Analyst II Terry Floyd, Development Coordinator

* * *

Item No. 3, being:
SOONER MOBILE HOME REDEVELOPMENT, L.L.C. AT 2601 S. CLASSEN BOULEVARD

3A. R-1314-54 – SOONER MOBILE HOME REDEVELOPMENT, L.L.C., REQUESTS AMENDMENT OF THE NORMAN 2025 LAND USE AND TRANSPORTATION PLAN FROM LOW DENSITY RESIDENTIAL DESIGNATION, FLOODPLAIN DESIGNATION, AND COMMERCIAL DESIGNATION TO MEDIUM DENSITY RESIDENTIAL DESIGNATION AND COMMERCIAL DESIGNATION FOR PROPERTY LOCATED AT 2601 S. CLASSEN BOULEVARD.

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

3B. O-1314-23 – SOONER MOBILE HOME REDEVELOPMENT, L.L.C. REQUESTS REZONING FROM C-1, LOCAL COMMERCIAL DISTRICT, RM-4, MOBILE HOME PARK DISTRICT, R-3, MULTI-FAMILY DWELLING DISTRICT, AND A-2, RURAL AGRICULTURAL DISTRICT, TO PUD, PLANNED UNIT DEVELOPMENT, FOR PROPERTY GENERALLY LOCATED AT 2601 S. CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. PUD Narrative with Exhibits A-E

3C. O-1314-24 – SOONER MOBILE HOME REDEVELOPMENT, L.L.C. REQUESTS REZONING FROM C-1, LOCAL COMMERCIAL DISTRICT, RM-4, MOBILE HOME PARK DISTRICT, AND R-3, MULTI-FAMILY DWELLING DISTRICT, TO C-2, GENERAL COMMERCIAL DISTRICT, FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 12TH AVENUE S.E. BETWEEN CLASSEN BOULEVARD AND CONSTITUTION STREET, AT 2601 S. CLASSEN BOULEVARD.
and
3D. O-1314-25 – SOONER MOBILE HOME REDEVELOPMENT, L.L.C. REQUESTS REZONING FROM RM-4, MOBILE HOME PARK DISTRICT, AND A-2, RURAL AGRICULTURAL DISTRICT, TO C-1, LOCAL COMMERCIAL DISTRICT, FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 12TH AVENUE S.E. NORTH OF THE INTERSECTION WITH CLASSEN BOULEVARD, AT 2601 S. CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Staff Report
3. Site Development Plan

3E. PP-1314-10 – CONSIDERATION OF A PRELIMINARY PLAT SUBMITTED BY SOONER MOBILE HOME REDEVELOPMENT, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR SOONER MOBILE HOME REDEVELOPMENT ADDITION, A PLANNED UNIT DEVELOPMENT, (A REPLAT OF SOONER MOBILE HOME PARK ADDITION), LOCATED AT 2601 S. CLASSEN BOULEVARD.

ITEMS SUBMITTED FOR THE RECORD:
1. Location Map
2. Preliminary Plat
3. Staff Report
4. Transportation Impacts
5. Preliminary Site Plan (Commercial Areas)
6. Preliminary Site Development Plan (PUD Area)
7. Request for Alley Waiver (Commercial Areas)

PRESENTATION BY STAFF:
1. Jane Hudson – You have five applications before you tonight for the redevelopment of the Sooner Mobile Park and RV Community. The existing 2025 Land Use and Transportation Plan

shows that the current site has Low Density Residential and Commercial. If updated, you would have Medium Density Residential with Commercial. You have Low Density Residential to the north and to the east, Medium Density Residential and Commercial to the south, and Commercial across Classen to the west. The existing zoning for the Planned Unit Development shows a single-family PUD to the north, multi-family student housing PUDs to the east and to the south, and commercial zoning to the west. The C-1 tract would consist of possibly some restaurants. The C-2 tract is proposed for a gas station and a grocery store. The existing zoning in that area is, again, like the Planned Unit Development with single-family to the north, multi-family to the east and south. The preliminary plat encompasses the entire proposal. The existing land use in the area is the single-family to the north, multi-family student housing to the east and south, additional commercial to the south and across Classen Boulevard. This is a photo of the site at the corner of Constitution and Classen Boulevard; that is the current entrance for the mobile home park. This is the existing commercial strip mall to the southwest at Constitution and Classen. There is also commercial on the northwest corner of Constitution and Classen. This is a photo of the gated single-family Planned Unit Development that is on the north side of the development. This is looking back to the south; that's the heavily treed area where the mobile home park currently exists. This is that commercial strip mall that is directly south of the proposed development. This is the multi-family to the south and the multi-family area to the east of the proposal. This is an aerial photo to give you an idea of the mobile home park in the center with the multi-family on the east and south, the commercial development, and the single-family to the north. The application has gone through the process for us. It has gone through Pre-Development; no protests at the Pre-Development meeting. It went before Greenbelt Commission, however there was not a quorum at the Greenbelt Commission, so it was moved forward to Planning Commission tonight. Staff is in support of these applications and does recommend approval for Resolution No. R-1314-54, which is for the land use changes, Ordinance Nos. O-1314-23, O-1314-24, and O-1314-25, which are the Planned Unit Development, C-2 zoning, and C-1 zoning, as well as PP-1314-10 for the preliminary plat. The applicant's representative is here with a presentation and staff is available for questions if you have any.

PRESENTATION BY THE APPLICANT:

1. Hal Ezzell, 100 48th Avenue N.W., representing the applicant Sooner Mobile Home Redevelopment, L.L.C. – I'm only going to speak very briefly, and I'm going to turn it over to Mr. Tommy Martin with SMC Engineers to go through some of the technical aspects and utility aspects of the project, and then I will come back up to address some of the items with regard to the PUD development within it. We also have available, should you have any questions, representatives from the traffic engineering firm, as well as the ownership, and as well as the people who will be developing the PUD. So, with that, I'm going to turn it over to Mr. Tommy Martin and let him move forward on some of the technical aspects. Thank you.

2. Tommy Martin, SMC Consulting Engineers, 815 W. Main Street in Oklahoma City, engineer for the applicant – First of all, I'd like to thank this Commission for allowing us to address you this evening. This tract of land is further described in your staff report. All engineering issues have been identified and examined. A brief history: the site was previously platted in 1983 by our firm for the mobile home usage. Subsequently, our firm also rezoned a small area of the western portion of the tract to C-1. Solutions have been prepared and submitted to staff. Staff has reviewed those solutions and required joint meetings, resulting in staff recommendations for approval. I will now briefly present those solutions. Sanitary sewer – there were several sanitary sewer lines constructed for this tract, some public and some private. As you know, the mobile home park does not require all lines to be public. There were a few sanitary sewer lines constructed by other parties other than our firm. To identify and allow for a comprehensive review of the sewer lines associated with this tract, SMC required a complete ALTA, topographic and utility survey to be performed. With the assistance of staff, we have formulated a plan to resolve the quantity of the sewer lines and have resolved 90% of those issues. Some of the lines that are constructed have no easements by title examination and, therefore, must be

considered private. The site does have sanitary sewer available and capacity does exist. The site plan that SMC prepared complies with staff's approval for the alignment and use to sewer the entire preliminary plat. Water line -- currently there is no public water line along the west boundary. This will help me depict a little bit better how we're going to route the water on this. There is no water line along the west boundary. The applicant is required to construct a 12" line which will connect to an existing 12" line located at the northwest corner of the plat, and then extend a new line along the west boundary to the southwest corner of the plat. From there, a bore will be extended under Classen to connect to an existing 16" line located on the west side of Classen. The commercial tract and apartment tract will extend two 8" water lines easterly along the proposed Classen and Constitution Streets. These lines will transverse into and through the apartments and loop together. The design will have fire hydrants installed per City requirements and per review of the Fire Department. The results will give a looped system to provide sufficient water for domestic and fire protection. Storm sewer -- SMC prepared a drainage and detention analysis that has been reviewed and approved by Norman Engineering staff. The detention will be constructed with three ponds that will provide the required detention and guarantee the release to be at the historic discharge. The northeast detention pond will not encroach on the 100-year floodplain. SMC has already prepared a floodplain permit and been approved by the Norman Floodplain Committee to allow the construction of the reinforced concrete box to extend into the floodplain, as dictated by the location of the existing box along Classen. Traffic was a concern of both staff and the developer. SMC engaged Traffic Engineering Consultants to review those issues and submit the results in the form of a Traffic Impact Analysis. BJ Hawkins is present tonight and can respond to those questions, if any. Briefly, traffic improvements to be constructed by the applicant include a 3' widening on the east side of Classen/Highway 77 to create a southbound left-turn lane into the development, providing 150' of storage. Two: traffic signal modifications as further described in your packet. And three: two new public roads – Constitution Street and Classen Street. These new public roads will extend east to the proposed public access to both gated entrances to the apartment site. The development will create no adverse congestion beyond the existing conditions, and staff has concurred with the traffic report. Other traffic issues for access are clearly described in your packet and staff is recommending approval. One other item to note is there are no existing oil wells on the site and no concerns for such. In closing, as stated in the beginning, all technical engineering issues have been addressed and staff is recommending approval. We ask for this Commission's concurrence with staff's recommendations. Again, thank you for allowing us to speak with you tonight.

3. Hal Ezzell – Thank you for your time this evening. This project – a portion of it – you've seen before in the form of the Aspen Heights project, which was originally proposed, as you will recall, on a site directly adjacent to Hitachi. When that site did not pan out, they began looking for a secondary site in the general area and identified this site as one that would be even, in fact, more suitable for the project.

This is the aerial that's been discussed somewhat, but I wanted to emphasize a couple of things here. Number one, you see an extensive and a very heavily forested floodplain area that will act as a buffer to this R-1 neighborhood. There will be some interior shots that will also show you how heavily treed the area is on parts of the interior. One of the things that the PUD developer has taken great pains to do, and is actually readjusting again, is to keep as many of these trees as possible. These are very nice, very mature trees. It was correctly stated that the Greenbelt Commission did not have a quorum that night, but this area is part of the trail master plan, and what the trail master plan shows is a trail basically coming through this area, coming down through here, and connecting to the Classen site. That area is going to be preserved and that's going to be an option should the City figure out a way to ultimately fund the trail master plan. So those options are going to be maintained for the future.

Crimson Park is directly to the south, and The Cottages is directly to the east boundary of the property. In the 2025 Plan, as you well know, there are generally two criteria that you're looking at to decide if a Plan change is appropriate and in order. The first criteria can be

generally summarized as that the development around the area has changed such that it warrants a different use, and the second criteria is generally described as there's no adverse impact as a result of the requested changed. Staff put in the report, and I greatly appreciate it, the history of how this property has been dealt with and treated throughout the course of strategic planning by the City. Up until 2004, this property has always been designated either as high density, within the traditional meaning of that, or medium density. It was only in 2004 that it was changed to low density residential. At that time, in 2004 when that was done, none of this existed. This is now – and you'll see from some of the aerials – it would really make it highly improbable that this would ever be suitable for R-1 single-family housing. Here is Constitution Street – you can see OU golf course right there. Unfortunately, this is not on the CART path, but hopefully the City and the University will get some – this is a great multi-modal location here if they ever do it leading straight up to the south campus area. Again, you've already seen that.

The C-2 tract is going to be a grocery store. That's one of the things I think that's very exciting about this project. The southeastern part of Norman, if you're not familiar with it, is considered long-neglected – at least to the people who live over there – in the provision of services such as grocery stores, restaurants, etc. I would agree. It would seem that the west side of Norman has an abundance of grocery stores, while the eastern and southeastern part has not seen that same flourishing. That will be an excellent service for the area and for the residents. The C-1 tract is designated as a probable restaurant site – again, something I think is sorely lacking in that area. You can see it's currently a hodge-podge of zoning. I'm not going to really talk at length, but you can see the layout.

In the Planned Unit Development part of this, there are 179 units. I think that's noteworthy because it's not really a greater density change than what is there currently. Currently there were 85 mobile homes and 50 RVs, and those 50 RVs were long-term RVs, most of which were occupied as though they were residences. So you're going from 135 units, if you will, to 179 units. This is looking to the interior of the site from Constitution. This is important because I think it's illustrative to look at why this is not going to be a single-family site. You can see the scale of the height of The Cottages. I don't see anyone barbequing in their back yard with that staring down in on them. This is another interior view; this is standing on the front part of the site looking in. This – it's hard to tell – but you're looking south at Crimson Park. This is a little bit better view of what someone on the southern boundary would be seeing if they were in their back yards. So I think this really is a use that is appropriate; it makes it more compatible with what's around it. As you will recall from the satellite, you maintain appropriate buffers to the single-family to the north. This is the northeastern corner of the property. Again, I'm trying to give you an idea of the density of the foliage there and the trees. This is what is going to be put there. I think you've seen this before. But this is in the American Craftsman style. They're structured as separate housing. The theory behind that is that there are a lot of people that like to live in housing, and they like to have the amenities of a community, but they don't necessarily want to be all attached together. That seems to be the trend in multi-family. Again, more representations of how this would look. Again, American Craftsman style.

This slide I want to talk on because there has been a lot – and I've seen this developing – of discussion that's arising about we are approving lots of multi-family – another multi-family project. Don't we have enough multi-family? The answer is that the market would tell us not yet. So what I have here – these are straight off the U.S. Census Bureau website. Our 2012 estimate of population is 115,562; our 2010 estimate was 110,925. That represents over that period of time – April of 2010 to July of 2012 – a 4.2% increase in our population in the City of Norman, while the State as a whole only increased 1.7%. So what that means is that you all are doing your job successfully; the Council is doing its job successfully and Norman is becoming an ever more desirable place within the State of Oklahoma to live. Going back to the decennial census in 2000, the population was 95,694. So if you take that number from 2000 to 2012, what you see is a 20.8% increase over that period of time, and that averages out to an annual average of about 1.73%. I had always heard that anecdotally the number is 1.6-1.8 – and that lines up with that. What municipal planning officials will tell you is growth is not a problem or difficult to control until you hit about the 7% number. At a 7% growth number you're now outstripping your ability to

add infrastructure and provide services. So now let's take a look at multi-family. In 2000, the number of renter-occupied housing units – and this is the whole rental housing stock – is 17,393 and in 2000 we had a vacancy rate of all rental housing of 8%. In 2010, that number of renter-occupied housing units was 20,238. The 2010 vacancy rate of all rental housing had declined to 7.2%. So over that 10-year period of time, we added 2,845 rental units and our vacancy rates declined for the whole of the rental stock from 8 to 7.2. Now, I think that's important and it illustrates a couple of facts. Anecdotally – and I know people have said this to you before – we have the sense that we're approving so many multi-family. I think those are valid questions, so my standpoint is what does the data say? What do the numbers say? Not our emotive reaction to that, but what do the numbers say? So that illustrates the fact that, even though we're adding multi-family units – and, frankly, we're adding multi-family units at a rate greater than what was contemplated under the 2025 Plan when it was originally set forth – I believe the rental units contemplated under the 2025 Plan was something in the neighborhood of 1,742 and we are, since adoption of that plan, we've – we being collectively the City of Norman, not me – has allowed 2,200 and some odd units to be slated for construction. The problem with the 2025 multi-family numbers is they're not prepared by experts – they're shot in the dark guessing. Multi-family is an animal that is more complex than people at first assume. Not all multi-family is the same. Within multi-family you have several layers of multi-family. You have market rate properties, such as the most recent one, The Falls at Brookhaven that came online in the last few months. You have senior, such as The Mansions at Brookhaven. You have low-income oriented housing. You have student-oriented housing. So multi-family has lots of different stripes that you have to look at, and they each have different demand curves for them. So one of the questions that was raised at the April meeting was, well, that's great that your projects are going to be so successful, but doesn't that create softness elsewhere within our rental markets? And the answer, as you see from the data and the numbers, is no, it doesn't create a softening. We have a declining vacancy curve, even though we're adding rental units. The other issue is I think it's an over-simplification to say student housing means that it's going to be all students and that it's going to be all OU students. There are a lot of college students in Norman that do not attend the University of Oklahoma. We have people who attend Oklahoma City Community College, Oklahoma City University, the University of Central Oklahoma, Rose State. So there are lots of students beyond just what is at the University of Oklahoma community, but there's no guarantee – it's not a covenant or restriction that you have to be a student to live in the complex. I personally think it's more correct to characterize it as an age-driven factor, rather than just purely student. I think those are all important factors to look at when you're evaluating whether or not another multi-family housing project is appropriate.

In addition to that – and I know it's been mentioned previously, but I want to reiterate – these projects just don't go forward because somebody thinks it's a good idea. If you're going to loan somebody 75% of $30 or $40 million for a project, you're going to well vet the data associated with that project, from the competition, the vacancy rates, the absorption rates, etc. Your lenders, especially the larger lenders, are not going to accept we just think this is a great college town and a great place to put this project. You have to prove that it will work. I think also lost in the discussion is the idea that everything that's ever permitted gets built. There are a lot of things that move forward that don't ever actually get constructed, and I suspect because at the end of the day they were not able to justify that the project would support itself, either based on location or other factors. These numbers – and I just want to implore you as you consider this project and any other multi-family project that comes forward – the data shows that we have not reached our tipping point. I think there probably is a tipping point that the market would tell you, and I hope as the City revisits its plans in either the 2030 or 2035 update – I know there are some industry folks that are very interested in partnering with the City and even cost-sharing with the City to do a true feasibility study or market analysis and let's say and set conclusively where the probable tipping point is. Every housing – whether it's single-family, multi-family – everything has a tipping point, but what the data shows is we are not there as of yet.

The other thing I wanted to talk about very briefly that's unique in this project is the reality of it is there are 85 individuals and families who are being displaced. Those 85 people who are

being displaced – this is not convenient for them and that is not a factor that the developer and owner of this property have taken lightly. We have assisted them in coming up with what I think is a very good set of incentives to assist in the relocation efforts with regards to those residents. And just to describe them for you, generally speaking, the cost to move a mobile home is about $5,500-$5,600, depending on who is doing the moving. We negotiated with some other mobile home parks in the area -- specifically Sunnylane Estates and Granada Village are the two who are offering incentives to the residents of Sooner Mobile Home Park where they will pay for the move. So that covers the up-front cost for them, and they're also providing two months free rent – December to December, in essence. When you live in a mobile home park, December typically is one of your tighter months, so if you're going to get a concession, December is the ideal month to have your free rent. So both Sunnylane Estates and Granada Village are offering to pay for the move for the individuals. Now that is about a $5,500 value, or more if you have a double wide mobile home. Now Sooner Mobile Home Redevelopment is offering to the residents cash payments to assist in relocation of $4,000 for those that have a single-wide, and $7,000 for those that have a double-wide. In addition to that, there is a rent abatement on the table that, if you pay rent through the 31st of May, then the rent from January through May will be rebated back to you in the form of a cash payment. That makes the total on a single-wide $5,650 or the total on a double-wide $8,650. So that is, I think, a very fair sharing of the expense and a very good gesture. It was very important for the owner to treat the folks in the park fairly, equitably, and assist them to the extent possible. Now that assistance is conditioned on a couple of factors. One is the property has to be successfully rezoned. If it is not successfully rezoned, then it will not be purchased and there will be no funds available to pay those incentives. That's just the reality of where the money is coming from. In essence, I refer to this as a profit-sharing plan on the part of the owner. They are taking a portion of the proceeds from the sale and they are distributing that to the residents in the form of direct cash payments. To date, 22 mobile homes have been relocated already. The park is going to be closed regardless, and that is in process, so those 22 individuals have already taken the initiative – they've gone, they're toured the parks, they've decided where they want to go, they've arranged for their move, and they have moved. The other conditions associated with that assistance are – and this may be more detail than you want, but I want to share it with you – they have to move their mobile homes, they have to clear the site, and that's really it. It has to be successfully rezoned and they don't get to protest. We presented them with a contract. This is not an empty promise – it's a binding written agreement that says what we're going to do and what they're going to do. It's a very creative thing to do. I've not seen it, frankly, done in any development I've ever observed, either in my time on the Council or otherwise. I think it speaks highly of the ownership group and their sense of taking care of those folks.

With that, I think that has kind of covered the things I wanted to hit on, which is, number one, the 2025 Plan adjustment is appropriate. The development around this site has changed. It is no longer suitable for single-family homes, and the single-family homes to the north of it have an adequate wooded buffer that will prevent that from ever being an issue to them. As the engineering firm mentioned, the traffic service has been addressed; the service level will stay the same. It's not negatively impacted. There are appropriate utilities available. From a general sense of multi-family, I know it can seem like multi-family fatigue, but what the data shows us is that we should not yet be concerned about the number of multi-family projects. With that, I would respectfully request that you approve the project this evening. I think it will be a boon to the southeast quadrant of Norman. I think they will greatly appreciate having a convenient grocery store as well. With that, I'd be happy to answer any questions that you may have.

4. Ms. Pailes – One of the things we were talking about before we began was what was going to happen to the folks in that area. So it's nice to hear that that was addressed. I live in the area and normally people think trailer parks – but it's actually a very nice neighborhood.

Mr. Ezzell – It is. They have a great sense of community there.

Ms. Pailes – Those folks buy those homes, right? And then sell them to the next. They're rarely moved. I'm kind of surprised that they manage to move any of them, because they

haven't been moved in a long time, most of them. So I'm assuming a lot of them will probably take the cash payment of $4,000 and leave, I would guess. Do you have any notion ...

Mr. Ezzell – Well, you are correct that there are instances where a mobile home can't be moved. We have done our own assessment, prior to engaging in this process, and we identified four that we thought fit the bill of there is going to be no way they can move these things. When the machine yanks them, the doors are going to buckle, the windows are going to pop. We think there are four. The owner has allocated a budget for a discretionary item to deal with those very limited instances where the home just absolutely can't be moved. They are going to receive the $4,000 assistance payment and, if appropriate, a rent abatement. But we have also allocated some discretionary funds within that because, for those individuals – and the hard part is, when you're looking at this and saying I'm trying to write a contract and I'm going to have to address it to 85 different situations potentially – it's very difficult to do. So what we do is we set a general parameters that are going to cover everybody, and what we have communicated, and in addition to communicating that directly to the residents, we've also communicated with April at Food and Shelter for Friends to say if people come to you with needs, please make us aware of what they're coming and asking you for, because we can probably assist with that. One of the things, for example, is there may be some folks that need help with utility deposits and that's great that Sunnylane Estates is going to move their mobile home and they will have this future cash payment coming from Sooner Mobile Home Redevelopment, but they've still got to come up with the $220 electric deposit and oftentimes they do reach out to groups such as Food and Shelter, and we've reached out to Food and Shelter to say if these people reach out to you, please reach out to us. The best thing we could do is set aside a discretionary budget to deal with those instances. We think there's going to be three to four where they truly cannot be moved and, as you've correctly stated, they do own them. So, from their perspective, it's well I own this; I wish I could move it, but I can't. So we're going to help those folks. We've only yet – I've been contacted by one that they went to move it on Tuesday and that's exactly what happened – the doors buckled, the windows popped out of it and the mover said we can't move it. So we will have a meeting on Monday and we're going to decide how to help that individual.

Ms. Pailes – It's a very odd situation. It's kind of like you buy a house in a subdivision and then later your subdivision is sold. I mean, you've purchased it in good faith and all that, so it's a very odd situation, and I hope no resident loses badly and I'm glad you've addressed that.

5. Ms. Pailes – It looked kind of like the C-1 area went up into the floodplain area.

Mr. Ezzell – The lot does go into the floodplain area, but there's nothing that will be constructed on it. You cannot – to the extent that there's a lot line there, then that's not in the floodplain. That may be the boundary, but you would never be able to permit any structure whatsoever in that floodplain right there.

6. Ms. Pailes – Planning Commission is not supposed to worry about the economics of things – that's the builder's discretion. There's a lot of empty commercial space in this area. The corner of Lindsey and 12th is almost entirely empty, and that's been up for three or four years. Do you think this is going to work?

Mr. Ezzell – I don't think anything will go on that site until somebody believes that it will work and they have something for it. There's nothing speculative that's going to be constructed on that site.

Ms. Pailes – And there's actually two grocery stores within a mile of this.

Mr. Ezzell – Yes. At Lindsey and 12th.

Ms. Pailes – Lindsey and 12th and Lindsey and Classen.

Mr. Ezzell – But this will be a much better grocery store, I assure you. Not a Whole Foods. I wish. I don't think Whole Foods will locate on a 6-acre site. But it will have some very nice amenities that I think some folks will enjoy and appreciate the alternative. But, no, there's nothing speculative going on this site. This is actually being retained by the owner and they're

just going to hang onto it. I expect, in reality, given the site and the debts and what's in the floodplain, that will probably be consolidated at some point and really it will be one site.

7. Ms. Pailes – And the elevations you showed us of buildings – is that exactly what's going in – sort of their two story roughly Craftsman style?

Mr. Ezzell – Yes. I can invite Charlie Vatterott up from Aspen to talk about what they build.

Ms. Pailes – That's okay.

Mr. Ezzell – Yes, that's what they build. That's their product and they've built them all over the southeastern United States.

8. Ms. Pailes – In terms of the greenbelt – usually for greenbelt projects there's an engineer's report – usually from Tom McCaleb. Or there used to be. Maybe we don't get.

Ms. Connors – The Greenbelt Commission does not require an engineer's report.

Ms. Pailes – I mean we used to have a report, usually from Tom McCaleb, on ...

Ms. Connors – As you know – as Jane indicated, the Greenbelt did not have a quorum the night this came before them, so there is no report coming out of Greenbelt because they couldn't vote.

Ms. Pailes – But I assume that the report done by Tom McCaleb and or his ...

Ms. Connors – Well, Hal, I think, prepared it.

Mr. Ezzell – I prepared the Greenbelt submission.

Ms. Pailes – So we didn't – that report exists, but we didn't see it.

Ms. Connors – That's correct, because it didn't get moved.

Ms. Pailes – Because it was not acted upon. It's just extremely frustrating, because, like you said, this actually would complete a trail.

Mr. Ezzell – I agree.

Ms. Pailes – And it didn't get acted on.

Mr. Ezzell – One of the things I want to thank staff for is they've actually changed the Greenbelt Enhancement Statement – the application form is much more improved over what we've had to work with previously. You're right. This is a trailway master plan opportunity and you could tie it right through.

Mr. Sherrer – Excuse me. It's over 50% greenspace – is that correct? – on the project. I think I read that.

Mr. Ezzell – I think in total that's a correct statement, because so much of the northern wooded boundary of the property is in the floodplain, it remains green and open.

Mr. Sherrer – That's pretty exceptional to me for most projects I've seen.

Mr. Ezzell – And they're also – I know the architect currently is working on how they're going to end up ultimately orienting the buildings because there are some really, really nice mature trees in there that they want to keep from an aesthetic standpoint. The trees have spent 50 years growing – you can't replicate that.

9. Mr. Knotts – Are you planning safe rooms in any part of this housing project?

Charlie Vatterot, Aspen Heights Executive Vice President – Not at this time. No.

10. Mr. Gasaway – Mr. Ezzell, I think you had mentioned that, if this project passes, the people that live in the mobile homes will be given the funding as you stated.

Mr. Ezzell – That's correct.

Mr. Gasaway – If, for some reason, it doesn't pass and the park closes anyway, then they're all on their own?

Mr. Ezzell – That's correct. The park is closing and we have, to date, moved 22 homes already, and many of the RVs are just there month-to-month. So that process is happening. It will only be a matter of do they have a check coming – yes or no – and to the extent that the ones are still left, then yes they will unceremoniously be getting the notices to vacate. That's the

only downside of this type of housing is you do not own the dirt underneath it. You're like a tenant at will with that regard.

Mr. Gasaway – So the ones that have moved now have already paid it out of their pockets?

Mr. Ezzell – Well, most of them have moved to either Granada Village or Sunnylane Estates, and those parks have paid the cost of the move.

Mr. Lewis – And, Hal, that was the clarification I wanted to make, just to make certain. The housing residents that choose to move to one of the mobile home parks that are actually doing their own subsidy – they'll get paid regardless of whether this project goes through or not?

Mr. Ezzell – They get the cost of the move paid for and the free rent those parks have offered.

Mr. Lewis – That's a negotiation that they made with that mobile home park that doesn't have anything to do with you?

Mr. Ezzell – That's correct. We helped in setting some of that up, but that's their decision and they've made different decisions about how long of a lease that they require in order to get that assistance. Then there are some parks in the area that have offered no concession or assistance whatsoever. For example, Canadian Trails or Shores here in Norman at 48th and Main is offering nothing. We feel very fortunate with having talked to the new owners of Sunnylane Estates and Granada Village – oddly enough both out of the Denver area, but unrelated – they want to replicate what these folks had at Sooner Mobile Home Park. Sooner Mobile Home Park is very unique in the sense of community that it had, and that's one of the things that we hate, but it's an unfortunate consequence and the fact is that that will be disrupted, but we are comfortable that, at least with regards to those two parks, they are doing everything they can to recreate that sense of community, and I think that's why they're asking and so excited about Sooner's good residents relocating there.

Mr. Lewis – And that's something that happens regardless of what happens with this project?

Mr. Ezzell – Correct. It's already happened.

11. Mr. Gasaway – Hal, I don't know if you want to cover this or have your traffic engineer do it. I'm sure you all have done a proposed count from the grocery store, the gas station, and the new residences on the traffic count entering.

Mr. Ezzell – I will say that's correct, and that's about all I can say. I'll have to turn it over.

Mr. Gasaway – The main reason I'm asking – my son works for a large grocery store here in town and when I take him or pick him up, there's five or six cars at every instant during the day – during the peak hours of the day – either coming or going. So that probably will be a pretty large number.

B.J. Hawkins, 404 SW 171st Street – I'm the traffic engineer. Yes, we did take into account the gas station, the grocery store, and the apartment complex on our traffic study. All the volumes of the traffic at the peak hours of the day are included.

Mr. Gasaway – What were those numbers?

Mr. Hawkins – Just for those specific, or the entire development?

Mr. Gasaway – Entire development, because ...

Mr. Hawkins – Entering in the a.m. is 137; existing in the a.m. is 216. Entering in the p.m. is 370; and exiting in the p.m. is 287.

Mr. Gasaway – So those are half-day periods, then?

Mr. Hawkins – No. Those are the peak hours. The a.m. is going to be anywhere 7:00 to 9:00 and then the p.m. is 4:00 to 6:00. It's just a one-hour period in there.

Mr. Gasaway – Also, you all said in the presentation that you were going to pay for some traffic signalization changes.

Mr. Hawkins – Both intersections – Constitution and Classen – will have to get modified. The north intersection, obviously, there's no drive to the east, so they have to add that drive and a signal for that. I'm not sure about the north location, but I know the south location had a

couple of traffic signal poles that are going to have to get moved. So it's just modifying the intersection to work with the new driveway alignment.

Mr. Gasaway – For the public's benefit that might be watching, could you pull that up and show us where that new signal would go?

Mr. Hawkins – It's going to be at the existing intersections.

Mr. Gasaway – Where would the new signal be?

Mr. Hawkins – A new signal pole at that intersection. Because, obviously, if you're heading westbound at the newly constructed drive to the north, there is no signal pole because there is no drive. They're just adding that signal pole at that intersection on the northwest corner.

12. Ms. Pailes – Are there septic tanks there in some of those units from old?

Mr. Ezzell – I don't believe so. Those were plotted in the early 80s – 80-81 was when they really started coming through. I think you said 83 was the final plat. They're all private sewer lines, but there are no septic tanks. No.

Ms. Connors – I can answer that, Commissioner. There are no septic tanks on the site.

13. Mr. Gasaway – Those are both fairly new intersections and fairly new design, but there's lots of kind of convoluted things that go on there, with the turn-off and the split and the turn-around. What's that main intersection rated right now?

Mr. Riesland – In terms of level of service?

Mr. Gasaway – Yes. Level of service rating.

Mr. Riesland – Off the top of my head, it's probably B or C, I would guess. Are you talking about the northernmost one – 12th and Classen?

Mr. Gasaway – Well, both, really.

Mr. Riesland – Constitution is a little bit worse than 12th and Classen, I believe. 12th and Classen is an A in the morning and a C in the afternoon. Classen and Constitution is a B in the morning and D in the afternoon.

Mr. Gasaway – So I guess my question is, we've got two intersections that at the peak times one is rated a C and one's a D and we're adding several hundred cars to those. What would the rating be then?

Mr. Riesland – Well, with some of the modifications they're going to make as part of the improvements, it stays the same at 12th and Classen, and about the same. Slight increase in the amount of delay per vehicle, but the level of service letter stays the same.

Mr. Gasaway – So we've still got a C and a D.

Mr. Riesland – Yes.

Mr. Gasaway – Okay. And you all are comfortable with that?

Mr. Riesland – Yes.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE PLANNING COMMISSION:

1. Mr. Gasaway – I will say that I'm going to support this. It's a good project and I think covers some needed amenities, such as the grocery store and that type of housing. It does cover some good areas. But I do still have some concern for the added traffic. I hope, when it comes to City Council, that we'll see that addressed a little more, because when I went through there today, it was about 3:30 in the afternoon – it was backed up from the north and from the south for a full block waiting on the light to change. I think adding from a fourth direction that essentially has no traffic now, when you're adding several hundred vehicles, I think it's going to have a major impact. I don't think a C and a D rating – I think those have happened by natural growth of the city, but then I think when we approve something that adds that traffic count, I think that's something that we need to seriously take a look at. So I hope when you all do go to Council, that you will cover that in a little greater detail.

2. Mr. Lewis – Hal, I have a quick question. About what amount of economic monetary impact is this going to have on the City of Norman? Not only the construction costs, but long-term.

Mr. Ezzell – That would be difficult for me to estimate.

Mr. Lewis – Millions?

Mr. Ezzell – Easily in the millions. The question would be with regard to – on sales tax, for example. You're going to have the property tax revenues that come from probably pushing $50 million of construction. In round numbers, from a property tax standpoint, you can always look at that in a sort of factor of 10. So if you have a $50 million project, you're going to expect that that's going to throw off about $5 million in ad valorem revenues – or is my math – $500,000, excuse me, would be the ad valorem impact on an annual basis. That's new impact. That's certainly a much higher taxation factor than you have currently with the mobile home park and the travel trailers. That's a new positive added impact. Other impacts that you will see with regards to the finances are a project of this size is going to – on the PUD element alone – generate impact fees for the City pushing probably in the neighborhood of $550,000, give or take, and that's not the commercial side of it; that's just the PUD part. A great portion, as you know, of those impact fees go to the funds that we're setting aside for future infrastructure growth. So this is the classic case where the future growth is certainly paying its own way. One of the things that you get with multi-family is you get a much greater density and use of service from a City utility standpoint – you get a lot more bang for your buck in a smaller period of time. That's a benefit. Sales tax revenues from the grocery store – that's really difficult to predict or to classify as a new value, because that's a probable shift. They're probably driving to some other grocery store in Norman and buying their groceries, so that's going to be a convenience factor. So I think it would be erroneous to say that there's a huge long-term sales tax benefit from the grocery store. That's probably just a neutral and a reassignment from somewhere else in Norman. But the property tax benefits are real. The impact fee benefits are real. And, to the extent that those are one or two functional restaurant sites – you know, someone may be voting with their entertainment dollar there from a convenience standpoint that might otherwise have gone to Bricktown or some other area. Again, difficult to predict, but there's probably some bump from that. But the probably clearest and most tangible benefit that you would look at would be those additional ad valorem tax revenues, which will add up – you know, at $500,000 a year over 10 years, that's not an inconsequential sum.

3. Mr. Lewis – One can never put a price tag on displacing a homeowner, and that was my concern when this actually came to the table. It sounds as though a plan has been put in place that is going to accommodate and help those individuals who have lived in the mobile home park for many years to be able to move to another community and be well-established again. It also seems to me that we have a multi-million dollar investment coming into the City of Norman potentially, if we do approve this item – recommend this item for adoption, that's going to continue on year after year after year to put into, not only the City of Norman revenue funds, but also into the Cleveland County revenue funds, hundreds of thousands of dollars. So I think it is a very well-designed item that's coming before the Planning Commission. Certainly it's going to be a very positive impact for the City of Norman, not only once it's developed, but for many, many years to come. So I definitely will be planning on voting for the adoption of this item.

Jim Gasaway moved to recommend adoption of Resolution No. R-1314-54, Ordinance No. O-1314-23, Ordinance No. O-1314-24, Ordinance No. O-1314-25, and PP-1314-10, the Preliminary Plat for SOONER MOBILE HOME REDEVELOPMENT ADDITION, A Planned Unit Development, (A Replat of Sooner Mobile Home Park Addition), 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	Curtis McCarty, Jim Gasaway, Roberta Pailes, Andy Sherrer, Cindy Gordon, Dave Boeck, Sandy Bahan, Tom Knotts, Chris Lewis
NAYS	None
ABSENT	None

Ms. Tromble announced that the motion, to recommend adoption of Resolution No. R-1314-54, Ordinance No. O-1314-23, Ordinance No. O-1314-24, Ordinance No. O-1314-25, and Preliminary Plat No. PP-1314-10 to City Council, passed by a vote of 9-0.

* * *

City of Norman, OK

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

Master

File Number: RPT-1314-31

File ID:	RPT-1314-31	**Type:**	Communication or Report	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 8	**In Control:**	City Council
Department:	Finance Department	**Cost:**		**File Created:**	11/14/2013
File Name:	Finance Director's Investment Report October 31, 2013			**Final Action:**	

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

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

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 8

Attachments: Finance Director's Report.pdf

Project Manager: Anthony Francisco, Director of Finance

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File RPT-1314-31

DATE: 05-Nov-13

TO: City Council

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

SUBJECT: Breakdown of Interest Earnings by Fund

	MONTHLY COMPARISON				ANNUAL COMPARISON			
FUND	MONTHLY BUDGETED INTEREST EARNINGS FYE14	MONTHLY INTEREST EARNINGS October 2013	MONTHLY % INCREASE (DECREASE)	MONTHLY % OF PORTFOLIO HOLDINGS	ANNUAL BUDGETED INTEREST EARNINGS FYE14	INTEREST EARNINGS YTD FYE14	YTD % INCREASE (DECREASE)	YTD % PORTFOLIO HOLDINGS
GENERAL FUND	$3,333	$1,332	-60.05%	3.00%	$40,000	$4,196	-89.51%	2.51%
NET REVENUE STABILIZATION	N/A	$712	100.00%	1.60%	N/A	$2,528	100.00%	1.51%
PUBLIC SAFETY SALES TAX FUND	$4,167	$3,736	100.00%	8.41%	$50,000	$14,380	100.00%	8.60%
ROOM TAX FUND	$125	$118	-5.78%	0.27%	$1,500	$546	-63.62%	0.33%
CAPITAL PROJECTS FUND	$12,500	$8,680	-30.56%	19.55%	$50,000	$34,451	-31.10%	20.61%
SINKING FUND	$2,083	$2,793	34.07%	6.29%	$8,333	$11,305	35.66%	6.76%
G.O. BOND FUND	N/A	$0	100.00%	0.00%	N/A	$0	100.00%	0.00%
WESTWOOD FUND	$625	$36	-94.22%	0.08%	$2,500	-$4,082	-263.26%	-2.44%
WATER FUND	$10,000	$7,427	-25.73%	16.72%	$40,000	$27,656	-30.86%	16.55%
WASTEWATER FUND	$4,167	$3,586	-13.94%	8.08%	$50,000	$13,798	-72.40%	8.26%
DEVELOPMENT EXCISE	$16,667	$5,544	-66.73%	12.49%	$66,667	$21,155	-68.27%	12.66%
SEWER SALES TAX	N/A	$2,693	100.00%	6.06%	N/A	$10,301	100.00%	6.16%
SANITATION FUND	$2,500	$2,369	-5.23%	5.34%	$10,000	$8,750	-12.50%	5.23%
PARKLAND FUND	$1,250	$427	-65.83%	0.96%	$5,000	$1,708	-65.84%	1.02%
RISK MANAGEMENT FUND	N/A	$416	100.00%	0.94%	N/A	$1,880	100.00%	1.12%
TRUST & AGENCY FUNDS	N/A	$2	100.00%	0.01%	N/A	$9	100.00%	0.01%
TAX INCREMENT DISTRICT	$1,458	$3,477	138.39%	7.83%	$17,500	$14,270	100.00%	8.54%
SPECIAL GRANTS FUND	N/A	$577	100.00%	1.30%	N/A	$2,413	100.00%	1.44%
CLEET FUND	N/A	$7	100.00%	0.02%	N/A	$31	100.00%	0.02%
HOUSING	N/A	$0	100.00%	0.00%	N/A		100.00%	0.00%
SITE IMPROVEMENT FUND	N/A	$18	100.00%	0.04%	N/A	$67	100.00%	0.04%
ARTERIAL ROAD FUND	N/A	$201	100.00%	0.45%	N/A	$765	100.00%	0.46%
SEIZURES	$42	$257	516.63%	0.58%	$167	$1,019	511.23%	0.61%
	$58,917	$44,406	-24.63%	100.00%	$341,667	167,147	-51.08%	100.00%

City funds are invested in interest bearing accounts and investment securities, as directed by the City's Investment Policy. Rates of return on these investments relate directly to current Treasury and Money Market rates. Total funds on deposit of $159.91 million as of 10/31/13 are represented by working capital cash balances of all City funds of approximately $80.32 million, outstanding encumbrances of $30 million, General Obligation Bond proceeds of $33.11 million, NUA revenue bond proceeds of $7.78 million, NMA bond proceeds of $873 thousand, and UNP TIF reserve amounts of $7.83 million.

INVESTMENT BY TYPE

October 31, 2013

LIST BY TYPE	SEC. NO.	PURCHASED	MATURITY	YIELD	EARNED INTEREST	COST	MARKET
**Checking							
BANK OF AMERICA	GEN'L DEP.			0.20%	$42.05	$247,578.16	$247,578.16
BANK OF OKLAHOMA	GEN'L DEP.			0.15%	$3,060.30	$34,846,752.37	$34,846,752.37
BANK OF OKLAHOMA	WARRANTS PAYABLE					($2,479,936.56)	($2,479,936.56)
BANK OF OKLAHOMA	PAYROLL					($2,336,604.04)	($2,336,604.04)
BANK OF OKLAHOMA	COURT BOND REFUNDS					$231,885.35	$231,885.35
BANK OF OKLAHOMA	INSURANCE CLAIMS					($483,500.93)	($483,500.93)
BANK OF OKLAHOMA	LOCK BOX					$1,958,183.09	$1,958,183.09
BANK OF OKLAHOMA	FLEXIBLE SPENDING					($300.25)	($300.25)
**Subtotal					$3,102.35	$31,984,057.19	$31,984,057.19
**Money Market							
BANCFIRST-NUA	MONEY MKT.			0.01%	$4.73	$1,146,323.19	$1,146,323.19
BANCFIRST-NMA Sanitat.	MONEY MKT.			0.01%	$14.17	$573,707.51	$573,707.51
BANCFIRST-NMA Golf	MONEY MKT.			0.01%	$1.07	$299,486.99	$299,486.99
BANCFIRST-NUA Water	MONEY MKT.			0.01%	$37.23	$6,632,199.13	$6,632,199.13
BANK OF OKLAHOMA UNP TIF	MONEY MKT.			0.01%	$15.63	$7,425,002.77	$7,425,002.77
REPUBLIC BANK UNP TIF	MONEY MKT.			0.30%	$100.95	$409,480.80	$409,480.80
FIRST FIDELITY	MONEY MKT.			0.24%	$35.03	$0.00	$0.00
BANK OF OKLAHOMA	MONEY MKT.			0.15%	$1.40	$16,582.34	$16,582.34
BANK OF OKLAHOMA	MONEY MKT.			0.15%	$27.99	$329,440.31	$329,440.31
BANK OF OKLAHOMA- 2008A	MONEY MKT.			0.15%	$49.56	$583,627.37	$583,627.37
BANK OF OKLAHOMA-2008B	MONEY MKT.			0.15%	$56.83	$669,202.03	$669,202.03
BANK OF OKLAHOMA-2012A	MONEY MKT.			0.15%	$23.69	$278,951.69	$278,951.69
BANK OF OKLAHOMA-2012B	MONEY MKT.			0.15%	$1,115.66	$12,876,630.78	$12,876,630.78
BANK OF OKLAHOMA-2012C	MONEY MKT.			0.15%	$231.17	$2,707,871.94	$2,707,871.94
BANK OF OKLAHOMA-2012D	MONEY MKT.			0.15%	$245.88	$15,989,134.34	$15,989,134.34
**Subtotal					$1,960.99	$49,937,641.19	$49,937,641.19
**Sweep/Overnight							
JP MORGAN	SHORT TERM			0.00%	$0.00	$523,156.62	$523,156.62
**Certificate of Deposit							
FIRST FIDELITY BANK	CD	09/30/12	09/30/13	0.30%	$62.50	$250,000.00	$250,000.00
GREAT NATIONS BANK	CD	09/30/12	09/30/13	0.65%	$135.42	$250,000.00	$250,000.00
VALLIANCE BANK	CD	11/30/12	11/30/13	0.45%	$93.54	$250,000.00	$250,000.00
**Subtotal					$291.46	$750,000.00	$750,000.00
**U.S. Treasury Securities/Agency Securities							
FHLB	313376UFO	03/30/12	01/29/14	0.38%	2,103.95	7,500,000.00	$7,504,875.00
FAMCA	31315PSG5	09/29/11	03/14/14	1.50%	900.18	2,000,000.00	$2,009,720.00
US T-Note	912828KV1	06/30/11	05/31/14	0.76%	2,157.23	3,500,000.00	$3,542,525.00
FHLB	313379SK6	08/31/12	07/02/14	0.40%	1,110.65	4,500,000.00	$4,507,740.00
FNMA	31398A3G5	08/31/11	09/08/14	1.50%	1,264.95	3,000,000.00	$3,033,660.00
FFCB	3133EC5G5	11/29/12	11/26/14	0.25%	574.20	2,500,000.00	$2,501,750.00
FNMA	3136FPEW3	03/30/12	12/16/14	1.50%	450.89	1,000,000.00	$1,013,990.00
US T-Note	912828SK7	03/28/13	03/15/15	0.25%	1,335.05	6,500,000.00	$6,513,975.00
FFCB	3133EANJ3	05/31/12	05/01/15	0.50%	2,246.84	5,500,000.00	$5,518,920.00
FHLB	3133XWNB1	08/30/12	06/12/15	2.70%	939.54	3,170,000.00	$3,301,047.80
FNMA	3135G0LN1	05/31/12	07/02/15	0.50%	2,672.53	5,500,000.00	$5,517,930.00
FNMA	3136FPAB3	11/30/11	08/18/15	0.96%	2,007.86	2,500,000.00	$2,572,650.00
FNMA	31398A3T7	11/30/11	09/21/15	1.00%	1,675.69	2,000,000.00	$2,061,900.00
FHLB	3133796P9	04/30/12	10/30/15	0.60%	1,822.92	3,500,000.00	$3,517,780.00
FHLB	3133724Y7	04/27/12	12/23/15	1.90%	1,633.99	3,000,000.00	$3,101,370.00
US T-Note	912833KG4	06/27/13	02/15/16	0.61%	1,030.11	2,000,000.00	$1,981,880.00
FHLB	313771AA5	03/28/13	06/13/16	0.52%	970.10	2,500,000.00	$2,813,050.00
FNMA	3135G0ES8	05/31/12	11/15/16	1.30%	2,952.99	4,250,000.00	$4,335,935.00
FNMA	31359M2D4	12/24/12	12/15/16	4.88%	1,223.30	2,800,000.00	$3,156,608.00
FFCB	3133ECFN9	06/27/13	02/21/17	1.11%	1,853.95	2,000,000.00	$1,994,880.00
FFCB	3133ECT79	06/27/13	03/01/17	1.10%	1,849.43	2,000,000.00	$2,009,500.00
FNMA	3136G0VZ1	09/30/13	08/17/17	1.39%	2,369.78	2,000,000.00	$1,998,300.00
FNMA	3135G0NR0	09/30/13	08/28/17	1.37%	2,276.41	2,000,000.00	$1,995,380.00
FHLMC	3134G3C40	09/30/13	08/28/17	1.31%	1,629.01	1,500,000.00	$1,479,195.00
**Subtotal					39,051.55	76,720,000.00	$77,984,560.80
TOTAL					44,406.35	159,914,855.00	$161,179,415.80

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

City of Norman, OK

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

Master

File Number: RPT-1314-32

File ID:	RPT-1314-32	**Type:**	Communication or Report	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 9	**In Control:**	City Council
Department:	City Manager Department	**Cost:**		**File Created:**	11/14/2013
File Name:	Monthly Departmental Report October 2013			**Final Action:**	

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

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

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 9

Attachments:

Project Manager: Carol Coles, Administrative Assistant

Entered by: Ellen.Usry@normanok.gov **Effective Date:**

History of Legislative File

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

Text of Legislative File RPT-1314-32

City of Norman, OK

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

Master

File Number: K-1314-67

File ID:	K-1314-67	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 10	**In Control:**	City Council
Department:	Parks and Recreation Department	**Cost:**	$148,089.00	**File Created:**	11/04/2013
File Name:	Little Axe Concession/Restroom Building Little Axe Concession/Restroom Building			**Final Action:**	

Title: CONSIDERATION OF REQUEST FOR PROPOSAL NO. RFP-1314-26 AND CONTRACT NO. K-1314-67 WITH AZTEC BUILDING SYSTEMS, INC., IN THE AMOUNT OF $148,089, PERFORMANCE BOND NO. B-1314-40; STATUTORY BOND NO. B-1314-41; MAINTENANCE BOND NO. MB-1314-37; AND PROJECT AGENT RESOLUTION NO. R-1314-52 FOR THE LITTLE AXE PARK CONCESSION/RESTROOM BUILDING PROJECT.

Notes: ACTION NEEDED: Motion to accept or reject Request for Proposal No. RFP-1314-26 from Aztec Building Systems, Inc., in the amount of $148,089 for the Little Axe Park Restroom/Concession Building Project; and, if accepted, approve Contract No. K-1314-67 and the performance, statutory, and maintenance bonds; authorize the execution of the contract and bonds; direct the filing of the bonds; and adopt Resolution No. R-1314-52.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 10

Attachments: Text File Little Axe Project.pdf, Bid Tab Little Axe.pdf, K-1314-67.pdf, Perf B-1314-40.pdf, Stat B-1314-41.pdf, MB-1314-37.pdf, R-1314-52 Aztec.pdf, PR Aztec.pdf

Project Manager: Mitch Miles, Park Planner

Entered by: mitch.miles@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-1314-67

Body

BACKGROUND: Funding for the Little Axe Park Concession/Restroom Building Replacement Project for the Parks and Recreation Department was approved during the Fiscal Year Ending 2014 capital budget process. Included in this project is the demolition of the existing concession and restroom building. The existing building is in very poor condition. There are a number of repairs and upgrades needed that would not be cost effective when compared to total building replacement. Most significant are the changes needed to bring the public restrooms into Americans with Disabilities Act Accessibility Guidelines (ADAAG) compliance; as well as the

inadequate concession area, which does not meet current health department standards for sinks, fixtures, ventilation and floor space.

The demolition will be completed by a separate contractor, once the new building is approved for construction. Facility Maintenance staff is working with Parks and Recreation staff to complete the removal of equipment and cutting off utilities to the existing building in preparation for the work to occur.

DESCRIPTION: On 23 and 30 August 2013, Request for Proposal No. RFP-1314-26 for the Little Axe Park Concession/Restroom Building Replacement Project was advertised in the *Norman Transcript*. The project was also advertised in Reed Construction Data, Dodge Reports and Bid News, i-SquareFoot, and on e-plan. Proposals were distributed to three contractors, one of whom responded with a complete proposal. Staff contacted the other known potential bidders and found they did not sumit a proposal due to either a lack of interest in this project or the fact that they were too busy with other projects at this time.

The total amount of the proposal from Aztec Building Systems, Inc. was $148,089. The total budget for the project is $160,000, which will include the existing building's demolition and some additional concrete work and site improvements that will be done by others separate from the contract with Aztec.

Staff recommends that the contract be awarded to Aztec Building Systems, Inc., in the amount of $148,089 for the lowest and best proposal to meet specifications for the Little Axe Park Concession/Restroom Building Replacement Project.

RECOMMENDATION NO. 1: It is recommended that City Council approve RFP No. 1314-26 from Aztec Building Systems, Inc., in the amount of $148,089 for the Little Axe Park Concession/Restroom Building Replacement Project for the Parks and Recreation Department. Funding of $160,000 is available for this project in Construction (account 050-9922-452.61-01; project PR0123).

RECOMMENDATION NO. 2: It is further recommended that the following contract and bonds be approved:

Contract No. K-1314-67
Performance Bond No. B-1314-40
Statutory Bond No. B-1314-41
Maintenance Bond No. MB-1314-37

RECOMMENDATION NO. 3: It is further recommended that Aztec Building Systems, Inc. be authorized and appointed as project agent for the Little Axe Park Concession/Restroom Building Project by Resolution No. R-1314-52 to avoid the payment of sales taxes.

CITY OF NORMAN
Parks and Recreation Department
Norman, Oklahoma
October 29, 2013

TABULATION OF RFP'S
RFP NUMBER 1314-26

The following is a tabulation of RFP's received by the City of Norman for the Little Axe Park Concession/Restroom Building Replacement Project. Funding for this project is available in Account #050-9922-452.6101 (PR0123).

Bidders	Bid Amount
Aztec Building Systems, Inc. (Norman)	$148,089
Sagemill Construction (Lincoln OK)	NO BID
Cedar Ridge General Contracting And Construction (Woodward OK)	NO BID

RECOMMENDATION: That the project be awarded to Aztec Building Systems, Inc., in the amount of **$148,089**, as the lowest and best bidder to meet specifications.

City of Norman

Jud Foster

Jud Foster, Director of Parks and Recreation

Contract # K-1314-67

CONTRACT

THIS CONTRACT made and entered into this _____ day of _____, 2013, by and between

Aztec Building Systems 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 said bidding documents, and has caused Solicitation for Bids 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:

LITTLE AXE PARK CONCESSION/RESTROOM REPLACEMENT

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 Solicitation for Bids, has submitted to the City of Norman 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 Forty-Eight Thousand Eighty-Nine Dollars ($148,089);

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, workmanlike 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:

Specifications, Provisions and Bonds thereto, all of which documents are on file in the office of the City Clerk of the City of Norman, and are made a part of this Contract as fully as if the same were set out at length, with the following additions and or exceptions: (If none, so state.)

2. The City shall make payments 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 the 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 as required by Senate Bills 469 of the 1974 Legislature.

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 estimates 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 10 days following receipt of a NOTICE-TO-PROCEED, and prosecute the same vigorously and continuously, and complete the same in 120 calendar days.

The Notice to Bidders published in the Norman Transcript August 23 and 30, 2013, the instructions to bidders, the special and general provisions of specifications and the Contractor's bid or proposal, each of said instruments on file in the office of the City Clerk of the City of Norman, are hereby referred to and by reference thereto are made part of this contract as if fully written in detail herein or attached thereto.

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 obligation 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.

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

Contract # K-1314-67

IN WITNESS WHEREOF, the said parties of the First and Second Part have hereunto set their hands and seals respectively this 7th day of Oct, 2013.

CORPORATE SEAL

Aztec Building Systems Inc
Company Name

ATTEST: _____
Corporate Secretary

BY _____
President

STATE OF Oklahoma)
COUNTY OF Cleveland)

Jeff Mabe, 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.

_____
Vice President

Subscribed and sworn to before me this 20 day of October, 2013.

OFFICIAL SEAL
PAT ELMORE
Commission #06004270
Expires April 28, 2014

Pat Elmore
Notary Public

My Commission Expires: 4/28/2014
Commission Number: 06004270

CITY OF NORMAN

Approved as to form and legality this 15 day November, 2013.

_____
City Attorney

Approved by the City Council this _____ day of _____, 20___.

ATTEST:

_____
Mayor

_____
City Clerk

Bond # B-1314-40

PERFORMANCE BOND

Surety Bond #71467195

KNOW ALL MEN BY THESE PRESENTS:

That we, Aztec Building Systems Inc, as Principal, and Western Surety Company , a corporation organized under the laws of the State of South Dakota , 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 and city of the first class, of the State of Oklahoma, in the full and just sum of One hundred forty-eight thousand eighty-nine and no/100------ DOLLARS, ($148,089.00), for the payment of which, well and truly to be made, we, and each of us, bind ourselves, our heirs, executors and assigns, themselves, and its successors and assigns jointly and severally, firmly by these presents. Dated this 14th day of October, 2013.

The conditions of this obligation are such, that whereas, said Principal is the lowest and best bidder for the making of the following city work and improvements, viz.:

LITTLE AXE PARK CONCESSION/RESTROOM REPLACEMENT

and has entered into a certain written contract with THE CITY OF NORMAN dated _____20_____, for the erection and construction of said work and improvement, which said contract is hereby made a part and parcel of this bond as if literally written herein.

NOW, THEREFORE, if said Principal shall, in all particulars, well, truly and faithfully perform and abide by said Contract and each and every covenant, condition and part thereof and shall fulfill all obligations resting upon said Principal by the terms of said contract and said specifications; and if said Principal shall promptly pay, or cause to be paid, all labor, materials and/or repairs and all bills for labor performed on said work, whether by subcontract or otherwise; and if said Principal shall protect and save harmless said City of Norman from all loss, damage and expense to life or property suffered or sustained by any person, firm, or corporation caused by said Principal or his or its agents, servants, or employees in the construction of said work, or by or in consequence of any negligence, carelessness or misconduct in guarding and protecting the same, or from any act or omission of said Principal or his or its agents servants, or employees, and if said Principal shall protect and save the City of Norman 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 to be and remain in full force and effect.

It is further expressly agreed and understood by the parties thereto 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 to be hereunto affixed by its duly authorized officers, and the said surety has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its attorney-in-fact, duly authorized to do so, the day and year first above written.

Bond #B-1314-40
Surety Bond #71467195

ATTEST:

Corporate Secretary

ATTEST:

Corporate Secretary (Surety)

Aztec Building Systems Inc.
Company Name

BY
Principal

Western Surety Company
Surety Name

BY
Debbie A. Morris, Attorney-in-Fact

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State, on this 25 day of October, 2013 personally appeared Jeff Marley to me know to be the identical person who executes the foregoing, and acknowledge to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

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

NOTARY PUBLIC SEAL STATE OF OKLAHOMA
OFFICIAL SEAL
PAT ELMORE
Commission #06004270
Expires April 28, 2014

Pat Elmore
Notary Public

My Commission Expires: 4/28/2013
Commission Number: 06004270

Approved as to form and legality this 15 day of November, 2013.

City Attorney

Approved by the Council of the City of Norman, this ____ day of _____, 20__.

Mayor

ATTEST:

City Clerk

Bond # B-1314-41

STATUTORY BOND

Surety Bond #71467195

KNOW ALL MEN BY THESE PRESENTS:

That we, Aztec Building Systems Inc , as Principal, and Western Surety Company, a corporation organized under the laws of the State of South Dakota , and authorized to transact business in the State of Oklahoma, as Surety, are held and firmly bound unto the State of Oklahoma in the penal sum of One hundred forty-eight thousand eighty-nine and no/100--------- DOLLARS ($148,089.00), for the payment of which well and truly to be made, we, and each of us, bind ourselves, our heirs, executors and assigns, themselves, and its successors and assigns, jointly and severally, firmly by these presents.

Dated this 14th day of October , 2013 .

The conditions of this obligation are such, that whereas, the above Bonded Principal Aztec Building Systems, Inc. is the lowest and best bidder for the making of the following City work and improvement, viz.:

LITTLE AXE PARK CONCESSION/RESTROOM REPLACEMENT

and has entered into a certain written contract with THE CITY OF NORMAN, dated , 20_____, for the erection and construction of said work and improvement, in exact accordance with the bid of said Principal, and according to certain specifications heretofore made, adopted and placed on file in the office of the City Clerk of the City of Norman.

NOW, THEREFORE, if the said Aztec Building Systems, Inc. Principal, shall well and truly pay all indebtedness incurred for labor and material and repairs to and parts for equipment furnished in the making of said public improvement incurred by said Principal or subcontractors, 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 same becomes due and payable, the person, firm, or corporation entitled thereto may sue and recover on this bond, 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 obligations of this Bond.

IN WITNESS WHEREOF, the said Principal has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its duly authorized officers, and the said Surety has caused these presents to be executed in its name and its corporate seal to be hereunto affixed by its attorney-in-fact, duly authorized to do so, the day and year first above written.

Bond # B-1314-41
Surety Bond #71467195

ATTEST:

Corporate Secretary

Aztec Building Systems Inc.
Company Name

BY
Principal

ATTEST:

Corporate Secretary (Surety)

Western Surety Company
Surety Name

BY
Debbie A. Morris, Attorney-in-Fact

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS:

Before me, the undersigned, a Notary Public in and for said County and State on this 25 day of October, 2013 personally appeared Jeff Marley to me known to be the identical person who executed the foregoing, and acknowledged to me that he executed the same as free and voluntary act and deed for the uses and purposes therein set forth.

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

NOTARY PUBLIC IN AND FOR STATE OF OKLAHOMA OFFICIAL SEAL Pat Elmore Cleveland County APRIL 28, 2014

Pat Elmore
Notary Public

My Commission Expires 4-28-2014
Commission Number: 04270

Approved as to form and legality this 15 day of November, 2013.

City Attorney

Approved by the Council of the City of Norman, this _____, day of _____ 20___.

ATTEST:

Mayor

City Clerk

Bond # MB-1314-37

MAINTENANCE BOND

Surety Bond #71467195

WHEREAS, THE UNDERSIGNED Aztec Building Systems Inc, hereinafter referred to as the Principal, has entered into a certain contract dated _____,20____, for the construction of:

LITTLE AXE PARK CONCESSION/RESTROOM REPLACEMENT

WHEREAS, under the ordinances of said City of Norman the said Principal is required to furnish to the City a maintenance bond covering said construction, said bond to include the terms and provisions hereinafter set forth, as a condition precedent to final acceptance of said construction.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That the said Principal and Western Surety Company , as a corporation organized under the laws of the State of South Dakota, and authorized to transact business in the State of Oklahoma, as surety, are jointly and severally, firmly held and bound unto said City in the penal sum of Dollars ($148,089.00), in lawful money of the United States of America, same being 100% of the cost of the construction herein referred to for the payment of which, well and truly to be made, we hereby bind ourselves, our heirs, executors, administrators, successors and assigns, firmly by these presents.

The condition of this bond is such that if the said Principal shall keep and maintain, subject to normal wear and tear, the said construction, except for defects not occasioned by improper workmanship, materials, or failure to protect new work until it is accepted, for a period of one year from the date of the written final acceptance thereof by the City, and shall promptly repair, without notice from the City, any and all defects or failures occurring or arising from improper workmanship, materials, or failure to protect new work until it is accepted within a period of one year without notice from said City, and without expense to said City, thence this obligation shall be null and void and of no force and effect; otherwise to be and remain in full force and effect at all times.

Provided further, however, that upon neglect, failure or refusal of the Principal to make any needed repairs upon said construction, or to maintain any part of the same, 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 repairs, 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 to be hereunto affixed by its duly authorized officers, and the said Surety has

Bond #MB-1314-37
Surety Bond #71467195

caused these presents to be executed in its name its corporate seal to be hereunto affixed by its attorney-in-fact, duly authorized to do so, the day and year first above written.

Executed and delivered this 14th day of October ,2013 .

ATTEST: _____
Corporate Secretary

Aztec Building Systems Inc.
Company Name

Mailing Address of Principal:

BY _____
Principal

Western Surety Company
Surety Name

BY: _____
Debbie A. Morris Attorney-in-Fact

STATE OF OKLAHOMA, COUNTY OF CLEVELAND,SS:

Before me, the undersigned, a Notary Public in and for said County and State, this 25 day of October , 2013 personally appeared Jeff Marley to me known to be the identical person who executed the foregoing, and acknowledge to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

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

NOTARY PUBLIC SEAL STATE OF OKLAHOMA
OFFICIAL SEAL
PAT ELMORE
Commission #06004270
Expires April 28, 2014

Pat Elmore
Notary Public

My Commission Expires: _____
Commission Number: 06004270

Approved as to form and legality this 15 day of November , 2013.

_____
City Attorney

Approved by the Council of the City of Norman, this ___ day of _____, 20____.

_____
Mayor

ATTEST: _____
City Clerk

Resolution

R-1314-52

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING AND APPOINTING AZTEC BUILDING SYSTEMS, INC., AS PROJECT AGENT FOR THE LITTLE AXE PARK CONCESSION/RESTROOM BUILDING REPLACEMENT PROJECT FOR THE CITY OF NORMAN.

§ 1. WHEREAS, the City of Norman, Oklahoma, does hereby acknowledge that the tax-exempt status of this political subdivision is a significant factor in determining the agreed contract price bid by Aztec Building Systems, Inc., for the Little Axe Concession/Restroom Building Replacement Project for the City of Norman; and

§ 2. WHEREAS, the City of Norman, Oklahoma, in compliance with State law, desires to confer on Aztec Building Systems, 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, Aztec Building Systems, Inc., to purchase materials which are in fact used for the Little Axe Concession/Restroom Building Replacement Project for the City of Norman; and

§ 3. WHEREAS, this limited agent status is conferred with the express understanding that Aztec Building Systems, 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 26th day of November, 2013, did appoint Aztec Building Systems, Inc., who is involved with the Little Axe Concession/Restroom Building 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 Little Axe Concession/Restroom Building Replacement Project for the City of Norman.

PASSED AND ADOPTED THIS 26th day of November, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

PURCHASE REQUISITION NBR: 0000226390

REQUISITION BY: TERRY-FOSTER

STATUS: NEEDS ADDITIONAL INFO
REASON: LITTLE AXE PARK CONCESSION/RESTROOM BUILDING

DATE: 11/18/13

SHIP TO LOCATION: PARKS AND RECREATION

SUGGESTED VENDOR: 965 AZTEC BUILDING SYSTEMS

DELIVER BY DATE: 11/18/13

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	LITTLE AXE CONCESSION/RESTROOM BUILDING,RFP1314-26 COUNCIL DATE: 11-26-2013, RFP#1314-26 COMMODITY: CONSTRUCTION SERVICES, HE SUBCOMMOD: CONSTRUCTION AND UPGRADES	148089.00	EA	1.0000	148089.00	COUNCIL: 11/26/2013

REQUISITION TOTAL: 148089.00

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	05099224526101	Capital Projects Construction	PR0123 Little Axe Improvements	100.00	148089.00
					148089.00

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: GID-1314-50

File ID:	GID-1314-50	**Type:**	Authorization for Purchase	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 11	**In Control:**	City Council
Department:	Utilities Department	**Cost:**		**File Created:**	11/18/2013
File Name:	Polymer Purchase			**Final Action:**	

Title: CONSIDERATION OF AUTHORIZATION BY THE NORMAN UTILITIES AUTHORITY FOR THE PURCHASE OF POLYMER FROM POLYDYNE CORPORATION, IN THE AMOUNT OF $0.99 PER POUND FOR THE NORMAN WATER RECLAMATION FACILITY.

Notes: ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject authorization for the purchase of polymer in the amount of $0.99 per pound from Polydyne Corporation, for the Water Reclamation Facility.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 11

Attachments: Text File Polymer.pdf, Polydyne Quote.pdf, Performance and Polymer Cost Comparison.pdf

Project Manager: Steve Hardeman, Water Reclamation Facility Superintendei

Entered by: danielle.robins@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-1314-50

Body

BACKGROUND: The Norman Water Reclamation Facility (NWRF) installed solids dewatering and thickening equipment during the Sludge Handling Improvements Project (NUA Contract No. K-0607-38) which was completed in fiscal year 2009-2010 (FYE10). In October 2013, polymer vendors were invited to try out their products to determine which product would perform best in the new centrifuge equipment, based on cost per pound and minimum 25 percent (25%) solids dryness. Each polymer has a particular chemical makeup meaning each polymer will perform differently with our solids characteristics.

DESCRIPTION: The following polymer companies were contacted for testing;

Polydyne Corporation - Riceboro, Georgia
Fort Bend Manufacturing - Stafford, Texas
Nalco Corporation - Sugarland, Texas
Ashland/Southwest Chemical Company - McAlester, OK

Polydyne, Southwest and Nalco each performed testing for several weeks and results were based on 25% solids dryness and cost per pound of polymer. Because of the particular composition of our sludge, Southwest Chemical and Polydyne had the only formulas that worked in thickening waste activated solids as well as dewatered digester solids. An additional benefit is that the Polydyne polymer product is less expensive than any of the other products on a cost per pound basis. Section 8-204(b)(2) of the Code of the City of Norman authorizes the City Council to waive competitive bidding for the purchase of supplies, materials, equipment, or contractual services which can be furnished only by a single dealer or which have a uniform price wherever bought. Polydyne has the only formula that meets all requirements such lowest cost per pound and solids dryness for our solids characteristics.

RECOMMENDATION: Staff recommends that the Norman Utilities Authority approve the purchase of polymer for sludge dewatering from Polydyne Corp. throughout the rest of FYE 14. Funds for polymer purchases in the amount of $68,000 are budgeted in NUA Wastewater Fund-Water Reclamation- Bio-solids-Operating Chemicals (account 032-5545-432.31-08).

Polydyne Inc. P. O. Box 279, Riceboro, GA 31323

October 3, 2013

Mr. Ryan Bart
City of Norman WRF
3500 S. Jenkins
Norman, OK 73072

RE: Polymer Price Quotation

Dear Ryan:

Polydyne, Inc. is pleased to offer you the following price quotation:

PRODUCT	UNIT PRICE	PACKAGE
CLARIFLOC C-6286	**$0.99/LB. DELIVERED**	**2300 lb. TOTE**

Quotation Period: This price remains firm through September 30th, 2014.

Delivery Terms: 5-10 Business days A.R.O., F.O.B. plant.

Payment Terms: Net 30 days – No Discounts

If you have any questions, feel free to call me at (816) 582-2394. To place an order, please call our Customer Service department at (800) 848-7659.

Sincerely,
Steve Kuenneth

Steve Kuenneth
Technical Sales Representative
Polydyne, Inc.

City of Norman Water Reclamation Facility
Dewatering Centrifuge Performance and Polymer Cost Comparison
Polymer Cost per Dry Ton

Date	10/21/13	10/22/13	10/23/13	10/26/13	10/27/13	10/28/13	10/29/13	
Operator	TW	TW	GT	BC	BC	TW	TW	
Centrifuge Sludge Feed Rate (GPM)	106.0	103.0	107.0	103.0	110.0	106.0	108.0	
Centrifuge Feed Solids %	2.80%	2.80%	1.70%	2.40%	1.70%	2.40%	2.40%	
Centrifuge Solids DT / Hr (Dry Tons / Hour)	0.757	0.735	0.464	0.630	0.477	0.649	0.661	0.000
Dewatered Cake Solids % (From Lab Analysis)	24.4	29	27.5	29.9	27.9	30.1	30.1	
Polymer Pump Speed (%)	70%	70%	71%	71%	70%	70%	71%	
Polymer Pump Capacity at 100% (GPH)	6	6	6	6	6	6	6	6
Polymer Feed Rate Gallons Per Hour)	4.2	4.2	4.26	4.26	4.2	4.2	4.26	0
Polymer Feed Rate (lbs / Hr)	35.70	35.70	36.21	36.21	35.70	35.70	36.21	0.00
Polymer Dosage lbs. Polymer / DT Solids	47.17	48.54	78.06	57.44	74.87	55.03	54.78	#DIV/0!
Polymer Price ($/Lb) Including Delivery	$0.99	$0.99	$1.58	$1.58	$1.58	$1.58	$1.58	$1.58
Polymer Cost ($/DT)	$46.70	$48.06	$123.34	$90.76	$118.29	$86.95	$86.56	#DIV/0!

Polymer stats		
Type of Polymer System: Liquid Emulsion		
Sludge Type: Anaerobic Digested Sludge		Digester#1
Polydyne Contact: Steve Kuenneth 816-582-2394	Polydyne C-6285	Polydyne C-6286
Ashland Contact: Roger Gilchrist 405-343-5523	Ashland K 274 FLX	

Test Dates: October 21-29 2013

1 450lb barrel for testing

8.5 lbs per gallon polymer used in calculations

City of Norman, OK

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

Master

File Number: E-1314-18

File ID:	E-1314-18	**Type:**	Easement	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 12	**In Control:**	City Council
Department:	Parks and Recreation Department	**Cost:**		**File Created:**	11/13/2013
File Name:	Legacy Park Electric Easement			**Final Action:**	

Title: CONSIDERATION OF GRANT OF EASEMENT NO. E-1314-18 TO OKLAHOMA GAS AND ELECTRIC FOR THE PURPOSE OF INSTALLING UNDERGROUND ELECTRICAL SERVICE IN LEGACY PARK.

Notes: ACTION NEEDED: Motion to grant or deny Easement No. E-1314-18; and, if granted, authorize the execution thereof.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 12

Attachments: Text File Legacy Park E-1314-18.pdf, OG&E Letter, E-1314-18.pdf

Project Manager: Jud Foster, Director of Parks and Recreation

Entered by: suzanne.terry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File E-1314-18

body

BACKGROUND: On January 22, 2013, City Council, acting as the Norman Tax Increment Finance Authority (NTIFA), approved Contract No. K-1213-67, with CGC, LLC for the construction of Legacy Park in the University North Park TIF District. Construction of Legacy Park began in March 2013, and has steadily progressed since that time.

The Parks and Recreation Department has been contacted by Oklahoma Gas and Electric Services (OG&E) requesting a Grant of Easement for the purpose of installing underground electrical service in Legacy Park.

The new service line will be installed within Legacy Park as described in Exhibit "A" and shown on Exhibit "B" of Easement No. E-1314-18, copies of which are attached.

DISCUSSION: OG&E has prepared the necessary documentation for the Grant of Easement. Park, Planning and Public Works staff have reviewed the proposed location and determined that the granting of this easement will not interfere with any current or planned future development of the park or adjacent streets.

Attached is OG&E's Easement request letter, Easement No. E-1314-18 and Job Identifier drawing.

RECOMMENDATION: It is recommended that City Council approve Easement No. E-1314-18, a Grant of Easement to OG&E.

PO Box 321
Oklahoma City, Oklahoma 73101-0321
405-553-3000
www.oge.com

OG&E

OG&E Electric Services
An OGE Energy Corp. Company

NOVEMBER 5, 2013

CITY OF NORMAN
ATTN: JUD FOSTER
DIRECTOR OF PARKS AND RECREATION
201 WEST GRAY, BUILDING "C"
P. O. BOX 370
NORMAN, OK. 73069

RE: Easement for Legacy Park in University North Park Addition

Mr. Foster;

OG&E Electric Services is pleased to provide power to the new park located in University North Park Addition Section IX, off of 24th Avenue N.W. Our engineering staff worked closely with your contractor to make sure the proper route would be utilized. As part of this process, we do need written permission in the form of an easement. The proposed underground line was surveyed and the description is shown on Exhibit "A" and a drawing showing the path of the new line is provided for in Exhibit "B". This line will not be installed until we have a signed easement in hand.

If this is agreeable to you, please obtain the proper signatures on the enclosed form and return it in the enclosed envelope, as soon as possible. Please review the following instructions to insure that this easement will be legally correct and that there will be no delay in processing:

1. The **city seal** must be affixed.
2. The **date of signing** must match the **date of notarizing**.
3. The notary must fill in **all blanks** in the acknowledgement, and add the **notary seal**.
4. The **notary expiration date** must be later than the **date of notarizing**.

If you have any questions, or if anything will cause a delay in signing, please contact me at (405) 553-5174. Thank you so much for your help in this matter.

Sincerely,

Timothy J. Bailey

Timothy J. Bailey
Right-Of-Way Agent

AFTER RECORDING RETURN TO:
OGE ELECTRIC SERVICES
RIGHT-OF-WAY AGENT,-M/C WNM-12
PO BOX 321
OKLAHOMA CITY OK 73101-0321

EASEMENT

Work Order #7343049

KNOW ALL MEN BY THESE PRESENTS: THAT **THE CITY OF NORMAN, an Oklahoma municipal corporation,** Grantor, in consideration of Ten or more dollars in hand paid, the receipt of which is hereby acknowledged, and other good and valuable consideration, does hereby grant and warrant unto **OKLAHOMA GAS AND ELECTRIC COMPANY,** an Oklahoma corporation, Grantee, its successors and assigns, the right, privilege and authority to enter upon and install, erect, operate, maintain, and reconstruct underground and/or above ground a system of conduits, wires, cables, vaults, junction boxes, switches, fuses, transformers, service connection boxes and other fixtures for the transmission and distribution of electrical current and communication messages, including the right of ingress and egress to and from said system across adjoining lands of Grantor, upon and across the following real property and premises, situated in Cleveland County, State of Oklahoma, to wit:

A part of **LOT 2, BLOCK 1, UNIVERSITY NORTH PARK SECTION IX,** an addition to Norman, Oklahoma, at the County Clerk, as described in Exhibit "A" and shown on Exhibit "B", attached hereto and hereby made a part of this easement.

Grantor further covenants and agrees that no building or other structure shall ever be erected nor shall any excavation or other removal of soil, so as to change the grade of terrain, be accomplished by Grantor, its heirs or assigns, within the above described easement area unless the written consent of the Grantee is first obtained. Grantor further acknowledges the requirements of 63 Oklahoma Statutes (1991) Section 142.1, et. seq. (One-call statute).

The rights and privileges above granted to continue so long as same are used or needed for the transmission and distribution of electric current or communication messages; but should the Grantee remove its property from the premises and abandon the right of way herein granted, then the rights granted in this easement shall terminate.

Approved this _____ day of _____, 2013, by the City of Norman.

ATTEST: _____
Brenda Hall, City Clerk

By: _____
Cindy Rosenthal, Mayor

Approved as to form this 15 day of November, 2013.

City Seal

By: _____
City Attorney

CITY ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF CLEVELAND, SS;
Before me, the undersigned, a Notary Public, in and for said County and State, on this _____ day of _____, 2013, personally appeared Cindy Rosenthal, to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as its Mayor, and acknowledged to me that she executed the same as her free and voluntary act and deed of such city, for the uses and purposes therein set forth.

My Commission Expires:_____
Commission #_____

_____
Notary Public

EXHIBIT "A"

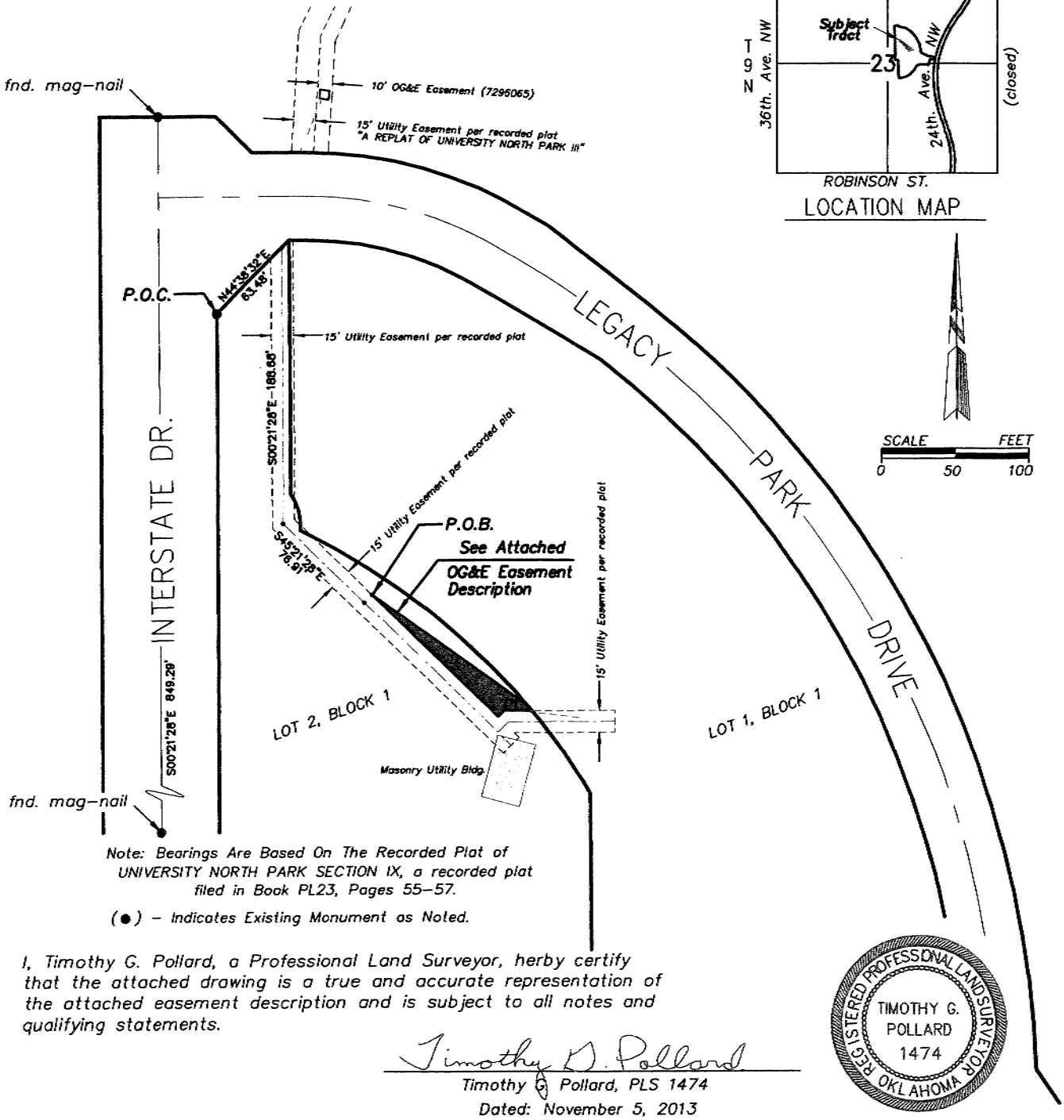
To that certain easement from The City of Norman, an Oklahoma municipal corporation to Oklahoma Gas and Electric Company, on the _____ day of _____, 2013.

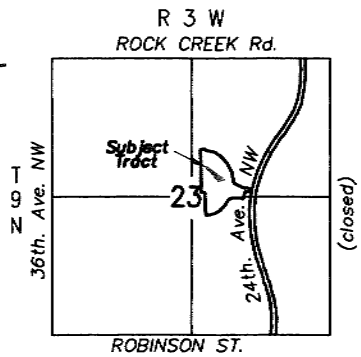
A tract of land lying within **LOT 2, BLOCK 1 OF UNIVERSITY NORTH PARK SECTION IX,** a plat recorded in Plat Book 23, Pages 55 through 57, being part of the West half of Section 23, Township 9 North, Range 3 West of the Indian Meridian, Norman, Cleveland County, Oklahoma, more particularly described as follows:

COMMENCING at the northwestern most corner of said **Lot 2**; said corner being S00°21'28"E a distance of 80.00 feet from the centerline of Legacy Park Drive and N89°38'32"E a distance of 40.00 feet from the centerline of Interstate Drive as shown on said recorded plat;
Thence N44°38'32"E on the Property Line of said Lot 2 a distance of 63.48 feet;
Thence S00°21'28"E a distance of 188.68 feet;
Thence S45°21'28"E a distance of 76.91 feet;
Thence N44°38'32"E a distance of 7.50 feet to the **POINT OF BEGINNING;**
Thence S54°06'24"E a distance of 128.69 feet to the east line of said Lot 2, Block 1;
Thence Southeasterly on a curve to the right with a radius of 491.63 feet, on the said east line of said Lot 2, Block 1 an arc distance of 5.29 feet;
Thence S89°38'32"W a distance of 19.08 feet;
Thence S44°38'32"W a distance of 5.61feet;
Thence N45°21'28"W a distance of 118.97 feet to the **POINT OF BEGINNING.**

EXHIBIT "B"

EASEMENT SKETCH





LOCATION MAP

Note: Bearings Are Based On The Recorded Plat of UNIVERSITY NORTH PARK SECTION IX, a recorded plat filed in Book PL23, Pages 55-57.

(●) - Indicates Existing Monument as Noted.

I, Timothy G. Pollard, a Professional Land Surveyor, herby certify that the attached drawing is a true and accurate representation of the attached easement description and is subject to all notes and qualifying statements.

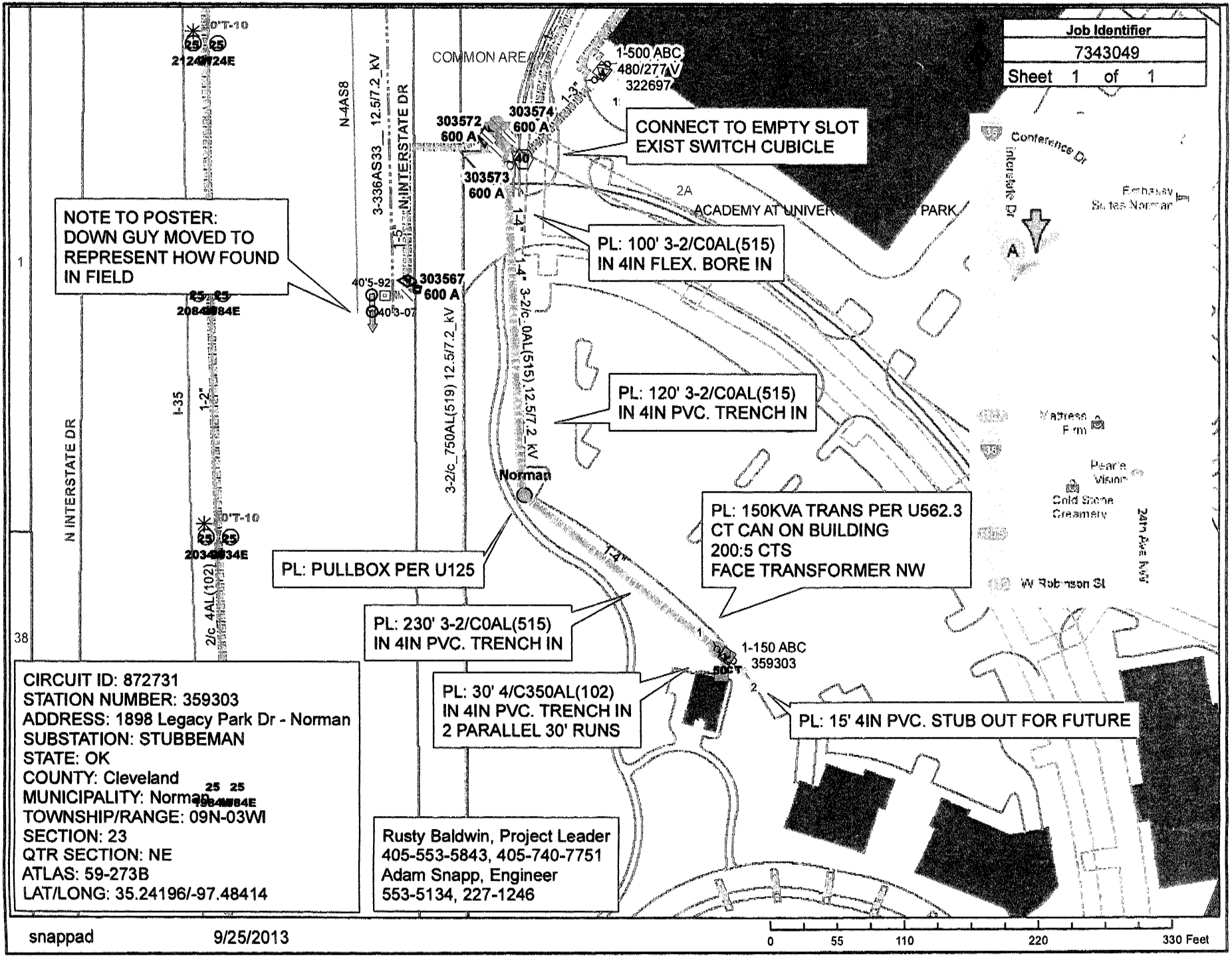
Timothy D. Pollard

Timothy G. Pollard, PLS 1474

Dated: November 5, 2013

REGISTERED PROFESSIONAL LAND SURVEYOR
TIMOTHY G. POLLARD
1474
OKLAHOMA

OKLAHOMA GAS AND ELECTRIC COMPANY		
POLLARD & WHITED SURVEYING INC. 2514 TEE DRIVE, NORMAN, OKLAHOMA 73069 CA#2380 EXP 06-30-15 405-366-0001	**OG&E EASEMENT SKETCH WO# 7343049** **Pt. of Lots 1 & 2, Block 1 UNIVERSITY NORTH PARK** **SEC. IX, a rec'd. plat in the E/2 23-9N-3W, I.M.** **NORMAN, CLEVELAND COUNTY, OKLAHOMA**	REVISIONS: 11/5 - chg. bdy.
DRAWN BY: M. JOHNSON DATE: November 5, 2013	FILE #: 7343049.ASC DATE: November 5, 2013	SCALE: 1" = 100'
APPROVED BY: D. MEEKS DATE:	DRWG #: 7343049.DGN DATE: November 5, 2013	SHEET 1 OF 1


Job Identifier
7343049
Sheet 1 of 1
CONNECT TO EMPTY SLOT
EXIST SWITCH CUBICLE
NOTE TO POSTER:
DOWN GUY MOVED TO
REPRESENT HOW FOUND
IN FIELD
PL: 100' 3-2/C0AL(515)
IN 4IN FLEX. BORE IN
PL: 120' 3-2/C0AL(515)
IN 4IN PVC. TRENCH IN
PL: 150KVA TRANS PER U562.3
CT CAN ON BUILDING
200:5 CTS
FACE TRANSFORMER NW
PL: PULLBOX PER U125
PL: 230' 3-2/C0AL(515)
IN 4IN PVC. TRENCH IN
PL: 30' 4/C350AL(102)
IN 4IN PVC. TRENCH IN
2 PARALLEL 30' RUNS
PL: 15' 4IN PVC. STUB OUT FOR FUTURE
1-500 ABC
480/277 V
322697
303572
600 A
303574
600 A
303573
600 A
303567
600 A
1-150 ABC
359303
50CT
N-4AS8
3-336AS33 12.5/7.2_kV
I-35 N INTERSTATE DR
3-2/c_750AL(519) 12.5/7.2_kV
3-2/c_0AL(515),12.5/7.2_kV
I-35
1-2"
2/c 4AL(102)
N INTERSTATE DR
COMMON AREA
ACADEMY AT UNIVERSITY PARK
Norman
Conference Ctr
Interstate Dr
Embassy Suites Norman
Madness Farm
Peace Vision
Cold Stone Creamery
W Robinson St
24th Ave NW
CIRCUIT ID: 872731
STATION NUMBER: 359303
ADDRESS: 1898 Legacy Park Dr - Norman
SUBSTATION: STUBBEMAN
STATE: OK
COUNTY: Cleveland
MUNICIPALITY: Norman
TOWNSHIP/RANGE: 09N-03WI
SECTION: 23
QTR SECTION: NE
ATLAS: 59-273B
LAT/LONG: 35.24196/-97.48414
Rusty Baldwin, Project Leader
405-553-5843, 405-740-7751
Adam Snapp, Engineer
553-5134, 227-1246
snappad
9/25/2013
0
55
110
220
330 Feet

City of Norman, OK

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

Master

File Number: FP-1213-38

File ID:	FP-1213-38	**Type:**	Final Plat	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 13	**In Control:**	Planning Commission
Department:	Public Works Department	**Cost:**		**File Created:**	04/10/2013
File Name:	Summit Valley 2 Final Plat			**Final Action:**	

Title: CONSIDERATION OF A FINAL PLAT FOR SUMMIT VALLEY ADDITION, SECTION 2, AND ACCEPTANCE OF PUBLIC DEDICATIONS CONTAINED THEREIN. (GENERALLY LOCATED NORTH OF STATE HIGHWAY NO. 9 AND 36TH AVENUE S.E. - A CLOSED SECTION)

Notes: ACTION NEEDED: Motion to approve or reject the final plat for Summit Valley Addition, Section 2; 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 receipt of a warranty deed for park land dedication requirements, and direct the filing of the final plat.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 13

Attachments: Text File Final Plat.pdf, SummitValleySec2 Location Map, Summit Valley 2 Final Plat, Summit Valley 2 Staff Report, Summit Valley Prelim, 5-9-13 PC Minutes - FP-1213-38

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	05/09/2013					

Text of Legislative File FP-1213-38

body

BACKGROUND: This item is a final plat for Summit Valley Addition, Section 2 and is generally located north of State Highway No. 9 on the west side of 36th Avenue S.E.

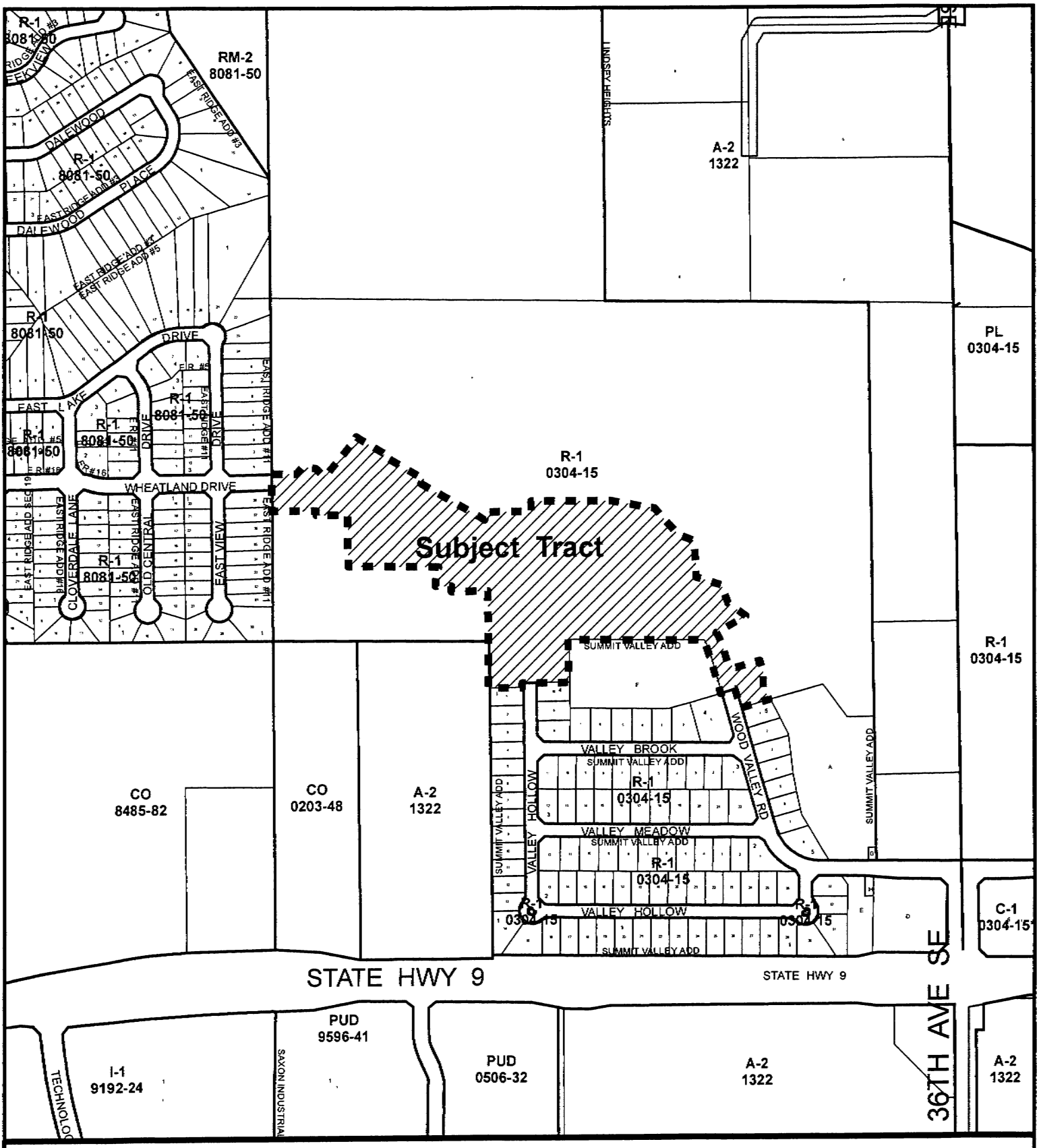
City Council, at its meeting of March 13, 2001, adopted Ordinance No. O-0001-33, placing a portion of this property in R-1, Single Family Dwelling District. City Council, at its meeting of June 21, 2011, approved the revised preliminary plat for Summit Valley Addition. Planning Commission, on May 9, 2013, approved the final plat for Summit Valley Addition, Section 2. The final plat consists of 12.89 acres. Within this final plat there are

52 proposed single-family residential lots and 1 common area/green belt area. Summit Valley Addition, Section 1, consisted of 99 single family residential lots, 1 commercial lot and 7 open space area lots. The revised preliminary plat for Summit Valley Addition was approved by City Council at its meeting of August 27, 2013. At such time as this final plat is filed of record, there will be a total of 151 residential lots. There are 237 lots remaining in the development for Summit Valley Addition and 692 residential lots and 6 commercial lots remaining in Bellatona Addition. At such time as half of the combined development is platted, the developer will be responsible to pay traffic impact fees related to the new traffic signal at the intersection of State Highway No. 9 and 36th Avenue S.E., unless the Oklahoma Department of Transportation completes the installation of this signal as part of the State Highway No. 9 improvements before such time.

DISCUSSION: Construction plans have been reviewed for the required public improvements for this property. These improvements consist of water mains with fire hydrants, sanitary sewer mains, paving, drainage and sidewalks. A warranty deed for park land dedication will be required prior to the filing of the final plat.

The Flood Plain Permit Committee approved Flood Plain Permit No. 581 on May 14, 2013 for a portion of water line, storm sewer, sanitary sewer line and paving improvements. This approval is the renewal of Flood Plain Permit No. 521 that expired March 16, 2011.

STAFF RECOMMENDATION: The final plat is consistent with the approved preliminary plat. Based on the above information, Staff recommends acceptance of the public dedications, approval of the final plat and filing of the final plat subject to completion of public improvements, receipt of a warranty deed for park land. The City of Norman Development Committee must accept all required public improvements or bonds/cash sureties securing public improvements. This action authorizes the Mayor to sign the final plat and bonds.



Location Map

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

N
W E
S

April 30, 2013

0 250 500 Ft.

Subject Tract

Zoning

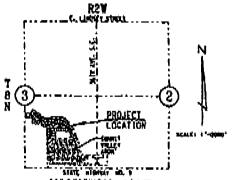
13-1

G:\ArcGIS10 Map Templates\8x11_LocationMapArcMap10.mxd

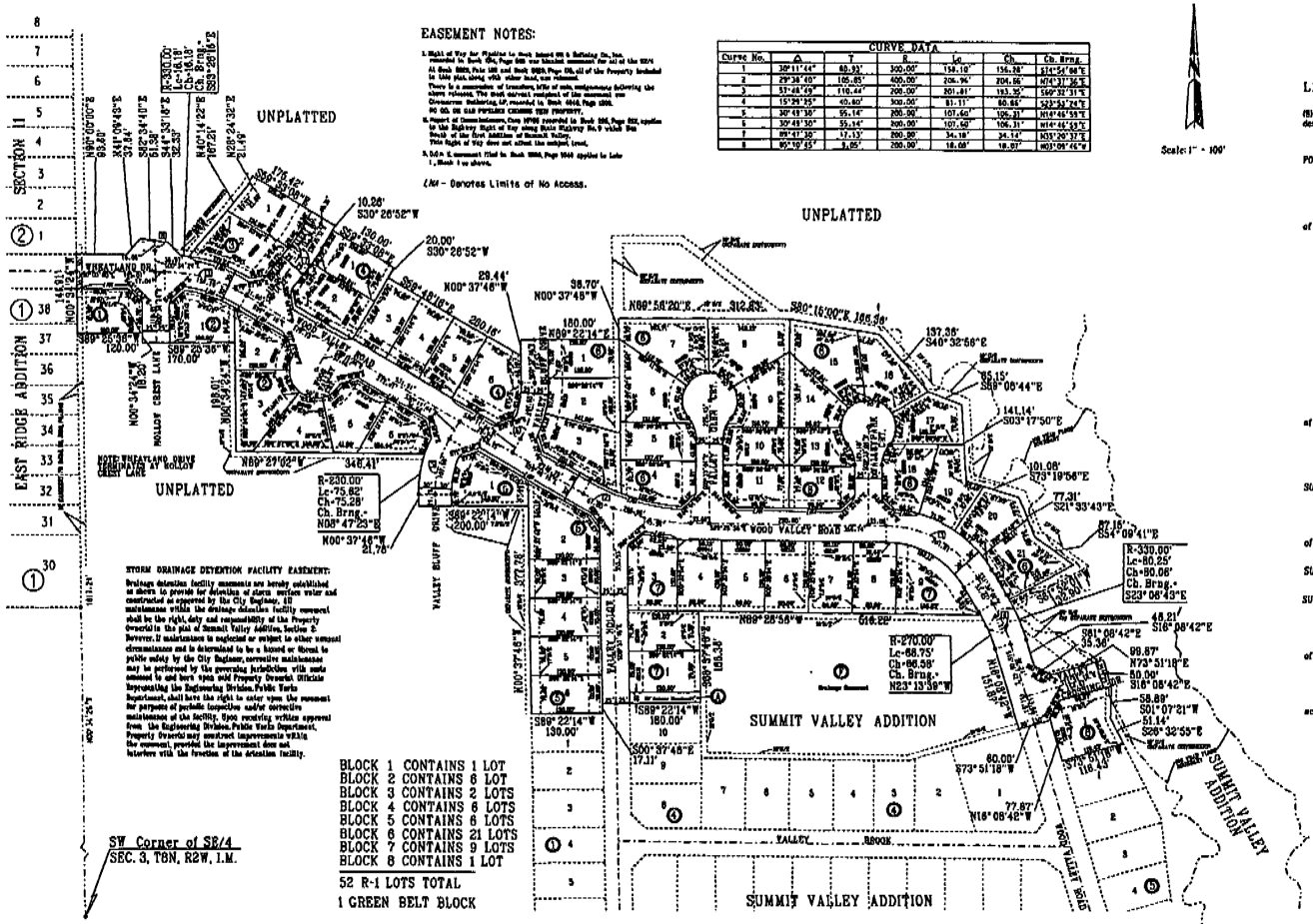
FINAL PLAT
SUMMIT VALLEY ADDITION
SECTION 2

BEING A PART OF THE SE/4 OF SECTION 3, T8N, R2W, I.M.

NORMAN, CLEVELAND COUNTY, OKLAHOMA



VICINITY MAP



EASEMENT NOTES:

1. Right of Way for Pipeline to Mark Arnold Oil & Refining Co. Inc. recorded in Book 454, Page 226 (no blanket easement for all of the SE/4. At Book 2009, Pole 188 and Book 2009, Page 59, all of the Property included in this plat, along with other land, was released.
There is a conveyance of transferor, title or sale, conveyancing following the above releases. The deed carried reservation of the easement was Conveyance Reference 1.2 recorded in Book 4648, Page 1200.
NO OIL OR GAS PIPELINES CROSSING THIS PROPERTY.
2. Report of Commissioners, Case 17405 recorded in Book 286, Page 222, applies to the Highway Right of Way along State Highway No.9 which lies South of the East Addition of Summit Valley.
This Right of Way does not affect the subject Land.
3. Oil & Gas easement filed in Book 3886, Page 1046 applies to Lots 1, Block 1 as shown.

/NA/ - Denotes Limits of No Access.

CURVE DATA

Curve No.	Δ	T	R	Lc	Ch	Ch. Brng.
1	30°11'44"	60.93'	300.00'	158.10'	156.28'	S74°54'56"E
2	29°36'40"	105.85'	400.00'	206.76'	204.56'	N74°37'36"E
3	57°48'59"	110.44'	200.00'	201.81'	193.35'	S60°32'31"E
4	15°34'25"	40.80'	300.00'	81.55'	80.85'	S32°35'44"E
5	30°49'30"	55.14'	200.00'	107.60'	106.31'	N14°46'59"E
6	30°49'30"	55.14'	200.00'	107.60'	106.31'	N16°46'59"E
7	05°47'30"	17.13'	200.00'	34.18'	34.14'	N33°20'31"E
8	05°19'15"	9.85'	200.00'	18.08'	18.07'	N03°09'46"W

LEGAL DESCRIPTION:

A tract of land located in the Southeast Quarter (SE/4) of Section Three (3), Township Eight (8) North, Range Two (2) West, of the Indian Meridian, Norman, Cleveland County, Oklahoma described as follows:

Commencing at the Southwest Corner of said SE/4;
Thence N00°34'26"W on the West Line of said SE/4 for a distance of 1817.24 feet to the POINT OF BEGINNING;
Thence N00°34'24"W on said West Line for a distance of 141.91';
Thence N90°00'00"E for a distance of 93.60 feet;
Thence N41°09'43"E for a distance of 37.84 feet;
Thence S82°34'40"E for a distance of 51.26 feet;
Thence S44°33'16"E for a distance of 32.33 feet;
Thence Southeasterly on a curve to the right, having a radius of 350.00 feet, a chord bearing of S25°22'16"E, a chord distance of 16.18 feet, for a curve distance of 16.18 feet;
Thence N40°14'22"E for a distance of 107.21 feet;
Thence N28°24'32"E for a distance of 21.49 feet;
Thence S59°33'08"E for a distance of 175.45 feet;
Thence S30°26'52"W for a distance of 10.26 feet;
Thence S59°33'08"E for a distance of 130.00 feet;
Thence S30°26'52"W for a distance of 20.00 feet;
Thence S59°33'08"E for a distance of 280.15 feet;
Thence N00°37'46"W for a distance of 29.44 feet;
Thence N89°22'14"E for a distance of 180.00 feet;
Thence N00°37'46"W for a distance of 36.70 feet;
Thence N89°56'20"E for a distance of 312.83 feet;
Thence S80°16'00"E for a distance of 166.39 feet;
Thence S40°32'56"E for a distance of 137.35 feet;
Thence S69°09'44"E for a distance of 65.15 feet;
Thence S03°17'50"E for a distance of 141.14 feet;
Thence S73°19'56"E for a distance of 101.09 feet;
Thence S21°33'43"E for a distance of 77.31 feet;
Thence S64°09'41"E for a distance of 87.15 feet;
Thence S81°52'01"E for a distance of 132.90 feet;
Thence Southeasterly on a curve to the right, having a radius of 330.00 feet, a chord bearing of S23°06'43"E, a chord distance of 80.06 feet, for a curve distance of 80.25 feet;
Thence S16°06'42"E for a distance of 48.21 feet;
Thence S81°06'42"E for a distance of 35.36 feet;
Thence N73°51'18"E for a distance of 99.87 feet;
Thence S16°06'42"E for a distance of 50.00 feet;
Thence S01°07'21"W for a distance of 58.89 feet;
Thence S28°32'55"E for a distance of 51.14 feet to the Northeast Corner of Lot 1, Block 5, SUMMIT VALLEY ADDITION to Norman, Cleveland County, Oklahoma;
Thence S73°51'18"W on the North Line of said Lot for a distance of 116.43 feet;
Thence N16°08'42"W for a distance of 77.87 feet;
Thence S73°51'18"W for a distance of 60.00 feet;
Thence N06°08'42"W for a distance of 181.87 feet;
Thence Northwesterly, on a curve to left, having a radius of 270.00 feet, a chord bearing of N23°13'39"W, a chord distance of 66.58 feet, for a curve distance of 66.75 feet;
Thence N89°28'58"W for a distance of 510.22 feet;
Thence S00°37'46"E for a distance of 168.36 feet to the Northeast Corner of Lot 10, Block 4, SUMMIT VALLEY ADDITION to Norman, Cleveland County, Oklahoma;
Thence S89°22'14"W for a distance of 180.00 feet;
Thence S00°37'46"E for a distance of 17.31 feet to the NorthEast Corner of Lot 1, Block 1, SUMMIT VALLEY ADDITION to Norman, Cleveland County, Oklahoma;
Thence S89°22'14"W on the North Line of said Lot for a distance of 130.00 feet;
Thence N00°37'46"W for a distance of 177.26 feet;
Thence S89°22'14"W for a distance of 200.00 feet;
Thence N00°37'46"W for a distance of 21.78 feet;
Thence Northeasterly on a curve to the right, having a radius of 230.00 feet, a chord bearing of N05°47'25"E, a chord distance of 75.28 feet, for a curve distance of 75.62 feet;
Thence N89°28'58"W for a distance of 346.41 feet;
Thence N00°34'24"W for a distance of 198.01 feet;
Thence S89°25'36"W for a distance of 170.00 feet;
Thence N00°34'24"W for a distance of 18.25 feet;
Thence S89°25'36"W for a distance of 120.00 feet to the POINT OF BEGINNING, containing 17.69 acres, more or less.

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 Summit Valley Addition, Section 2; 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.

BLOCK 1 CONTAINS 1 LOT
BLOCK 2 CONTAINS 6 LOT
BLOCK 3 CONTAINS 2 LOTS
BLOCK 4 CONTAINS 6 LOTS
BLOCK 5 CONTAINS 6 LOTS
BLOCK 6 CONTAINS 21 LOTS
BLOCK 7 CONTAINS 9 LOTS
BLOCK 8 CONTAINS 1 LOT

52 R-1 LOTS TOTAL
1 GREEN BELT BLOCK

BLOCK A IS A COMMON AREA/OPEN SPACE BLOCK AND MAINTAINED BY THE MANDATORY PROPERTY OWNERS ASSOCIATION.

BENCH MARK:
BRASS CAP IN TOP OF CURB LOCATED AT THE ENTRANCE TO SUMMIT VALLEY ADDITION SECTION 2.

ENGINEERS
SURVEYORS
PLANNERS
CPES
Clour Planning & Engineering Services

FINAL PLAT
SUMMIT VALLEY ADDITION
SECTION 2
BEING A PART OF THE SE 1/4 OF SECTION 3, T8N, R2W, I.M.
NORMAN, CLEVELAND COUNTY, OKLAHOMA

Sheet 2 of 2 | P-049

13-2

FINAL PLAT ITEM NO. 5

FP-1213-38

STAFF REPORT

ITEM: Consideration of a Final Plat for SUMMIT VALLEY ADDITION, SECTION 2.

LOCATION: Generally located north of State Highway No. 9 and west of 36TH Avenue SE (a Closed Section).

INFORMATION:

1. Owners. M.S.D.C., L.L.C.
2. Developer. M.S.D.C., L.L.C.
3. Engineer. Clour Planning and Engineering Services

HISTORY:

1. August 7, 2003. The Norman Board of Parks Commissioners, on a vote of 8-0, recommended to City Council that Park Land dedication be required for Summit Valley Addition.
2. August 14, 2003. Planning Commission, on a vote of 7-0, recommended to City Council that the Norman 2020 Land Use and Transportation Plan be amended from Very low Density Residential Designation to Low Density Designation.
3. August 14, 2003. Planning Commission, on a vote of 7-0, recommended to City Council that this property be placed in R-1, Single Family Dwelling District and removed from A-2, Rural Agricultural District.
4. October 14, 2003. City Council amended the Norman 2020 Land Use and Transportation Plan from Very Low Density Residential to Low Density Designation.
5. October 14, 2003. City Council adopted Ordinance No. O-0304-15 placing this property in R-1, Single Family Dwelling District and removing it from A-2, Rural Agricultural District.

HISTORY, (con't):

6. October 14, 2003. City Council approved the preliminary plat for Summit Valley Addition.

7. November 9 2006. Planning Commission, on a vote of 7-0, approved the final plat for Summit Valley Addition, Section 2.

8. November 9, 2008. Final plat approval became null and void.

9. August 14, 2008. Planning Commission, on a vote of 8-0, recommended to City Council that the revised preliminary plat for Summit Valley Addition be approved.

10. September 23, 2008. City Council approved the revised preliminary plat for Summit Valley Addition.

11. April 9, 2009. Planning Commission, on a vote of 7-0, approved the final plat for Summit Valley Addition, Section 2.

12. April 9, 2011. Final plat approval became null and void.

IMPROVEMENT PROGRAM:

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

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

3. Sanitary Sewers. Sanitary sewer mains will be installed in accordance with approved plans and City and State Department of Environmental Quality standards. An existing lift station located in Section 1 will be utilized. Each lot owner will contribute to the operation and maintenance of the lift station.

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

5. Storm Sewers. Appurtenant drainage structures will be installed in accordance with approved plans and City drainage standards. Runoff will be conveyed to privately-maintained detention facilities located within Section 1.

6. Streets. Streets will be constructed in accordance with approved plans and City paving standards. With this addition, a street connection will be made to the west with East Ridge Addition, Section 11. Traffic calming speed tables will be constructed on Wood Valley Road.

7. Water Main. Water mains will be installed in accordance with approved plans and City and Department of Environmental Quality standards. With the connection to East Ridge Additions an additional looped water line system will be provided.

8. Flood Plain Permit. The Flood Plain Permit Committee, at its meeting of March 16, 2009, approved Flood Plain Permit No. 429. However, Flood Plain Permit No. 429 has expired prior to the installation of the public improvements. The engineer for the applicant has submitted a new application for approval. There are some changes to the previous final plat. The applicant has reduced the overall project and, at this time, will no longer extend Valley Crossing to the east and install a drainage structure under it to carry the channel storm water. The Flood Plain Permit Committee will take action on the new application prior to the final plat proceeding to City Council. Based on the fact Flood Plain Permit No. 429 has been previously approved and the scope of work has decreased staff can support this proposal.

PUBLIC DEDICATIONS:

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

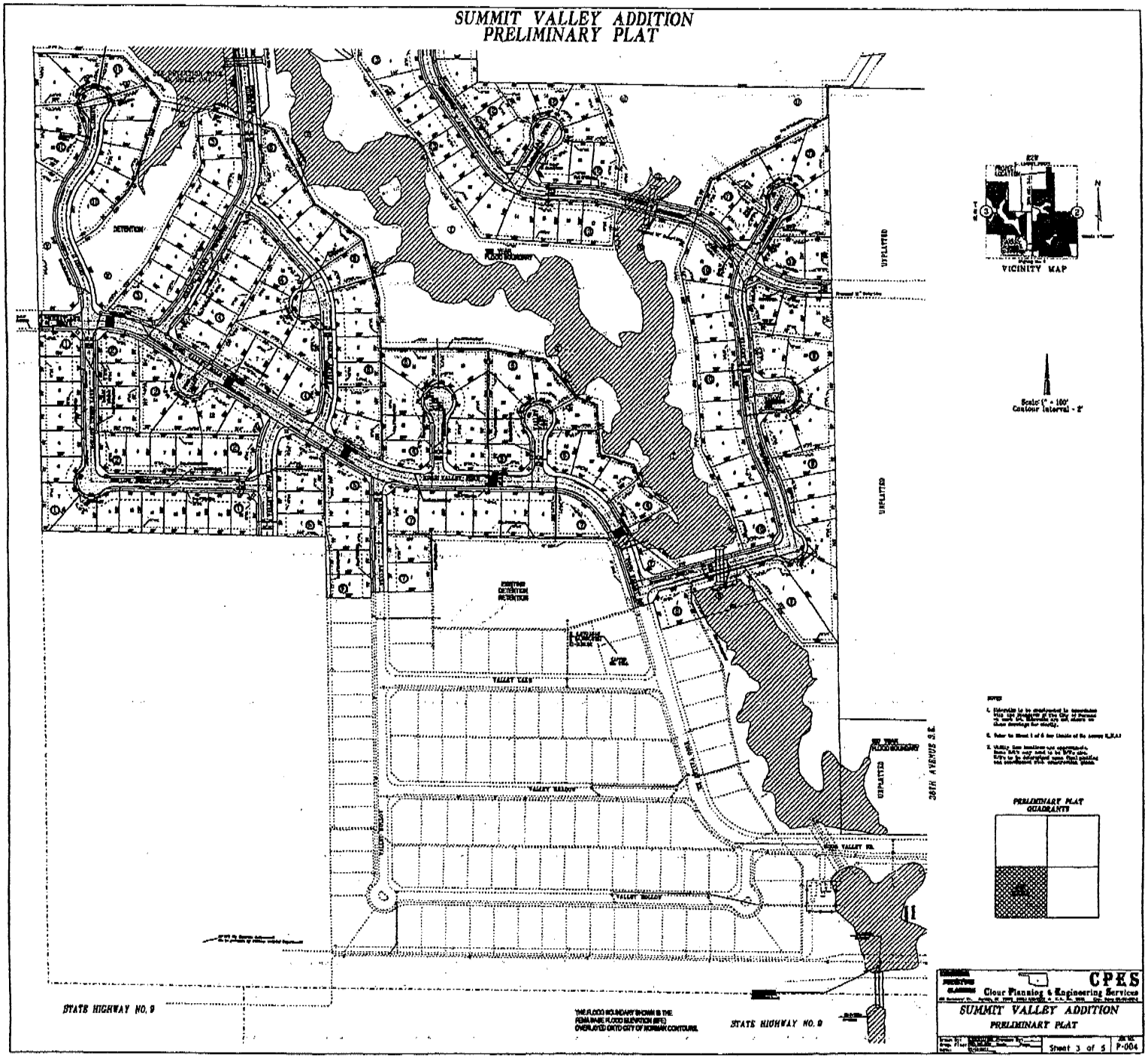
2. Rights-of-Way. Street rights-of-way are dedicated to the City on the final plat.

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

STAFF COMMENTS AND RECOMMENDATION: The owner proposes to develop fifty-two (52) single-family residential lots and one (1) green belt block. The previous submittal of Section 2 contained ninety-six (96) single family residential lots. This development will make a connection to the west with the East Ridge Additions. This will provide a secondary ingress and egress for the development. Staff recommends approval of the final plat for Summit Valley Addition, Section 2.

ACTION NEEDED: Approve or disapprove the final plat for Summit Valley Addition, Section 2.

ACTION TAKEN:_____


SUMMIT VALLEY ADDITION
PRELIMINARY PLAT
VICINITY MAP
Scale 1" = 100'
Contour Interval = 2'
UNPLATTED
UNPLATTED
UNPLATTED
36TH AVENUE S.E.
STATE HIGHWAY NO. 9
STATE HIGHWAY NO. 9
PRELIMINARY PLAT
QUADRANTS
CPES
Clouc Planning & Engineering Services
SUMMIT VALLEY ADDITION
PRELIMINARY PLAT
Sheet 3 of 5
P-004

5-6

13-6

NORMAN PLANNING COMMISSION
REGULAR SESSION MINUTES

MAY 9, 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 9th day of May 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	Curtis McCarty Jim Gasaway Roberta Pailes Andy Sherrer Cindy Gordon Dave Boeck Sandy Bahan Tom Knotts Chris Lewis
MEMBERS ABSENT	None

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 Lewis read the titles of Consent Docket items, consisting of the following:

Item No. 3, being:
APPROVAL OF THE APRIL 11, 2013 REGULAR SESSION MINUTES

Item No. 4, being:
FP-1213-37 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY CIES PROPERTIES, INC. (CLOUR PLANNING AND ENGINEERING SERVICES) FOR BROOKHAVEN PLACE, A PLANNED UNIT DEVELOPMENT GENERALLY LOCATED ¼ MILE WEST OF 36TH AVENUE N.W. AND ¼ MILE SOUTH OF WEST ROCK CREEK ROAD.

Item No. 5, being:
FP-1213-38 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY CIES PROPERTIES, INC. (CLOUR PLANNING AND ENGINEERING SERVICES) FOR SUMMIT VALLEY ADDITION, SECTION 2 FOR PROPERTY GENERALLY LOCATED NORTH OF STATE HIGHWAY NO. 9 AND WEST OF 36TH AVENUE S.E. (A CLOSED SECTION).

Item No. 6, being:
FP-1213-39 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY TERRA VERDE DEVELOPMENT, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR LITTLE RIVER TRAILS ADDITION SECTION 1, A PLANNED UNIT DEVELOPMENT GENERALLY LOCATED ON THE WEST SIDE OF PORTER AVENUE APPROXIMATELY 1,000 FEET NORTH OF TECUMSEH ROAD.

Item No. 7, being:
FP-1213-40 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY TERRA VERDE DEVELOPMENT, L.L.C. (SMC CONSULTING ENGINEERS, P.C.) FOR GREENLEAF TRAILS ADDITION SECTION 6, A PLANNED UNIT DEVELOPMENT FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF 12TH AVENUE N.W. APPROXIMATELY ¼ MILE SOUTH OF TECUMSEH ROAD.

Item No. 8, being:
SFP-1213-3 – CONSIDERATION OF A SHORT FORM PLAT SUBMITTED BY JAKE NOLES (CRAFTON TULL) FOR LOT 9A, THE TRAILS ADDITION SECTION 3 LOCATED AT 2018 MORNING DEW TRAIL (WEST OF MCGEE DRIVE/IMHOFF ROAD AND WEST OF STATE HIGHWAY NO. 9).

*

Chairman Lewis 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 8 on the Consent Docket and approve by one unanimous vote. Sandy Bahan seconded the motion.

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

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

Ms. Tromble announced that the motion, to place approval of Item Nos. 3 through 8 on the Consent Docket and approve by one unanimous vote, passed by a vote of 9-0.

* * *

Item No. 5, being:
FP-1213-38 – CONSIDERATION OF A FINAL PLAT SUBMITTED BY CIES PROPERTIES, INC. (CLOUR PLANNING AND ENGINEERING SERVICES) FOR SUMMIT VALLEY ADDITION, SECTION 2 FOR PROPERTY GENERALLY LOCATED NORTH OF STATE HIGHWAY NO. 9 AND WEST OF 36TH AVENUE S.E. (A CLOSED SECTION).

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

FP-1213-38, the Final Plat for SUMMIT VALLEY ADDITION, SECTION 2 was approved on the Consent Docket by a vote of 9-0.

* * *

City of Norman, OK

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

Master

File Number: LL-1314-10

File ID:	LL-1314-10	**Type:**	Limited License	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 14	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	11/14/2013
File Name:	Christmas Day Dinner Limited License			**Final Action:**	

Title: LIMITED LICENSE NO. LL-1314-10: A LIMITED LICENSE TO PLACE FIVE (5) DOUBLE-SIDED SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE DIRECTOR OF THE NORMAN CHRISTMAS DAY COMMUNITY DINNER.

Notes: ACTION NEEDED: Motion to approve or reject Limited License No. LL-1314-10 to place five (5) double-sided signs within the public rights-of-way pursuant to a request from the Director of the Norman Christmas Day Dinner; and, if approved, authorize the issuance thereof.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 14

Attachments: Text File Limited License Christmas Dinner.pdf,
Letter of Request Norman Christmas Day Dinner.pdf,
Christmas Day Dinner.pdf

Project Manager: Wayne Stenis, Planner II

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 LL-1314-10

Body

BACKGROUND: Section 18-308 states:

Festival or Public Event Banners.

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

DISCUSSION: The Director of the Norman Christmas Day Community Dinner has requested permission to display five double-sided signs throughout the community to announce the free Christmas dinner that this organization offers each year. The signs would be erected on December 10th and removed December 27th. The locations that have been selected are acceptable and are the same as were utilized last year. They should not obstruct any sight triangles.

STAFF RECOMMENDATION: The locations are acceptable, and should not impact any designated sight triangles. Staff supports this request, which is for a short period of time, and benefits a worthwhile public event. Staff has prepared the license in accordance with their request, and presents it to the Council for their consideration. Other than the stipulated time frame, staff has not suggested that additional conditions be attached. Staff supports granting this Limited License, for the specified time period.

Robert A. Magarian, Director
Norman Christmas Day Community Dinner
311 N. Mercedes Dr., Norman, OK 73069
405-364-3273

01 November 2013

Ms. Brenda Hall
City Clerk
201 West Gray
Norman, OK 73069

Dear Ms. Hall:

As the Director of the Norman Christmas Day Community Dinner, I am applying for a Limited License to place five (5) double-sided signs within the public right-of-way at the sites listed below, during December 10th through December 27th.

The double-sided signs have the following wording on them: (1) The name of the dinner: "Norman Christmas Day Community Dinner"; (2) The time and location:11 A.M. –2:00 P.M., Norman High School Commons Cafeteria; and (3) out motto: "No one should eat alone on Christmas Day."

The signs will be placed at:

(1). Northeast corner of West Robinson and 36th Street.
(2). At the curb in front of the Main Street entrance to the Norman High School Commons Cafeteria.
(3). Northwest corner of South Berry and Lindsey Street (on Lindsey side).
(4). West Side of Norman Regional Hospital on North Porter across from the medical building.
(5). Northeast corner of Alameda and 12th street.

I thank you for considering this request.

Sincerely,

Bob

Bob Magarian

LIMITED LICENSE NO. LL-1314-10

LIMITED LICENSE TO PLACE FIVE (5) DOUBLE-SIDED SIGNS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE DIRECTOR OF THE NORMAN CHRISTMAS DAY COMMUNITY DINNER.

An Application has been filed by the Director of the Norman Christmas Day Community Dinner for a Limited License to place five (5) double-sided signs within the public right-of-way pursuant to Section 18-308 of Chapter 18 of the Code of Ordinances, which Application is hereby granted pursuant to the conditions and limitations as set forth in said Application.

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

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

License limited for an 18-day period from December 10 through 27, 2013.

Any special conditions which may be imposed by the City Council.

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

Approved by City Council on the 26th day of November, 2013.

CITY OF NORMAN

_____

Mayor

ATTEST:

_____

City Clerk

City of Norman, OK

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

Master

File Number: LL-1314-11

File ID:	LL-1314-11	**Type:**	Limited License	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 15	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	11/14/2013
File Name:	Limited License Christmas In Norman			**Final Action:**	

Title: LIMITED LICENSE NO. LL-1314-11: A LIMITED LICENSE TO PLACE NINE (9) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT TO A REQUEST FROM THE NORMAN CHAMBER OF COMMERCE, THE NORMAN CONVENTION AND VISITORS BUREAU, AND THE CITY OF NORMAN FOR "CHRISTMAS IN NORMAN."

Notes: ACTION NEEDED: Motion to approve or reject Limited License No. LL-1314-11 to place nine (9) ground banners within the public rights-of-way pursuant to a request from the Norman Chamber of Commerce, the Norman Convention and Visitors Bureau, and the City of Norman; and, if approved, authorize the issuance thereof.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 15

Attachments: Text File Christmas in Norman.pdf, Christmas in Norman Application, Locations Christmas in Norman.pdf, Christmas In Norman Limited License.pdf, Christmas in Norman Sign.pdf

Project Manager: Wayne Stenis, Planner II

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File LL-1314-11

Body

BACKGROUND: Section 18-308 states:

Festival or Public Event Banners.

Signs announcing specific events or promotions that are of a legitimate public benefit to the community at large may be erected within the public right-of-way when authorized by a limited license granted by the City Council. The size, number, type, and wording of such signs must be specified in the license, as well as their location and

duration of use. Because of their unique location within the public right-of-way, such banners may not be placed so as to interfere with legitimate traffic and safety concerns.

DISCUSSION: Ms Stephanie O'Hara, Vice-Chair of Programs for the Norman Chamber of Commerce on behalf of the Norman Chamber of Commerce, the Norman Convention and Visitors Bureau, and the City of Norman has requested permission to display nine (9) ground banners throughout the community to announce "Christmas in Norman." The City of Norman is working with both organizations to promote awareness of several holiday events held during the month of December. The signs will be displayed from November 27, 2013, to January 4, 2014. The locations for the banners that have been selected are acceptable. They should not obstruct any sight triangles.

STAFF RECOMMENDATION: The locations are acceptable, and should not impact any designated sight triangles. Staff supports this request, which is for a short period of time, and benefits a worthwhile public event. Staff has prepared the license in accordance with their request, and presents it to the Council for their consideration. Other than the stipulated time frame, staff has not suggested that additional conditions be attached. Staff supports granting this Limited License, for the specified time period.

APPLICATION FOR LIMITED LICENSE
FOR FESTIVAL OR PUBLIC EVENT BANNER OR SIGN

Date 11/7/2013

Name of Applicant Stephanie O'Hara (on behalf of Norman Chamber, City of Norman, NCVB's partnership CHRISTMAS IN NORMAN)

Address 115 E. Gray (Chamber) Telephone Number 590-2595 cell

Number of Banners/Signs 9

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

See ATTACHED

Banner Size 4x8

Type of Banner vinyl

Wording of Banner www.christmasinnorman.com
CHRISTMAS IN NORMAN
(Insert City, Chamber, NCVB, Christmas in Norman logos)

Duration of Use Nov. 27 2013 – Jan. 4 2014

* still seeking permission as of 11/7, so locations not guaranteed, and subject to change.

✓ permission from business granted

Because of their unique location within the public right-of-way, such banners shall not be placed so as to interfere with legitimate traffic and safety concerns.
Additionally, these are intended to be of benefit to the community at large and not private commercial advertising, although they may contain a sponsor's identification on a minor portion of the sign.

CHRISTMAS IN NORMAN
SIGN LOCATIONS

1. SOUTHEAST CORNER ALAMEDA/12TH (O'ASIAN FUSION)

2. SOUTHEAST CORNER OF ROBINSON/36TH AVENUE N.W. (REPUBLIC BANK)

3. 401 WEST MAIN STREET (REPUBLIC BANK)

4. SOUTHEAST CORNER OF MAIN/24TH (SHELL STATION) **

5. NORTHWEST OR NORTHEAST CORNER OF INTERSTATE DRIVE/MAIN (SOONER MALL)

6. NORTHEAST CORNER OF LINDSEY/BERRY (CASTLEBERRY & ASSOCIATES)

7. SOUTHEAST CORNER OF ROBINSON/24TH NW (BANCFIRST

8. SOUTHWEST CORNER OF LINDSEY/24TH SW (SOONER LEGENDS)

9. 2300 36TH AVENUE NW (JOEL RAZOOK, MD)

** STILL SEEKING PERMISSION

LIMITED LICENSE NO. LL-1314-9

LIMITED LICENSE TO INSTALL NINE (9) GROUND BANNERS WITHIN THE PUBLIC RIGHTS-OF-WAY PURSUANT A REQUEST FROM THE NORMAN CHAMBER OF COMMERCE, THE NORMAN CONVENTION AND VISITORS BUREAU, AND THE CITY OF NORMAN FOR "CHRISTMAS IN NORMAN".

An Application has been filed by the Norman Chamber of Commerce, the Norman Convention and Visitor's Bureau, and the City of Norman for a Limited License to place nine (9) ground banners within the public rights-of-way pursuant to Section 18-308 of Chapter 18 of the Code of Ordinances, which Application is hereby granted pursuant to the conditions and limitations as set forth in said Application.

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

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

License limited to a period of 39 days from November 27, 2013, through January 4, 2014.

Any special conditions which may be imposed by the City Council.

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

Approved by City Council this 26th day of November, 2013.

CITY OF NORMAN

_____

Mayor

ATTEST:

_____

City Clerk

ChristmasInNorman.com
NORMAN
CHAMBER
Christmas
in NORMAN
NORMAN

City of Norman, OK

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

Master

File Number: GID-1314-48

File ID:	GID-1314-48	**Type:**	Grant	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 16	**In Control:**	City Council
Department:	Police Department	**Cost:**		**File Created:**	11/06/2013
File Name:	2014 OHSO Grant for Alcohol and Traffic Enforcement			**Final Action:**	

Title: CONSIDERATION OF THE ACCEPTANCE OF A GRANT IN THE AMOUNT OF $85,749 FROM THE OKLAHOMA HIGHWAY SAFETY OFFICE TO BE USED BY THE POLICE DEPARTMENT TO INCREASE ENFORCEMENT AND EDUCATION OF IMPAIRED DRIVING; HOST A TRAFFIC COLLISION RECONSTRUCTION SCHOOL; AND INCREASE ENFORCEMENT AND EDUCATION OF SEAT BELT AND MANDATORY CHILD RESTRAINT LAWS AND BUDGET APPROPRIATION.

Notes: ACTION NEEDED: Motion to accept or reject a grant in the amount of $85,749 from the Oklahoma Highway Safety Office to be used by the Police Department and; and, if accepted, authorizing the Mayor to execute any supporting documentation and appropriate $85,749 from the Special Grant Fund Balance (022-0000-253.20-00) designating $16,500 to Project No. GP0104, Highway Safety PT-12-03-13-05, Professional Services/Training & Development (022-6019-421.40-17); $25,000 to Project No. GP0105, Highway Safety K8-13-03-20-05, Other Salary/Overtime-Regular (022-6019-421.21-10); $25,000 to Project No. GP106, Highway Safety OP-13-03-03-05, Overtime (022-6019-421.21-10); and $19,249 to Project No. GP0107, Highway Safety CE-12-03-21-05, Overtime (022-6019-421.21-10); and upon reimbursement, deposit the funds into Other Revenue/Traffic & Alcohol Enforcement (022-0000-331.13-40).

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 16

Attachments: Text File Grant.pdf, OHSO-FFY2014-00009.pdf, OHSO-FFY2014-00010.pdf, OHSO-FFY2014-00027.pdf

Project Manager: Major Kevin Foster

Entered by: kathy.lamar@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-1314-48

Body

BACKGROUND: The Oklahoma Highway Safety Office has informed the Norman Police Department that it has been awarded an $85,749 grant. The money is allocated in the following categories: $49,992 to increase enforcement and education of impaired driving; $16,500 to host a traffic collision reconstruction school for up to 30 law enforcement officers, including some Norman police officers; $19,257 to increase enforcement and

education of seat belt and mandatory child restraint laws. The funds will be used to reimburse overtime incurred by officers engaged in these traffic enforcement projects and to cover the costs associated with hosting the traffic collision school.

DESCRIPTION: The Norman Police Department will conduct projects in support of the "*Click It or Ticket*" campaign and "*Over the Limit Under Arrest*" campaign. These projects are designed to increase compliance with the seat belt and mandatory child restraint laws, the impaired driving laws, and to reduce the injuries involved in motor vehicle crashes. The Norman Police Department will also increase patrol and check points targeting high accident locations, locations of citizen's complaints, and those not in compliance with seat belt and child restraint laws, as well as the DUI/DWI laws. The Norman Police Department will supply the Oklahoma Highway Safety Office with enforcement and survey statistics on a monthly basis as stated in the attached contract between Oklahoma Highway Safety Office and the City of Norman. Funding reimbursement will continue through September 30, 2014.

RECOMMENDATION: It is recommended that the grant be accepted and funds in the amount of $85,749 be appropriated from the Special Grant Fund Balance (022-0000-253.20-00) designating $16,500 to Training & Development (account 022-6019-421.40-17; project GP0104); $25,000 to Overtime-Regular (account 022-6019-421.21-10; project GP0105); $25,000 Overtime (project GP0106); $19,249 to Overtime (project GP0107); and upon reimbursement, deposit the funds into Other Revenue/Traffic & Alcohol Enforcement (account 022-0000-331.13-40).

1. In the Award Document Section, review Part I of the agreement, consisting of the following pages:

   a. Grant Agreement Summary – Part I
   b. Budget Summary Projections
   c. Budget Detail Projections
   d. Activity/Milestone Projections

2. In the Award Documents section, review General Provisions – Part II.

3. In the Award Documents section, review Specific Agreements – Part III.

4. The Authorizing Official must review the Certification page and acknowledge acceptance of the terms of the agreement by clicking the SAVE button.

5. The Agency Admistrator must submit the accepted proposal by clicking on the submit button in the Change Status section. This will execute the agreement.

Once the agreement is executed, you may print a copy of the final agreement for your files if desired. If you need a copy for local signature, use the "Print Copy of Agreement for Signature" link.

Grant Agreement Summary – Part 1

Title of Contract: Norman PD Occupant Protection Enforcement

OHSO Project Number:	M2HVE-14-03-04-06	**Award Amount:**	$19,257.00	**CFDA Number:**	20.6160000
OHSO Project Number:		**Award Amount:**		**CFDA Number:**	
		TOTAL AWARD:	$19,257.00		

Project Period: October 1, 2013 – September 30, 2014 **Primary Program Area:** Occupant Protection

Organization:	Norman Police Department				
Address:	201-B West Gray Street				
City:	Norman	**State:**	OK	**Zip:**	73069
FEI Number:	73-6005350	**DUNS Number:**	101501240		
Project Director:	Mark Braley	**Title:**	Captain		
Phone Number:	(405) 366-5249	**Fax Number:**	(405) 366-5329		

Project Goals:

To reduce KAB crashes in the city of Norman by 1% annually, from 331 in 2012 to 321 in 2015.

Problem Identification:

The city of Norman, which encompasses 190 square miles, is located a short distance south of Oklahoma City in Cleveland County. Within its jurisdiction is a major lake and one of the largest universities in the state. Results of an initial Seat Belt Survey conducted in November of 2010, indicated a positive overall compliance rate for the City of Norman at 91.2%, with daytime compliance at 92.9% and night time compliance at 89.4%; however, a late evening compliance check conducted in the city after nine o'clock PM indicated only 76% compliance. The discrepancy in late evening compliance rates would tend to indicate that increased education and later evening enforcement activities may be necessary to increase consistent use of occupant restraints. In 2012, the city of Norman experienced 331 KAB crashes, 8 of which were fatal. The city of Norman had 4 unrestrained fatalities, comprising 50% of the total fatalities in 2012.

Project Description:

Norman officers will work overtime shifts to target occupant protection violations, including seat belt and child restraints, in an effort to decrease KAB crashes. Overtime assignments will be focused on locations and times where high incidents of KAB crashes are likely to occur. Public information and education events will be conducted to inform the public of traffic safety issues and related events occurring in the city.

This grant is subject to the terms and conditions set forth in the Pre-Application guidelines and any modifications agreed to during negotiation and reflected in the Award Documents, or by Contract Change Order hereafter, including; Part I–Grant Agreement Summary; Budget Summary; Budget Detail; Activity/Milestones; General Provisions – Part II; Specific Agreements – Part III; and Certification pages.

In addition, the grantee agrees to the following:

1. If the grantee is a law enforcement agency, the grantee agrees to participate in and support NHTSA's national goals and law enforcement mobilizations ("Click It or Ticket" and "Drive Sober or Get Pulled Over"), including submitting both pre and post reports through the OHSO online Mobilization Reporting System.

2. At the end of the project year and no later than November 1, the Project Director will submit the End of Year Project Summary

Report outlining the project accomplishments and whether the project goal(s) was met.

Budget Summary Projections

Cost Category Items	1st Quarter			2nd Quarter		
	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
I. Personnel						
A. Salaries	$1,491.00	$1,491.00	$1,491.00	$1,491.00	$1,491.00	$1,491.00
B. Benefits	$113.00	$113.00	$113.00	$114.00	$114.00	$114.00
II. Travel						
A. In-State Travel	$0	$0	$0	$0	$0	$0
B. Out-of-State Travel	$0	$0	$0	$0	$0	$0
III. Operating Costs	$0	$0	$0	$0	$0	$0
IV. Contractual Costs	$0	$0	$0	$0	$0	$0
V. Equipment	$0	$0	$0	$0	$0	$0
Monthly Total	**$1,604.00**	**$1,604.00**	**$1,604.00**	**$1,605.00**	**$1,605.00**	**$1,605.00**

	3rd Quarter			4th Quarter			
	Apr	May	Jun	Jul	Aug	Sep	**Annual Total**
I. Personnel							
A. Salaries	$1,491.00	$1,491.00	$1,491.00	$1,491.00	$1,491.00	$1,491.00	$17,892.00
B. Benefits	$114.00	$114.00	$114.00	$114.00	$114.00	$114.00	$1,365.00
II. Travel							
A. In-State Travel	$0	$0	$0	$0	$0	$0	$0
B. Out-of-State Travel	$0	$0	$0	$0	$0	$0	$0
III. Operating Costs	$0	$0	$0	$0	$0	$0	$0
IV. Contractual Costs	$0	$0	$0	$0	$0	$0	$0
V. Equipment	$0	$0	$0	$0	$0	$0	$0
Monthly Total	$1,605.00	$1,605.00	$1,605.00	**$1,605.00**	**$1,605.00**	**$1,605.00**	**$19,257.00**

16-4

Budget Detail Projections

Cost Category Item: I.A. 1	Project Number: M2HVE-14-03-04-06	Description: Salary for overtime occupant protection enforcement, not to exceed 1.5 times regular hourly rate unless contractually required and pre-approved by OHSO.

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
$1,491.00	$1,491.00	$1,491.00	$1,491.00	$1,491.00	$1,491.00	$8,946.00
APR	**MAY**	**JUN**	**JUL**	**AUG**	**SEP**	**ANNUAL**
$1,491.00	$1,491.00	$1,491.00	$1,491.00	$1,491.00	$1,491.00	$17,892.00

Cost Category Item: I.B. 1	Project Number: M2HVE-14-03-04-06	Description: Benefits for overtime occupant protection enforcement, not to exceed 7.65% unless contractually required and pre-approved by OHSO.

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
$113.00	$113.00	$113.00	$114.00	$114.00	$114.00	$681.00
APR	**MAY**	**JUN**	**JUL**	**AUG**	**SEP**	**ANNUAL**
$114.00	$114.00	$114.00	$114.00	$114.00	$114.00	$1,365.00

Cost Category Item:	Project Number:	Description:

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	**MAY**	**JUN**	**JUL**	**AUG**	**SEP**	**ANNUAL**
						$0

Cost Category Item:	Project Number:	Description:

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	**MAY**	**JUN**	**JUL**	**AUG**	**SEP**	**ANNUAL**
						$0

Cost Category Item:	Project Number:	Description:

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	**MAY**	**JUN**	**JUL**	**AUG**	**SEP**	**ANNUAL**
						$0

Budget Detail Projections

Cost Category Item:	Project Number:	Description:

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	MAY	JUN	JUL	AUG	SEP	ANNUAL
						$0

Cost Category Item:	Project Number:	Description:

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	MAY	JUN	JUL	AUG	SEP	ANNUAL
						$0

Cost Category Item:	Project Number:	Description:

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	MAY	JUN	JUL	AUG	SEP	ANNUAL
						$0

Cost Category Item:	Project Number:	Description:

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
APR	MAY	JUN	JUL	AUG	SEP	ANNUAL
						$0

Cost Category Item:	Project Number:	Description:

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	MAY	JUN	JUL	AUG	SEP	ANNUAL
						$0

Organization: Norman, City of

OHSO-FFY2014-NORMAN CI-00009

Activity/Milestones Projections

Activity #	Project #	Description	MILESTONE PROJECTIONS												
			1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			
			Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug	Sep	Total
1	M2HVE-14-03-04-06	Number of overtime hours worked dedicated to occupant protection enforcement.	34	34	34	34	34	34	34	34	34	34	34	34	408
2	M2HVE-14-03-04-06	Number of written occupant protection contacts issued (seat belt and child restraint). Target is 2 per hour.	68	68	68	68	68	68	68	68	68	68	68	68	816
3	M2HVE-14-03-04-06	Number of other written contacts made during occupant protection shifts. DO NOT INCLUDE OCCUPANT PROTECTION CONTACTS.													0
4	M2HVE-14-03-04-06	Number of PI&E activities, including safety presentations and fairs, media releases and social media posts.	1	1	1	1	1	1	1	1	1	1	1	1	12
															0
															0
															0
															0
															0
															0

16-7

General Provisions - Part II

REGULATIONS AND DIRECTIVES

The Grantee, its assignee(s), successor(s) in interest, subcontractor(s), supplier(s), or anyone who is a recipient of financial assistance through this grant shall agree to all applicable provisions of the following; however, nothing here should be interpreted to limit the requirements to comply with regulations and directives not included in this list:

1. Grantee agrees to implement the project in accordance with federal statues, local statutes and regulations, as well as the policies and procedures established by the Oklahoma Highway Safety Office.

2. The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), which prohibits discrimination on the basis of race, color or national origin (and 49 CFR Part 21); (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and the Americans with Disabilities Act of 1990 (Pub. L. 101-336), as amended (42 U.S.C. 12101, et seq.), which prohibits discrimination on the basis of disabilities (and 49 CFR Part 27); (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Civil Rights Restoration Act of 1987 (Pub. L. 100-259), which requires Federal-aid recipients and all subrecipients to prevent discrimination and ensure nondiscrimination in all of their programs and activities; (f) the Drug Abuse Office and Treatment Act of 1972 (Pub. L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (g) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (Pub. L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (h) Sections 523 and 527 of the Public Health Service Act of 1912, as amended (42 U.S.C. 290dd-3 and 290ee-3), relating to confidentiality of alcohol and drug abuse patient records; (i) Title VIII of the Civil Rights Act of 1968, as amended (42 U.S.C. 3601, et seq.), relating to nondiscrimination in the sale, rental or financing of housing; (j) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (k) the requirements of any other nondiscrimination statute(s) which may apply to the application.

3. Hatch Act (Political Activity), 5 U.S.C. Sections 1501-1508 and 5 CRF Part 151.

4. Buy America Act, 23 U.S.C. 101.

5. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions:

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

6. Certification Regarding Federal Lobbying; Certification for Contracts, Grant, Loans, and Cooperative Agreements. The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) 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 any 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 awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan orcooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for the influencing or attempting to influence any 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 contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) Then undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, sub-grants, and contracts under grant, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

- Restriction on State Lobbying; None of the funds under this program will be used for any activity specifically designedto urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any state or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials , in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

7. Equipment Purchased with Highway Safety Funds

- Ownership of equipment purchased is vested in the Grantee, who must use the property only for the authorized purpose of this project (49 CFR, Part 18 (Common Rule))
- Equipment must be entered into, and tracked through, the Grantee's inventory system and the OHSO inventory
- Equipment maintenance and liability coverage are the Grantee's responsibility
- Grantee shall not remove, transfer, or dispose of the property without prior written approval from OHSO
- If equipment is lost or stolen, the OHSO must be notified immediately, in writing, accompanied by a police report

To dispose of ANY equipment, the Grantee MUST:

(1) Write a letter of request to OHSO;

(2) State how the disposal will occur (auction, transfer, etc.) and/or provide three (3) appraisals;

(3) Maintain equipment until Grantee receives letter of approval;

(4) Return Equipment to OHSO.

Nothing herein contained shall be construed as incurring for the Grantor Agency any liability for Workmen's Compensation , F.I.C.A., Withholding Tax, Unemployment Compensation, or any other payment which is not a part of this contract.

Instructions for Lower Tier Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definition and Coverage sections of 49 CFR Part 29. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily exclude from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (See below)

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Specific Agreements - Part III

Grantee shall adopt (if none presently exists) and enforce a safety belt use policy requiring all employees and others riding in Grantee vehicles and/or on Grantee business to use safety belts in accordance with State law.

Regular compensation and/or overtime compensation provided in this grant award will be paid in accordance with established policies and regulations of your entity. Any deviation from the established policies and regulations must be specifically addressed in the written grant award.

Grantee shall verify that any officer using a grant purchased radar or grant purchased video camera has received training in the proper use of the equipment.

Grantee shall encourage all law enforcement officers participating in impaired driving enforcement programs to obtain certification in NHTSA sanctioned Standard Field Sobriety Test (SFST) procedures

Grantee shall submit monthly activity and reimbursement reports (including all appropriate documentation) to OHSO. Reports shall be submitted within 30 days of the end of the reporting month. Failure to comply with this 30-day limit may result in denial of the reimbursement claim.

Reports should include, as a minimum, the following:

1. Project Director's Report.

2. Budget Summary (include all cumulative year-to-date information).

3. Budget Details (include all cumulative year-to-date information).

4. Activity Milestones (include all cumulative year-to-date information).

5. Financial documentation for the current report (time sheets, payroll documents, invoices, purchase orders, and/or other appropriate verification of expenditures).

6. Activity documentation for the current report (include information on all projected activities whether completed or not, and any additional activities that were conducted; an explanation should be provided for any activities not completed).

7. Any additional, pertinent information to the project for the current reporting period.

This is a Federally funded project. The Federal Funds are provided by the NHTSA and, as such, may be subject to audit under Office of Management and Budget (OBM) or A-133. Unless other arrangements are made, any required audit is the responsibility of the Grantee.

Any activities or cost items not specifically addressed in this agreement or any revisions to the items which are included in the agreement must be approved, in writing, by the OHSO Director/ Governor's Representative or designee before they will be considered eligible activities and/or cost items. (For example, any out-of-state travel expenses not specifically identified in one's agreement require prior written permission from the OHSO Director/Governor's Representative or designee or the costs will not be reimbursed.)

These "Specific Agreement" topics have been provided in an effort to assist grantees. This is not in any way a complete list of all requirements. Any questions and/or concerns not addressed here or in other areas of this grant

agreement should be directed to the OHSO Program Manager assigned responsibility for oversight of this project.

The continuation of this project is contingent on the availability and receipt by OHSO of Federal Funds.

As the Authorizing Official, I certify that all data in this application is true and correct. The application and proposed agreement have been reviewed and authorized by the governing body of the applicant agency. The typed name, in lieu of a signature, represents this agency's legal acceptance of the terms of this proposal and a statement of veracity of the representations made in this application.

Printed Name of Chief Executive Officer:

Title:

Date:

As the Authorizing Official, I certify that all data in this application is true and correct. The application and proposed agreement have been reviewed and authorized by the governing body of the applicant agency. The typed name, in lieu of a signature, represents this agency's legal acceptance of the terms of this proposal and a statement of veracity of the representations made in this application.

1. In the Award Document Section, review Part I of the agreement, consisting of the following pages:

   a. Grant Agreement Summary – Part I
   b. Budget Summary Projections
   c. Budget Detail Projections
   d. Activity/Milestone Projections

2. In the Award Documents section, review General Provisions – Part II.

3. In the Award Documents section, review Specific Agreements – Part III.

4. The Authorizing Official must review the Certification page and acknowledge acceptance of the terms of the agreement by clicking the SAVE button.

5. The Agency Admistrator must submit the accepted proposal by clicking on the submit button in the Change Status section. This will execute the agreement.

Once the agreement is executed, you may print a copy of the final agreement for your files if desired. If you need a copy for local signature, use the "Print Copy of Agreement for Signature" link.

Grant Agreement Summary – Part 1

Title of Contract: Norman Impaired Driving Enforcement

OHSO Project Number:	164AL-14-03-02-06	**Award Amount:**	$49,992.00	**CFDA Number:**	20.6080000
OHSO Project Number:		**Award Amount:**		**CFDA Number:**	
		TOTAL AWARD:	$49,992.00		

Project Period: October 1, 2013 – September 30, 2014 **Primary Program Area:** Impaired Driving

Organization:	Norman Police Department				
Address:	201-B West Gray Street				
City:	Norman	**State:**	OK	**Zip:**	73069
FEI Number:	73-6005350	**DUNS Number:**	101501240		
Project Director:	Mark Braley	**Title:**	Captain		
Phone Number:	(405) 366-5249	**Fax Number:**	(405) 366-5329		

Project Goals:

To reduce alcohol-related KAB crashes in the City of Norman by 2% annually, from 43 in 2012 to 40 in 2015.

Problem Identification:

The city of Norman, which encompasses 190 square miles, is located a short distance south of Oklahoma City in Cleveland County. Within its jurisdiction is a major lake and one of the largest universities in the state. OU tailgating and Campus Corner establishments, as well as other bars and restaurants that serve alcohol, contribute to the alcohol-impaired driving problem in Norman and Cleveland County. In 2012, the city of Norman experienced 43 alcohol-related KAB crashes, 2 of which were fatal.

Project Description:

Norman officers will work overtime shifts to target alcohol impaired drivers in an effort to decrease alcohol-related KAB crashes. Using DDACTS data, overtime assignments will be focused on locations and times where high incidents of alcohol-related KAB crashes are likely to occur. Public information and education events will be conducted to inform the public of traffic safety issues and related events occurring in the city.

This grant is subject to the terms and conditions set forth in the Pre-Application guidelines and any modifications agreed to during negotiation and reflected in the Award Documents, or by Contract Change Order hereafter, including; Part I–Grant Agreement Summary; Budget Summary; Budget Detail; Activity/Milestones; General Provisions – Part II; Specific Agreements – Part III; and Certification pages.

In addition, the grantee agrees to the following:

1. If the grantee is a law enforcement agency, the grantee agrees to participate in and support NHTSA's national goals and law enforcement mobilizations ("Click It or Ticket" and "Drive Sober or Get Pulled Over"), including submitting both pre and post reports through the OHSO online Mobilization Reporting System.

2. At the end of the project year and no later than November 1, the Project Director will submit the End of Year Project Summary Report outlining the project accomplishments and whether the project goal(s) was met.

Organization: Norman, City of

OHSO-FFY2014-NORMAN CI-00010

Budget Summary Projections

Cost Category Items	1st Quarter			2nd Quarter		
	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
I. Personnel						
A. Salaries	$3,870.00	$3,870.00	$3,870.00	$3,870.00	$3,870.00	$3,870.00
B. Benefits	$296.00	$296.00	$296.00	$296.00	$296.00	$296.00
II. Travel						
A. In-State Travel	$0	$0	$0	$0	$0	$0
B. Out-of-State Travel	$0	$0	$0	$0	$0	$0
III. Operating Costs	$0	$0	$0	$0	$0	$0
IV. Contractual Costs	$0	$0	$0	$0	$0	$0
V. Equipment	$0	$0	$0	$0	$0	$0
Monthly Total	**$4,166.00**	**$4,166.00**	**$4,166.00**	**$4,166.00**	**$4,166.00**	**$4,166.00**

	3rd Quarter			4th Quarter			
	Apr	May	Jun	Jul	Aug	Sep	**Annual Total**
I. Personnel							
A. Salaries	$3,870.00	$3,870.00	$3,870.00	$3,870.00	$3,870.00	$3,870.00	$46,440.00
B. Benefits	$296.00	$296.00	$296.00	$296.00	$296.00	$296.00	$3,552.00
II. Travel							
A. In-State Travel	$0	$0	$0	$0	$0	$0	$0
B. Out-of-State Travel	$0	$0	$0	$0	$0	$0	$0
III. Operating Costs	$0	$0	$0	$0	$0	$0	$0
IV. Contractual Costs	$0	$0	$0	$0	$0	$0	$0
V. Equipment	$0	$0	$0	$0	$0	$0	$0
Monthly Total	$4,166.00	$4,166.00	$4,166.00	**$4,166.00**	**$4,166.00**	**$4,166.00**	**$49,992.00**

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Budget Detail Projections

Cost Category Item: I.A. 1 | **Project Number:** 164AL-14-03-02-06 | **Description:** Salary for overtime alcohol-impaired driving enforcement (rate not to exceed 1.5 times regular hourly rate unless contractually required and pre-approved by OHSO).

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
$3,870.00	$3,870.00	$3,870.00	$3,870.00	$3,870.00	$3,870.00	$23,220.00
APR	**MAY**	**JUN**	**JUL**	**AUG**	**SEP**	**ANNUAL**
$3,870.00	$3,870.00	$3,870.00	$3,870.00	$3,870.00	$3,870.00	$46,440.00

Cost Category Item: I.B. 1 | **Project Number:** 164AL-14-03-02-06 | **Description:** Benefits for overtime alcohol-impaired driving enforcement (rate not to exceed 7.65% unless contractually required and pre-approved by OHSO).

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
$296.00	$296.00	$296.00	$296.00	$296.00	$296.00	$1,776.00
APR	**MAY**	**JUN**	**JUL**	**AUG**	**SEP**	**ANNUAL**
$296.00	$296.00	$296.00	$296.00	$296.00	$296.00	$3,552.00

Cost Category Item: | **Project Number:** | **Description:**

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	**MAY**	**JUN**	**JUL**	**AUG**	**SEP**	**ANNUAL**
						$0

Cost Category Item: | **Project Number:** | **Description:**

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	**MAY**	**JUN**	**JUL**	**AUG**	**SEP**	**ANNUAL**
						$0

Cost Category Item: | **Project Number:** | **Description:**

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	**MAY**	**JUN**	**JUL**	**AUG**	**SEP**	**ANNUAL**
						$0

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Budget Detail Projections

Cost Category Item:	Project Number:	Description:

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	MAY	JUN	JUL	AUG	SEP	ANNUAL
						$0

Cost Category Item:	Project Number:	Description:

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	MAY	JUN	JUL	AUG	SEP	ANNUAL
						$0

Cost Category Item:	Project Number:	Description:

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	MAY	JUN	JUL	AUG	SEP	ANNUAL
						$0

Cost Category Item:	Project Number:	Description:

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	MAY	JUN	JUL	AUG	SEP	ANNUAL
						$0

Cost Category Item:	Project Number:	Description:

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	MAY	JUN	JUL	AUG	SEP	ANNUAL
						$0

Organization: Norman, City of

OHSO-FFY2014-NORMAN CI-00010

Activity/Milestones Projections

Activity #	Project #	Description	MILESTONE PROJECTIONS												
			1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			
			Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug	Sep	Total
1	164AL-14-03-02-06	Overtime hours worked dedicated to alcohol-impaired driving enforcement.	99	99	99	99	99	99	99	99	99	99	99	99	1188
2	164AL-14-03-02-06	Number of DUI/DWI/APC contacts made during alcohol-impaired driving enforcement shifts. Target is one arrest per 10 hours worked.	10	10	10	10	10	10	10	10	10	10	10	10	120
3	164AL-14-03-02-06	Number of other contacts made during alcohol-impaired driving enforcement shifts. DO NOT INCLUDE NUMBER OF DUI/DWI/APC ARRESTS IN THIS NUMBER.													0
4	164AL-14-03-02-06	Number of PI&E events, including press events, media releases, social media posts, etc.	1	1	1	1	1	1	1	1	1	1	1	1	12
															0
															0
															0
															0
															0
															0

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General Provisions - Part II

REGULATIONS AND DIRECTIVES

The Grantee, its assignee(s), successor(s) in interest, subcontractor(s), supplier(s), or anyone who is a recipient of financial assistance through this grant shall agree to all applicable provisions of the following; however, nothing here should be interpreted to limit the requirements to comply with regulations and directives not included in this list:

1. Grantee agrees to implement the project in accordance with federal statues, local statutes and regulations, as well as the policies and procedures established by the Oklahoma Highway Safety Office.

2. The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), which prohibits discrimination on the basis of race, color or national origin (and 49 CFR Part 21); (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and the Americans with Disabilities Act of 1990 (Pub. L. 101-336), as amended (42 U.S.C. 12101, et seq.), which prohibits discrimination on the basis of disabilities (and 49 CFR Part 27); (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Civil Rights Restoration Act of 1987 (Pub. L. 100-259), which requires Federal-aid recipients and all subrecipients to prevent discrimination and ensure nondiscrimination in all of their programs and activities; (f) the Drug Abuse Office and Treatment Act of 1972 (Pub. L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (g) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (Pub. L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (h) Sections 523 and 527 of the Public Health Service Act of 1912, as amended (42 U.S.C. 290dd-3 and 290ee-3), relating to confidentiality of alcohol and drug abuse patient records; (i) Title VIII of the Civil Rights Act of 1968, as amended (42 U.S.C. 3601, et seq.), relating to nondiscrimination in the sale, rental or financing of housing; (j) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (k) the requirements of any other nondiscrimination statute(s) which may apply to the application.

3. Hatch Act (Political Activity), 5 U.S.C. Sections 1501-1508 and 5 CRF Part 151.

4. Buy America Act, 23 U.S.C. 101.

5. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions:

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

6. Certification Regarding Federal Lobbying; Certification for Contracts, Grant, Loans, and Cooperative Agreements. The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) 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 any 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 awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan orcooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for the influencing or attempting to influence any 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 contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) Then undersigned shall require that the language of this certification be included in the award documents for all sub-award at all tiers (including subcontracts, sub-grants, and contracts under grant, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

- Restriction on State Lobbying; None of the funds under this program will be used for any activity specifically designedto urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any state or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

7. Equipment Purchased with Highway Safety Funds

- Ownership of equipment purchased is vested in the Grantee, who must use the property only for the authorized purpose of this project (49 CFR, Part 18 (Common Rule))
- Equipment must be entered into, and tracked through, the Grantee's inventory system and the OHSO inventory
- Equipment maintenance and liability coverage are the Grantee's responsibility
- Grantee shall not remove, transfer, or dispose of the property without prior written approval from OHSO
- If equipment is lost or stolen, the OHSO must be notified immediately, in writing, accompanied by a police report

To dispose of ANY equipment, the Grantee MUST:

(1) Write a letter of request to OHSO;

(2) State how the disposal will occur (auction, transfer, etc.) and/or provide three (3) appraisals;

(3) Maintain equipment until Grantee receives letter of approval;

(4) Return Equipment to OHSO.

Nothing herein contained shall be construed as incurring for the Grantor Agency any liability for Workmen's Compensation, F.I.C.A., Withholding Tax, Unemployment Compensation, or any other payment which is not a part of this contract.

Instructions for Lower Tier Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definition and Coverage sections of 49 CFR Part 29. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily exclude from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. (See below)

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR Part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Specific Agreements - Part III

Grantee shall adopt (if none presently exists) and enforce a safety belt use policy requiring all employees and others riding in Grantee vehicles and/or on Grantee business to use safety belts in accordance with State law.

Regular compensation and/or overtime compensation provided in this grant award will be paid in accordance with established policies and regulations of your entity. Any deviation from the established policies and regulations must be specifically addressed in the written grant award.

Grantee shall verify that any officer using a grant purchased radar or grant purchased video camera has received training in the proper use of the equipment.

Grantee shall encourage all law enforcement officers participating in impaired driving enforcement programs to obtain certification in NHTSA sanctioned Standard Field Sobriety Test (SFST) procedures

Grantee shall submit monthly activity and reimbursement reports (including all appropriate documentation) to OHSO. Reports shall be submitted within 30 days of the end of the reporting month. Failure to comply with this 30-day limit may result in denial of the reimbursement claim.

Reports should include, as a minimum, the following:

1. Project Director's Report.

2. Budget Summary (include all cumulative year-to-date information).

3. Budget Details (include all cumulative year-to-date information).

4. Activity Milestones (include all cumulative year-to-date information).

5. Financial documentation for the current report (time sheets, payroll documents, invoices, purchase orders, and/or other appropriate verification of expenditures).

6. Activity documentation for the current report (include information on all projected activities whether completed or not, and any additional activities that were conducted; an explanation should be provided for any activities not completed).

7. Any additional, pertinent information to the project for the current reporting period.

This is a Federally funded project. The Federal Funds are provided by the NHTSA and, as such, may be subject to audit under Office of Management and Budget (OBM) or A-133. Unless other arrangements are made, any required audit is the responsibility of the Grantee.

Any activities or cost items not specifically addressed in this agreement or any revisions to the items which are included in the agreement must be approved, in writing, by the OHSO Director/ Governor's Representative or designee before they will be considered eligible activities and/or cost items. (For example, any out-of-state travel expenses not specifically identified in one's agreement require prior written permission from the OHSO Director/Governor's Representative or designee or the costs will not be reimbursed.)

These "Specific Agreement" topics have been provided in an effort to assist grantees. This is not in any way a complete list of all requirements. Any questions and/or concerns not addressed here or in other areas of this grant

agreement should be directed to the OHSO Program Manager assigned responsibility for oversight of this project.

The continuation of this project is contingent on the availability and receipt by OHSO of Federal Funds.

As the Authorizing Official, I certify that all data in this application is true and correct. The application and proposed agreement have been reviewed and authorized by the governing body of the applicant agency. The typed name, in lieu of a signature, represents this agency's legal acceptance of the terms of this proposal and a statement of veracity of the representations made in this application.

Printed Name of Chief Executive Officer:

Title:

Date:

As the Authorizing Official, I certify that all data in this application is true and correct. The application and proposed agreement have been reviewed and authorized by the governing body of the applicant agency. The typed name, in lieu of a signature, represents this agency's legal acceptance of the terms of this proposal and a statement of veracity of the representations made in this application.

1. In the Award Document Section, review Part I of the agreement, consisting of the following pages:

   a. Grant Agreement Summary – Part I
   b. Budget Summary Projections
   c. Budget Detail Projections
   d. Activity/Milestone Projections

2. In the Award Documents section, review General Provisions – Part II.

3. In the Award Documents section, review Specific Agreements – Part III.

4. The Authorizing Official must review the Certification page and acknowledge acceptance of the terms of the agreement by clicking the SAVE button.

5. The Agency Admistrator must submit the accepted proposal by clicking on the submit button in the Change Status section. This will execute the agreement.

Once the agreement is executed, you may print a copy of the final agreement for your files if desired. If you need a copy for local signature, use the "Print Copy of Agreement for Signature" link.

Organization: Norman, City of

OHSO-FFY2014-NORMAN CI-00027

Grant Agreement Summary – Part 1

Title of Contract: Norman IPTM Training Course

OHSO Project Number:	PT-14-03-10-06	**Award Amount:**	$16,500.00	**CFDA Number:**	20.6000000
OHSO Project Number:		**Award Amount:**		**CFDA Number:**	
		TOTAL AWARD:	$16,500.00		

Project Period: October 1, 2013 – September 30, 2014 **Primary Program Area:** General Police Traffic Services

Organization:	Norman Police Department				
Address:	201-B West Gray Street				
City:	Norman	**State:**	OK	**Zip:**	73069
FEI Number:	73-6005350	**DUNS Number:**	101501240		
Project Director:	David Teuscher	**Title:**	Captain		
Phone Number:	(405) 366-5249	**Fax Number:**	(405) 366-5329		

Project Goals:

To reduce KAB crashes in the 7 counties represented by the MATSC Safe Communities group by 2% annually, from 4,110 in 2012 to 3,864 in 2015.

Problem Identification:

The Oklahoma City metro area is comprised of 7 counties, including Canadian, Cleveland, Lincoln, Logan, McClain, Oklahoma and Pottawatomie. Agencies in these counties are represented in the Metro Area Traffic Safety Council (MATSC) Safe Community group. Traffic related training is an integral part of ensuring that Officers have the ability to appropriately enforce traffic laws and investigate crashes. These 7 counties experienced 4,110 KAB crashes in 2012; 157 of those were fatal crashes.

Project Description:

The Norman Police Department will coordinate with the Metro Area Traffic Safety Council (MATSC) to plan and host the IPTM Collision Reconstruction Course. The course will be taught by instructors from the Institute of Police Technology and Management (IPTM), and will be offered to approximately thirty (30) students, consisting of officers from partner agencies within the MATSC and/or other Safe Communiites groups and the Oklahoma City metropolitan area.

This grant is subject to the terms and conditions set forth in the Pre-Application guidelines and any modifications agreed to during negotiation and reflected in the Award Documents, or by Contract Change Order hereafter, including; Part I–Grant Agreement Summary; Budget Summary; Budget Detail; Activity/Milestones; General Provisions – Part II; Specific Agreements – Part III; and Certification pages.

In addition, the grantee agrees to the following:

1. If the grantee is a law enforcement agency, the grantee agrees to participate in and support NHTSA's national goals and law enforcement mobilizations ("Click It or Ticket" and "Drive Sober or Get Pulled Over"), including submitting both pre and post reports through the OHSO online Mobilization Reporting System.

2. At the end of the project year and no later than November 1, the Project Director will submit the End of Year Project Summary Report outlining the project accomplishments and whether the project goal(s) was met.

Organization: Norman, City of

OHSO-FFY2014-NORMAN CI-00027

Budget Summary Projections

Cost Category Items	1st Quarter			2nd Quarter		
	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.
I. Personnel						
A. Salaries	$0	$0	$0	$0	$0	$0
B. Benefits	$0	$0	$0	$0	$0	$0
II. Travel						
A. In-State Travel	$0	$0	$0	$0	$0	$0
B. Out-of-State Travel	$0	$0	$0	$0	$0	$0
III. Operating Costs	$0	$0	$0	$0	$0	$0
IV. Contractual Costs	$0	$0	$0	$0	$0	$0
V. Equipment	$0	$0	$0	$0	$0	$0
Monthly Total	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**

	3rd Quarter			4th Quarter			
	Apr	May	Jun	Jul	Aug	Sep	**Annual Total**
I. Personnel							
A. Salaries	$0	$0	$0	$0	$0	$0	$0
B. Benefits	$0	$0	$0	$0	$0	$0	$0
II. Travel							
A. In-State Travel	$0	$0	$0	$0	$0	$0	$0
B. Out-of-State Travel	$0	$0	$0	$0	$0	$0	$0
III. Operating Costs	$0	$0	$0	$0	$0	$0	$0
IV. Contractual Costs	$16,500.00	$0	$0	$0	$0	$0	$16,500.00
V. Equipment	$0	$0	$0	$0	$0	$0	$0
Monthly Total	$16,500.00	$0	$0	**$0**	**$0**	**$0**	**$16,500.00**

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Budget Detail Projections

Cost Category Item: IV. 1	Project Number: PT-14-03-10-06	Description: Contractual costs associated with hosting an IPTM training course, to include Instructor salaries, Instructor travel and expenses, and classroom materials.

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
$0	$0	$0	$0	$0	$0	$0
APR	**MAY**	**JUN**	**JUL**	**AUG**	**SEP**	**ANNUAL**
$16,500.00	$0	$0	$0	$0	$0	$16,500.00

Cost Category Item:	Project Number:	Description:

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	**MAY**	**JUN**	**JUL**	**AUG**	**SEP**	**ANNUAL**
						$0

Cost Category Item:	Project Number:	Description:

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	**MAY**	**JUN**	**JUL**	**AUG**	**SEP**	**ANNUAL**
						$0

Cost Category Item:	Project Number:	Description:

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	**MAY**	**JUN**	**JUL**	**AUG**	**SEP**	**ANNUAL**
						$0

Cost Category Item:	Project Number:	Description:

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	**MAY**	**JUN**	**JUL**	**AUG**	**SEP**	**ANNUAL**
						$0

Budget Detail Projections

Cost Category Item:	Project Number:	Description:

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	MAY	JUN	JUL	AUG	SEP	ANNUAL
						$0

Cost Category Item:	Project Number:	Description:

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	MAY	JUN	JUL	AUG	SEP	ANNUAL
						$0

Cost Category Item:	Project Number:	Description:

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	MAY	JUN	JUL	AUG	SEP	ANNUAL
						$0

Cost Category Item:	Project Number:	Description:

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
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APR	MAY	JUN	JUL	AUG	SEP	ANNUAL
						$0

Cost Category Item:	Project Number:	Description:

OCT	NOV	DEC	JAN	FEB	MAR	Semi-Annual
						$0
APR	MAY	JUN	JUL	AUG	SEP	ANNUAL
						$0

Organization: Norman, City of

OHSO-FFY2014-NORMAN CI-00027

Activity/Milestones Projections

Activity #	Project #	Description	MILESTONE PROJECTIONS												
			1st Quarter			2nd Quarter			3rd Quarter			4th Quarter			
			Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug	Sep	Total
1	PT-14-03-10-06	Plan and coordinate the IPTM training course with the MATSC Safe Community group.	1	1	1	1	1	1	1						7
2	PT-14-03-10-06	Provide roster of students successfully completing the IPTM training course.							1						1
															0
															0
															0

16-31

General Provisions - Part II

REGULATIONS AND DIRECTIVES

The Grantee, its assignee(s), successor(s) in interest, subcontractor(s), supplier(s), or anyone who is a recipient of financial assistance through this grant shall agree to all applicable provisions of the following; however, nothing here should be interpreted to limit the requirements to comply with regulations and directives not included in this list:

1. Grantee agrees to implement the project in accordance with federal statues, local statutes and regulations, as well as the policies and procedures established by the Oklahoma Highway Safety Office.

2. The State highway safety agency will comply with all Federal statutes and implementing regulations relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), which prohibits discrimination on the basis of race, color or national origin (and 49 CFR Part 21); (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683 and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and the Americans with Disabilities Act of 1990 (Pub. L. 101-336), as amended (42 U.S.C. 12101, et seq.), which prohibits discrimination on the basis of disabilities (and 49 CFR Part 27); (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Civil Rights Restoration Act of 1987 (Pub. L. 100-259), which requires Federal-aid recipients and all subrecipients to prevent discrimination and ensure nondiscrimination in all of their programs and activities; (f) the Drug Abuse Office and Treatment Act of 1972 (Pub. L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (g) the comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (Pub. L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (h) Sections 523 and 527 of the Public Health Service Act of 1912, as amended (42 U.S.C. 290dd-3 and 290ee-3), relating to confidentiality of alcohol and drug abuse patient records; (i) Title VIII of the Civil Rights Act of 1968, as amended (42 U.S.C. 3601, et seq.), relating to nondiscrimination in the sale, rental or financing of housing; (j) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (k) the requirements of any other nondiscrimination statute(s) which may apply to the application.

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(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for the influencing or attempting to influence any 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 contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

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- Restriction on State Lobbying; None of the funds under this program will be used for any activity specifically designedto urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any state or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials , in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

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- Ownership of equipment purchased is vested in the Grantee, who must use the property only for the authorized purpose of this project (49 CFR, Part 18 (Common Rule))
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(3) Maintain equipment until Grantee receives letter of approval;

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4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definition and Coverage sections of 49 CFR Part 29. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

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8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions:

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Specific Agreements - Part III

Grantee shall adopt (if none presently exists) and enforce a safety belt use policy requiring all employees and others riding in Grantee vehicles and/or on Grantee business to use safety belts in accordance with State law.

Regular compensation and/or overtime compensation provided in this grant award will be paid in accordance with established policies and regulations of your entity. Any deviation from the established policies and regulations must be specifically addressed in the written grant award.

Grantee shall verify that any officer using a grant purchased radar or grant purchased video camera has received training in the proper use of the equipment.

Grantee shall encourage all law enforcement officers participating in impaired driving enforcement programs to obtain certification in NHTSA sanctioned Standard Field Sobriety Test (SFST) procedures

Grantee shall submit monthly activity and reimbursement reports (including all appropriate documentation) to OHSO. Reports shall be submitted within 30 days of the end of the reporting month. Failure to comply with this 30-day limit may result in denial of the reimbursement claim.

Reports should include, as a minimum, the following:

1. Project Director's Report.

2. Budget Summary (include all cumulative year-to-date information).

3. Budget Details (include all cumulative year-to-date information).

4. Activity Milestones (include all cumulative year-to-date information).

5. Financial documentation for the current report (time sheets, payroll documents, invoices, purchase orders, and/or other appropriate verification of expenditures).

6. Activity documentation for the current report (include information on all projected activities whether completed or not, and any additional activities that were conducted; an explanation should be provided for any activities not completed).

7. Any additional, pertinent information to the project for the current reporting period.

This is a Federally funded project. The Federal Funds are provided by the NHTSA and, as such, may be subject to audit under Office of Management and Budget (OBM) or A-133. Unless other arrangements are made, any required audit is the responsibility of the Grantee.

Any activities or cost items not specifically addressed in this agreement or any revisions to the items which are included in the agreement must be approved, in writing, by the OHSO Director/ Governor's Representative or designee before they will be considered eligible activities and/or cost items. (For example, any out-of-state travel expenses not specifically identified in one's agreement require prior written permission from the OHSO Director/Governor's Representative or designee or the costs will not be reimbursed.)

These "Specific Agreement" topics have been provided in an effort to assist grantees. This is not in any way a complete list of all requirements. Any questions and/or concerns not addressed here or in other areas of this grant

agreement should be directed to the OHSO Program Manager assigned responsibility for oversight of this project.

The continuation of this project is contingent on the availability and receipt by OHSO of Federal Funds.

As the Authorizing Official, I certify that all data in this application is true and correct. The application and proposed agreement have been reviewed and authorized by the governing body of the applicant agency. The typed name, in lieu of a signature, represents this agency's legal acceptance of the terms of this proposal and a statement of veracity of the representations made in this application.

Printed Name of Chief Executive Officer:

Title:

Date:

As the Authorizing Official, I certify that all data in this application is true and correct. The application and proposed agreement have been reviewed and authorized by the governing body of the applicant agency. The typed name, in lieu of a signature, represents this agency's legal acceptance of the terms of this proposal and a statement of veracity of the representations made in this application.

City of Norman, OK

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

Master

File Number: SC-1314-8

File ID:	SC-1314-8	**Type:**	Special Claim	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 17	**In Control:**	City Council
Department:	Legal Department	**Cost:**	$9,891.87	**File Created:**	10/31/2013
File Name:	Special Claim			**Final Action:**	

Title: SPECIAL CLAIM NO. SC-1314-8: A CLAIM IN THE REVISED AMOUNT OF $9,891.87 SUBMITTED BY JANET L. SYMPSON FOR DAMAGES TO HER VEHICLE AND CHARGES INCURRED DUE TO AN ACCIDENT WITH A POLICE VEHICLE NEAR THE INTERSECTION OF CLASSEN BOULEVARD AND LINDSEY STREET.

Notes: ACTION NEEDED: Motion to approve or reject Special Claim No. SC-1314-8; and, if approved, direct payment in the revised amount of $9,891.87 contingent upon obtaining a Release and Covenant Not to Sue from Janet L. Sympson.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 17

Attachments: Text File Sympson.pdf, Clerk Memo Sympson.pdf, Sympson Tort Claim updated docs.pdf, Police Report Sympson.pdf

Project Manager: Jeanne Snider, 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 SC-1314-8

Body

BACKGROUND: A claim has been filed by Janet L. Sympson in the revised amount of $9,891.87 for damages to her vehicle and rental car expense due to a vehicle accident that occurred on October 5, 2013, when her vehicle was struck by a City of Norman police vehicle near the intersection of Classen Boulevard and Lindsey Street.

DISCUSSION: This incident was investigated by Lt. Jamie Shattuck and Chief Keith Humphrey. According to the investigation and the official accident report, both vehicles were traveling southbound on Classen Boulevard. The vehicles were approximately parallel with each other when Officer Paul Evans, driving the police vehicle, attempted to make a u-turn in order to make a traffic stop for a car that was northbound on Classen Boulevard. The left front of the City vehicle struck the right front of Ms. Sympson's vehicle.

Ms. Sympson's vehicle was a 2008 Ford Explorer 4x4 Sport Track pickup. She has provided invoices for

repairs made to her vehicle in the total amount of $8,800.68. Additionally, she has supplied a rental car receipt in the amount of $1,091.19 for rental car expense during the time her vehicle was being repaired..

As indicated above, there appears to be possible negligence on the part of the City in this matter and, consequently, potential liability on the City. The amount requested by Ms. Sympson 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 Janet L. Sympson for damages to her vehicle and rental car expense in the revised amount of $9,891.87, as above set forth, be approved.

office memorandum

DATE: October 15, 2013

TO: Keith Humphrey, Police Chief
Jeff Bryant, City Attorney

FROM: Brenda Hall, City Clerk

SUBJECT: Claim from Janet L. Sympson

I am in receipt of a claim from Janet L. Sympson in the amount of $7,813.01 for damages to her vehicle, insurance deductible, and vehicle rental expenses due to her claim that on October 5, 2013, she was struck by a police vehicle making a u-turn on Classen Boulevard near Lindsey Street. According to the accident report, Officer Paul Darraw Evans was southbound on Classen Boulevard when he made a u-turn in order to stop a vehicle that was northbound on Classen Boulevard for a traffic violation. Ms. Sympson's vehicle, driven by Michael Hughes, was approaching the left turn lane onto Lindsey Street when Officer Evans made the u-turn striking her vehicle. Officer Evans states he did not see Ms. Sympson's vehicle when making the u-turn. Ms. Sympson will be submitting additional rental car expenses and a copy of her vehicle title.

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

Special Claim No. SC-1314-8

CITY OF NORMAN
POST OFFICE BOX 370
NORMAN, OKLAHOMA 73070

NOTICE OF TORT CLAIM

CLAIMANT: Janet L. Sympson DATE: Oct 15, '13

ADDRESS: 2338 Lindenwood Ln CITY: Norman

STATE: OK ZIP: 73071 PHONE: (H) 364-1025 (W) 405-464-6703

DATE OF INCIDENT: Oct 5, '13

LOCATION OF INCIDENT: Classen & Lindsey Southbound Classen

STATEMENT OF CIRCUMSTANCES / REASONS YOU BELIEVE CITY IS LIABLE:

Case # 2013-13723 Officer stated he was making a U-Turn - turned into my vehicle

(use additional pages if necessary)

MONETARY STATEMENT: List of expenses claimed for payment:

U.S.A. payments $ 6,415.10 _____ $ _____

deductible $ 1,000.00 _____ $ _____

truck rental for vacation 397.91 Total car rental 1,091.19

revised property 8800.68

TOTAL AMOUNT CLAIMED: $ 9891.87

NAME AND ADDRESS OF INSURANCE COMPANY: U.S.A.A. P.O. Box 33490

San Antonio, Tx 78265 AGENT: Susan Bennett
1-800-531-8722 ext 74645

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.

FILED IN THE OFFICE OF THE CITY CLERK ON 10-15-13

Janet L Sympson
CLAIMANT'S SIGNATURE

additional rental fee and any other monetary out of pocket expenses to be filed in addition to this claim. 10 day

A17-2

Customer Number: **141752**

181951

INVOICE

REYNOLDS FORD, INC.
825 North Interstate Drive · Norman, OK 73069
Phone: (405) 321-2844
www.reynoldsautos.com

JANET SYMPSON
2338 LINDENWOOD LN
NORMAN, OK 73071-7429
Home: 405-464-6703 **Bus:** **Cell:**
Email:

SERVICE ADVISOR: ***67 BRYAN BENINGER***

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN/ OUT	TAG
BLACK	08	FORD EXPLORER	1FMEU33E08UB16477		78014/ 78014	T517

DEL DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO	RATE	PAYMENT	INV. DATE
01JAN08			17:24 29OCT13		0.00	CASH	04NOV13

R.O. OPENED	READY	OPTIONS: DLR:52G209
10:21 29OCT13	10:11 04NOV13	

LINE OPCODE TECH TYPE HOURS	LIST	NET	TOTAL
A RIGHT FRONT SUSPENSION			
099 MISC			
48 HILBURN,BRENT LIC#: 6601 CA		525.00	525.00
FWA FOUR WHEEL ALIGNMENT			
48 HILBURN,BRENT LIC#: 6601 CA		99.95	99.95
PARTS: 0.00 LABOR: 624.95 OTHER: 0.00	TOTAL LINE A:		624.95
78014 (7.0) REPLACE RIGHT KNEE AS PER EST. EXTRA TIME FOR REPLACING LOWER BALL-JOINT & LEFT FRONT SHOCK. HAVE TO REPLACE AS PAIR AS PER FORD. 4 WHEEL ALIGNMENT			
**********			
B** STEERING GEAR			
099 MISC			
48 HILBURN,BRENT LIC#: 6601 CA		231.00	231.00
1 8A2Z*3504*ARM REMAN GEAR ASY - STEERING	484.76	484.76	484.76
PARTS: 484.76 LABOR: 231.00 OTHER: 0.00	TOTAL LINE B:		715.76
78014 (2.2) REPLACE STEERING GEAR & SWITCH TIE RODS FROM OLD GEAR TO NEW ONE.			
**********			

COLLECT IN BODYSHOP

YOUR FEEDBACK IS VERY IMPORTANT TO US!IN THE NEAR FUTURE YOU MAY RECEIVE A SURVEY FROM FORD.IF FOR ANY REASON YOU ARE UNABLE TO RESPOND "COMPLETELY SATISFIED" TO ALL QUESTIONS,PLEASE NOTIFY YOUR SERVICE ADVISER IMMEDIATELY.
WE APPRECIATE YOUR BUSINESS!!!

If you are happy let your neighbor know. If you are unhappy call our service manager at once. You may be receiving a survey about your repair visit, PLEASE take a moment to fill it out. WE VALUE YOUR INPUT!! Your satisfaction *is* our number 1 goal. THANK YOU for your business!!

We guarantee our service work for 12 months or 12,000 miles, whichever comes first. If our repair or replacement fails in normal service within that period, we'll fix it free of charge. Parts and Labor.

STATEMENT OF DISCLAIMER
The factory warranty constitutes all of the warranties with respect to the sale of this item/items. The Seller hereby expressly disclaims all warranties either express or implied, including any implied warranty of merchantability or fitness for a particular purpose. Seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of this item/items.

CUSTOMER SIGNATURE

DESCRIPTION	TOTALS
LABOR AMOUNT	$ 855.95
PARTS AMOUNT	$ 484.76
GAS, OIL, LUBE	$ 0.00
SUBLET AMOUNT	$ 0.00
HAZARDOUS WASTE	$ 0.00
TOTAL CHARGES	$ 1340.71
DISCOUNT	$ 0.00
SALES TAX	$ 39.99
PLEASE PAY THIS AMOUNT	**$ 1380.70**

Customer Copy

CUSTOMER #: 141752

919882

INVOICE

DUPLICATE 2
PAGE 1

JANET SYMPSON
2338 LINDENWOOD LN
NORMAN, OK 73071-7429
HOME:405-464-6703 CONT:405-464-6703
BUS: CELL:

REYNOLDS FORD, INC.
825 North Interstate Drive · Norman, OK 73069
Phone: (405) 321-2844
www.reynoldsautos.com

SERVICE ADVISOR: 1387 BARRY ROBINSON

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN/ OUT	TAG
BLACK	08	FORD EXPLORER	1FMEU33E08UB16477		78014/78014	T517

DEL DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
01JAN08 DD			12NOV13			CASH	14NOV13

R.O. OPENED	READY	OPTIONS: DLR:52G209
14OCT13	14NOV13	

LINE OPCODE TECH TYPE HOURS	LIST	NET	TOTAL
A REPAIR AS PER ESTIMATE			
BS1 METAL			
147 STOWE,DARYL LIC#: 6820			
CBR		783.20	783.20
1 8A2Z*16005*A FENDER ASY - FRONT	366.83	366.83	366.83
1 6L2Z*16054*AA APRON ASY - FRONT FENDER	28.33	28.33	28.33
1 8A2Z*17D957*APTM BUMPER ASY - FRONT	889.12	889.12	889.12
1 8A2Z*17E810*A COVER - FOG LAMP PROTECTING	95.33	95.33	95.33
1 6L2Z*17E814*AA REINFORCEMENT	29.58	29.58	29.58
1 6L2Z*17E814*AB REINFORCEMENT	30.23	30.23	30.23
1 8A2Z*16450*AB STEP ASY	1880.82	1880.82	1880.82
1 8L2Z*13008*A HEADLAMP ASY	307.43	307.43	307.43
1 7R3Z*15200*A LAMP ASY - FOG - FRONT	89.90	89.90	89.90
1 7L2Z*3K185*A KNUCKLE - FRONT WHEEL	244.25	244.25	244.25
1 6L2Z*3084*AA ARM ASY - FRONT SUSPENSION	149.07	149.07	149.07
1 8L2Z*8C299*A MESH - RADIATOR GRILLE	109.90	109.90	109.90
1 6L2Z*8327*AA DEFLECTOR	64.95	64.95	64.95
2 AA2Z*18124*A SHOCK ABSORBER ASY	77.43	77.43	154.86
2 *W704790*S440 NUT - HEX.	2.57	2.57	5.14
2 *W710747*S436 NUT - SPECIAL	4.11	4.11	8.22
2 *W710775*S439 BOLT	21.01	21.01	42.02
1 6L2Z*8190*AA PANEL - RADIATOR GRILLE - OPEN	149.79	149.79	149.79
1 7L2Z*3050*A JOINT ASY - BALL	54.53	54.53	54.53
1 FA28051011 2655020	143.10	143.10	143.10
BS2 PAINT			
148 CBP		783.20	783.20
MISC PAINT SUPPLIES			
CBSOP		434.27	434.27
MISC E.P.C.			
CBD		3.00	3.00
SUBL WHEEL WORKS OF OKLAHOMA PO#73349 INV#7727			
CBD		137.50	137.50

PARTS: 4843.40 LABOR: 1566.40 OTHER: 574.77 TOTAL LINE A: 6984.57

TECH 147 OVERHAUL FRONT BUMPER ASSEMBLY, REPLACE BUMPER COVER,

If you are happy let your neighbor know. If you are unhappy call our service manager at once. You may be receiving a survey about your repair visit, PLEASE take a moment to fill it out. WE VALUE YOUR INPUT!! Your satisfaction *is* our number 1 goal. THANK YOU for your business!!

We guarantee our service work for 12 months or 12,000 miles, whichever comes first. If our repair or replacement fails in normal service within that period, we'll fix it free of charge. Parts and Labor.

STATEMENT OF DISCLAIMER
The factory warranty constitutes all of the warranties with respect to the sale of this item\items. The Seller hereby expressly disclaims all warranties either express or implied, including any implied warranty of merchantability or fitness for a particular purpose. Seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of this item/items.

CUSTOMER SIGNATURE

DESCRIPTION	TOTALS
LABOR AMOUNT	
PARTS AMOUNT	
GAS, OIL, LUBE	
SUBLET AMOUNT	
HAZARDOUS WASTE	
TOTAL CHARGES	
DISCOUNT	
SALES TAX	
PLEASE PAY THIS AMOUNT	

Special Claim No. SC-1314-8

CUSTOMER #: 141752

919882

INVOICE

DUPLICATE 2
PAGE 2

JANET SYMPSON
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BLACK	08	FORD EXPLORER	1FMEU33E08UB16477		78014/78014	T517

DEL DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT	INV. DATE
01JAN08 DD			12NOV13			CASH	14NOV13

R.O. OPENED	READY	OPTIONS: DLR:52G209
14OCT13	14NOV13	

LINE OPCODE TECH TYPE HOURS LIST NET TOTAL

RIGHT COVER, RIGHT AND LEFT BUMPER BRACKET, RIGHT FENDER AND FENDER LINER, RIGHT RUNNING BOARD, RIGHT HEADLAMP ASSEMBLY AND FOG LAMP, , RADIATOR SUPPORT COVER, FRONT AIR DEFLECTOR, FRONT GRILLE PANEL. REPAIR RIGHT UNISIDE ASSEMBLY, RIGHT FRONT DOOR OUTER PANEL. 17.8 HOURS. TECH 148 REFINISH RIGHT FENDER, FRONT BUMPER COVER, RIGHT RUNNING BOARD, RIGHT UNISIDE ASSEMBLY, RIGHT FRONT DOOR OUTER PANEL, GRILLE FRONT PANEL 17.8 HOURS. USAA CL#0101943430000000003001, DOL 10/5/13, ADJUSTER SUSAN BENNETT

****

B** WASH
WASH WASH FOR DELIVERY
999 IDMS (N/C)

PARTS: 0.00 LABOR: 0.00 OTHER: 0.00 TOTAL LINE B: 0.00

****

INS PD CK#6338733 $6415.10 INS
PD CK#6467471 $1000.00

If you are happy let your neighbor know. If you are unhappy call our service manager at once. You may be receiving a survey about your repair visit, PLEASE take a moment to fill it out. WE VALUE YOUR INPUT!! Your satisfaction *is* our number 1 goal. THANK YOU for your business!!

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CUSTOMER SIGNATURE

DESCRIPTION	TOTALS
LABOR AMOUNT	1566.40
PARTS AMOUNT	4843.40
GAS, OIL, LUBE	0.00
SUBLET AMOUNT	137.50
HAZARDOUS WASTE	437.27
TOTAL CHARGES	6984.57
DISCOUNT	0.00
SALES TAX	435.41
PLEASE PAY THIS AMOUNT	7419.98

EAN HOLDINGS, LLC, 103 MERKLE, NORMAN, OK 730696320 (405) 364-0123

RENTAL AGREEMENT 740216 **REF#** 63B9ZK

RENTER
SYMPSON, JANIT

DATE & TIME OUT
10/07/2013 12:17 PM
DATE & TIME IN
11/13/2013 10:12 AM

BILLING CYCLE
24-HOUR

VEH #2 2013 HYUN SONA 4LSV
VIN# 5NPEB4ACXDH576462
LIC# 7AW5153
MILES DRIVEN 901

VEH #1 2013 FORD F15C 8LT2
VIN# 1FTFW1CF7DFC06160
LIC# 850KEB
MILES DRIVEN 634

SUMMARY OF CHARGES

Charge Description	Date	Quantity	Per	Rate	Total
TIME & DISTANCE	10/07 - 10/14	1	WEEK	$259.99	$259.99
TIME & DISTANCE	10/14 - 10/17	3	DAY	$52.99	$158.97
TIME & DISTANCE	10/17 - 11/13	4	WEEK	$146.60	$586.40
REFUELING CHARGE	10/07 - 11/13				$0.00
			Subtotal:		**$1,005.36**
DISCOUNT - NEGOTIATED - RATE AND MILEAGE	10/07 - 11/13			5%	($50.27)
Taxes & Surcharges					
SALES TAX	10/07 - 11/13			8.25%	$78.79
VEHICLE RENTAL TAX	10/07 - 11/13			6%	$57.31
			Total Charges:		**$1,091.19**
Bill-To / Deposits					
DEPOSITS					($565.18)

Total Amount Due **$0.00**

PAYMENT INFORMATION

AMOUNT PAID	TYPE	CREDIT CARD NUMBER
$526.01	Mastercard	xxxxxxxxxxxx0569 PENDING
$565.18	CHECK	

DO NOT WRITE IN THIS SPACE

Incident Report [ ] [X] | Revised [ ] [X]
Investigation Completed [X] [ ] | Fatality [ ] [X]
Investigation Made at Scene [X] [ ] | Hit and Run [ ] [X]
Photographs [X] [ ]

OFFICIAL OKLAHOMA TRAFFIC COLLISION REPORT

COMPLETE

(1) Reporting Agency: NORMAN POLICE DEPARTMENT
Case Number (Agency Use): 2013-137123
Motor Vehicles Involved: 02 | Number Injured: 01 | Number Killed: 00

(2) Date of Collision (mm/dd/yyyy): 10/05/2013
Time: 1717
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: CLASSEN BLVD
Distance from: At [ ] 0122 Mi. [ ] Ft. [X] N [X] S [ ] E [ ] W [ ] of
(Nearest) Intersecting Street, Road or Highway: LINDSEY ST.

(5) Unit: 01 | Occupants: 01 | Type: D | Hit & Run: [ ] | CMV: [ ]
Last Name: EVANS | First: PAUL | Middle: DARRAW
Date of Birth (mm/dd/yyyy): | Sex: M

(6) Address: 201 B. W. GRAY ST | City: NORMAN | State: OK | Zip: 73069
Telephone (Use Area Code): 4053211600

(7) Driver License Number: N | State: OK | Class: D | Endorsement(s): | Restriction(s): 1 | Inj. Sev.: 1
Type of Injury: 0 | Drv./Ped. Cond.: 01 | OP Use: 04

(8) Air Bag: 1 | Ejected: 1 | Extricated: 1 | Test: 5 | (% BAC): 0.
Transported by: | To Medical Facility: | License Plate Number: CI10625 | State: OK | Month: 12 | Year: 2013

(9) VIN: 2 1 | Vehicle Year: 2009 | Color: BLK | 2nd Color: WHI | Make: FORD | Model: CROW | Veh. Conf.: 02
Extent of Damage: 4

(10) Insurance Verification: 4 | Insurance Company Name: | Policy Number: | Insurance Telephone (Use Area Code):

(11) Vehicle Removed by: Driver [ ] CITY WRECKER
Owner's Last Name: CITY OF NORMAN | First: | Middle Initial: | Same as Driver [ ]

(12) Owner's Address: 201 A. W. GRAY ST NORMAN | City: | State: OK | Zip: 73069 | Oversized Load: 0 | Towed Veh. Type: 00
Rolled [ ] Phone present [X] | Burned [ ] Phone in use [ ]

(13) Citation Number: | Statute/Ordinance Number: | Citation Number: | Statute/Ordinance Number:

(14) Unit: 02 | Occupants: 02 | Type: D | Hit & Run: [ ] | CMV: [ ]
Last Name: HUGHES | First: MICHAEL | Middle: DOUGLAS
Date of Birth (mm/dd/yyyy): | Sex: M

(15) Address: 916 BRANDYWINE LN | City: NORMAN | State: OK | Zip: 73071 | Telephone (Use Area Code): 4

(16) Driver License Number: F | State: OK | Class: D | Endorsement(s): | Restriction(s): | Inj. Sev.: 1
Type of Injury: 0 | Drv./Ped. Cond.: 01 | OP Use: 04

(17) Air Bag: 1 | Ejected: 1 | Extricated: 1 | Test: 5 | (% BAC): 0.
Transported by: | To Medical Facility: | License Plate Number: 736 BHM | State: OK | Month: 05 | Year: 2014

(18) VIN: | Vehicle Year: 2008 | Color: BLK | 2nd Color: O | Make: FORD | Model: EXPL | Veh. Conf.: 20
Extent of Damage: 4

(19) Insurance Verification: 2 | Insurance Company Name: USAA | Policy Number: 01019 43 43C | Insurance Telephone (Use Area Code): 8005318227

(20) Vehicle Removed by: Driver [ ] A/A WRECKER
Owner's Last Name: SYMPSON | First: JANET | Middle Initial: | Same as Driver [ ]

(21) Owner's Address: 2338 LINDENWOOD LN | City: NORMAN | State: OK | Zip: 73071 | Oversized Load: 0 | Towed Veh. Type: 00
Rolled [ ] Phone present [X] | Burned [ ] Phone in use [ ]

(22) Citation Number: | Statute/Ordinance Number: | Citation Number: | Statute/Ordinance Number:

(23) Investigating Officer: Lt. J Shattuck | Badge Number: 9779 | Troop/Div.: | Reviewed by (Init.): TR | Reviewer Badge Number: 9465 | Date of Report (mm/dd/yyyy): 10/06/2013

Unit Type: D Driver; P Pedestrian; X Pedestrian Conveyance; B Bicyclist; Z Other Cyclist; C Parked Car; A Animal; T Train

Injury Severity: 0 N/A; 1 No Injury; 2 Possible; 3 Non-Incapacitating; 4 Incapacitating; 5 Fatal; 9 Unknown

Type of Injury: 0 N/A; 1 Head; 2 Trunk - External; 3 Trunk - Internal; 4 Arms; 5 Legs; 9 Unknown

Driver/Pedestrian Condition: 00 Not Applicable; 01 Apparently Normal; 02 Drinking - Ability Impaired; 03 Odor of Alcohol; 04 Illegal Drugs; 05 Under the Influence of Drugs/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; 9 Other

Extent of Damage: 0 N/A; 1 None; 2 Minor; 3 Functional; 4 Disabling; 9 Unknown

Insurance Verification: 0 N/A; 1 No; 2 Owner; 3 Operator; 4 Exempt

Oversized Load: 0 N/A; N Not Permitted; P Permitted

Towed Vehicle Type: 00 N/A; 01 Boat Trailer; 02 House Trailer; 03 Farm Trailer; 04 Horse Trailer; 05 Another Vehicle; 06 Utility Trailer; 07 Homemade Trailer; 08 Box Trailer; 09 Stock Trailer; 10 Camping Trailer; 11 Combination; 12 Other; 99 Unknown

WARNING - STATE LAW Use of contents for commercial solicitation is unlawful

DPS: 0192-01 REV 0107

UK 0527 S

Case Number 2013-13723

(24) Unit: 02 — Injured ☐ Witness ☐ — Passenger ☒ Prop. Owner ☐ — Pos in Veh: 13 — Last Name: SYMPSON — First: JANET — Middle Initial: — Date of Birth (mm/dd/yyyy): 03 13 1962 — Sex: F

(25) Address: Same as Driver ☐ — 2338 LINDENWOOD LN — City: NORMAN — State: OK — Zip: 73071 — Telephone (Use Area Code): 4054089689

(26) Injury Severity / Type: 2 1 — OP Use: 04 — Air Bag Ejected: 1 — Extricated: 1 — Transported by: REFUSED — To Medical Facility: — Property Type:

(27) Unit: — Injured ☐ Witness ☐ — Passenger ☐ Prop. Owner ☐ — Pos in Veh: — Last Name: — First: — Middle Initial: — Date of Birth (mm/dd/yyyy): — Sex:

(28) Address: Same as Driver ☐ — City: — State: — Zip: — Telephone (Use Area Code):

(29) Injury Severity / Type: — OP Use: — Air Bag Ejected: — Extricated: — Transported by: — To Medical Facility: — Property Type:

(30) Unit: — Injured ☐ Witness ☐ — Passenger ☐ Prop. Owner ☐ — Pos in Veh: — Last Name: — First: — Middle Initial: — Date of Birth (mm/dd/yyyy): — Sex:

(31) Address: Same as Driver ☐ — City: — State: — Zip: — Telephone (Use Area Code):

(32) Injury Severity / Type: — OP Use: — Air Bag Ejected: — Extricated: — Transported by: — To Medical Facility: — Property Type:

(33) Unit: — Injured ☐ Witness ☐ — Passenger ☐ Prop. Owner ☐ — Pos in Veh: — Last Name: — First: — Middle Initial: — Date of Birth (mm/dd/yyyy): — Sex:

(34) Address: Same as Driver ☐ — City: — State: — Zip: — Telephone (Use Area Code):

(35) Injury Severity / Type: — OP Use: — Air Bag Ejected: — Extricated: — Transported by: — To Medical Facility: — Property Type:

Complete information below if this vehicle is being used for COMMERCE/BUSINESS and has a GVWR/GCWR IN EXCESS OF 10,000 LBS., or has a HAZMAT PLACARD, or is a BUS WITH SEATING FOR NINE OR MORE INCLUDING THE DRIVER

(36) Unit: — Carrier Name: — Address:

(37) City: — State: — Zip: — GVWR ☐ GCWR ☐ — 0 - 10K lbs. ☐ 10,001 - 26K lbs. ☐ 26K+ lbs. ☐ — Axle Qty: — Cargo Body: — Vehicle Use: Interstate Commerce ☐ Intrastate Commerce ☐ Other Non-Commercial ☐ Government ☐

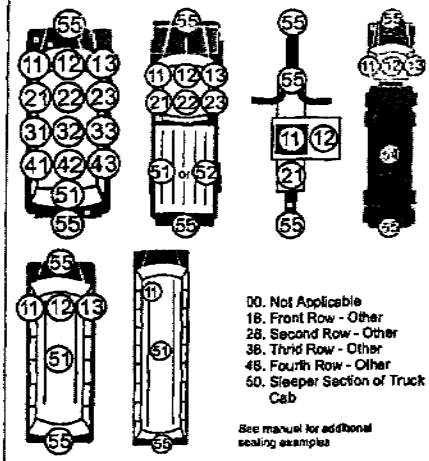
(38) U.S. DOT Number: — NASI Report Number: OK — Placard Number: — Haz. Mat. Class: — Haz. Mat. Involved: Yes ☐ No ☐ — Haz. Mat. Release: Yes ☐ No ☐

(39) Unit: — Carrier Name: — Address:

(40) City: — State: — Zip: — GVWR ☐ GCWR ☐ — 0 - 10K lbs. ☐ 10,001 - 26K lbs. ☐ 26K+ lbs. ☐ — Axle Qty: — Cargo Body: — Vehicle Use: Interstate Commerce ☐ Intrastate Commerce ☐ Other Non-Commercial ☐ Government ☐

(41) U.S. DOT Number: — NASI Report Number: OK — Placard Number: — Haz. Mat. Class: — Haz. Mat. Involved: Yes ☐ No ☐ — Haz. Mat. Release: Yes ☐ No ☐

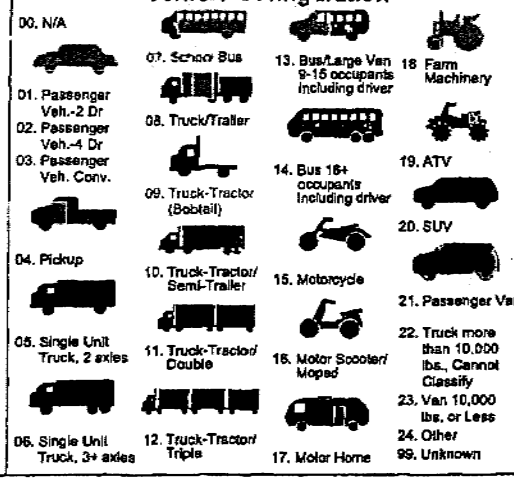
Position in Vehicle



00. Not Applicable
18. Front Row - Other
28. Second Row - Other
38. Third Row - Other
48. Fourth Row - Other
50. Sleeper Section of Truck Cab

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: 2013-13723

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	35				
This unit will correspond to 'Unit 2': 02	02	35				

Was the collision in or near a construction, maintenance or utility work zone? (if yes, complete this section) Yes ☐ No ☒

Type of Work Zone
1 Lane Closure
2 Lane Shift/Crossover
3 Work on Shoulder or Median
4 Intermittent or Moving Work
9 Unknown

Location of the Work Zone Collision
1 Before the First Work Zone Warning Sign
2 Advance Warning Area
3 Transition Area
4 Activity Area
5 Termination Area
9 Unknown

Workers Present Yes ☐ No ☐ Unknown ☐

Light: 1
1 Daylight
2 Dark-Not Lighted
3 Dark-Lighted
4 Dawn
5 Dusk
6 Dark-Unknown Lighting
7 Other
9 Unknown

Weather: 01
01 Clear
02 Fog/Smog/Smoke
03 Cloudy
04 Rain
05 Snow
06 Sleet/Hail (Freezing Rain/Drizzle)
07 Severe Crosswind
08 Blowing Snow
09 Blowing Sand, Soil, Dirt
10 Other
99 Unknown

Locality: 2
1 Residential
2 Business
3 Industrial
4 School
5 Not Built-up
6 Mixed Use
7 Other
9 Unknown

Type of Intersection: 0
0 Not an Intersection
2 Y-Intersection
3 T-Intersection
4 Four-Way Intersection
5 Five-Point or More
6 Intersection as Part of Interchange
7 Traffic Circle
8 Roundabout
9 Unknown

Incident Type: 00
00 Not an Incident
51 Private Property
52 Deliberate Intent
53 Medical Condition
54 Legal Intervention
55 Suicide
57 Drowning
58 Other

Location of First Harmful Event: 01
01 On Roadway
02 Shoulder
03 Median
04 Roadside
05 Gore
06 Separator
07 Parking Lane/Zone
08 Off Roadway, Location Unknown
09 Outside Right-of Way
10 Other
99 Unknown

What Vehicle Was Going to Do: Unit 1: 04 Unit 2: 02
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: 04 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: 02 Unit 2: 02
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: 1 Unit 2: 1
0 Not Applicable
1 Towed Due to Vehicle Damage
2 Towed For Reasons Other Than Damage
3 Remained at Scene
4 Driven from Scene
9 Unknown

Vehicle Condition: Unit 1: 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: 08 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: 34 Unit 2: 98

FAILED TO YIELD
01 From Stop Sign
02 From Yield Sign
03 Private Drive
04 County Road at Through Highway
05 From Signal Light
06 From Alley
07 To Pedestrian
08 To Vehicle on Right
09 To Vehicle in Intersection
10 To Emergency Vehicles
12 Other

FOLLOWED TOO CLOSELY
13 Human Element
14 Traffic Condition
15 Weather Condition

UNSAFE SPEED
16 Driver's Ability (Aged)
17 Inexperienced Driver - Young
18 Exceeding Legal Limit
19 For Traffic Conditions
20 For Type of Roadway (Gravel, Dirt, etc.)
21 For Ice or Snow on Roadway
22 Rain or Wet Roadway
23 Wind
24 Other Weather Conditions
25 Vehicle Condition
26 View Obstruction
27 On Curve/Turn
28 Impeding Traffic
29 Other

IMPROPER TURN
30 From Wrong Lane
31 From Direct Course
32 Right
33 Left
34 Turn About/U-Turn
35 To Enter Private Drive
36 In Front of Oncoming Traffic
37 Other
38 CHANGED LANES UNSAFELY
39 STOPPED IN TRAFFIC LANE

FAILED TO STOP
40 For Stop Sign
41 For Traffic Signal
42 For School Bus
43 For Railroad Gates/ Signal
44 For Officer/Flagman
45 At Sidewalk/Stopline
46 Other

UNSAFE VEHICLE
47 Brakes
48 Steering
49 Tires
50 Suspension
51 Headlights
52 Tail Lights
53 Stop Lights
54 Wheel
55 Exhaust System
56 Windshield Wipers
57 Other Mechanical Defects

LEFT OF CENTER
58 In Meeting
59 No Passing Zone (Unmarked)
60 Marked Zone
61 Other

IMPROPER OVERTAKING
62 In Marked Zone
63 On Hill/Curve
64 At Intersection
65 Without Sufficient Clearance
66 Other

IMPROPER PARKING
67 On Roadway
68 Where Prohibited
69 Other

INATTENTION
70 Distracted by Passenger in Vehicle
71 Other Distraction Inside Vehicle
72 Distraction From Outside Vehicle
73 Other

WRONG WAY
74 On One Way
75 On Exit Ramp
76 On Entrance Ramp
77 Other

IMPROPER START FROM
78 Parked Position
79 Other

80 **ALCOHOL-DUI/DWI**
81 **DRUG-DUI**

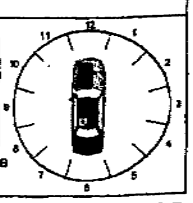
OTHER IMPROPER ACT/ MOVEMENT
82 Failed to Signal
83 Disregarded Warning Signal
84 Improper Use of Lane
85 Improper Backing
86 Apparently Sleepy
87 Failed to Secure Load
88 Other/Unknown

UNKN./NO IMPROPER ACT
89 Deer in Roadway
90 Animal in Roadway
91 Domestic Animal in Rdwy
92 Avoiding Other Vehicle
93 Avoiding Pedestrian
94 Object/Debris in Roadway
95 Defect in Roadway
96 Abnormal Traffic Control
97 Improper Bicyclist Action
98 **NO IMPROPER ACTION BY DRIVER**
99 **PEDESTRIAN ACTION**

Point of First Contact on Vehicle: Unit 1: 10 Unit 2: 02

Most Damaged Area: Unit 1: 10 Unit 2: 02

00 Not Applicable 14 Undercarriage
13 Top 99 Unknown



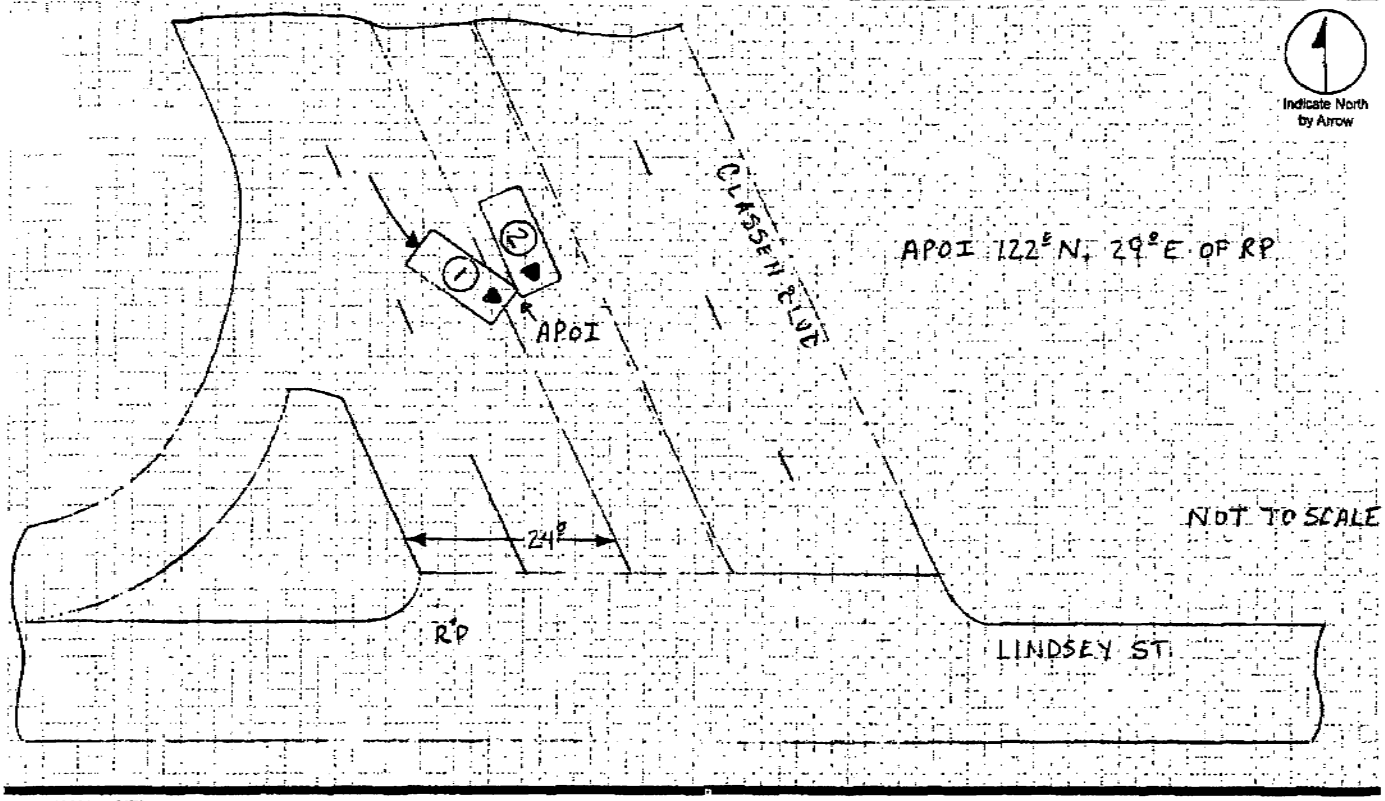
DPS: 0192-03 REV 0107

Case Number 2013-13723

Pg 4 of 4

Latitude ____.____ N Longitude ____.____ W Railroad Crossing Number ____

Roadway Orientation — Unit Number 01 NE SW S; Unit Number 02 NE SW S



COLLISION EVENTS

Unit	First Event	Second Event	Third Event	Fourth Event	Most Harmful Event
01	34	00	00	00	34
02	34	00	00	00	34

First Harmful Event for the Entire Collision: 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

UNITS 1 AND 2 WERE SB ON CLASSEN BLVD APPROACHING LINDSEY ST. UNIT 2 WAS IN THE LEFT TURN LANE. UNIT 1 WAS IN THE INSIDE SB LANE AND APPROX PARALLEL WITH UNIT 2. DRIVER OF UNIT 1 ATTEMPTED TO MAKE A U-TURN IN ORDER TO STOP A TRAFFIC VIOLATION FOR A CAR THAT WAS NB. DRIVER OF UNIT 1 DID NOT SEE UNIT 2 AND TURNED HIS CAR INTO UNIT 2. THE LEFT FRONT SECTION OF UNIT 1 MADE CONTACT WITH THE RIGHT FRONT OF UNIT 2. BOTH UNITS WERE TOWED FROM THE SCENE DUE TO DAMAGE. PASSENGER OF UNIT 2 COMPLAINED OF INJURY TO FACE (POSSIBLE SCRATCHES). THIS ACCIDENT WAS COMPLETE WITH ASSISTANCE FROM MPD SMALLWOOD.

This report is based on the officer's investigation of this collision. This report may contain the opinion of the officer.

DPS: 0192-04 REV 0107

City of Norman, OK

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

Master

File Number: SC-1314-10

File ID:	SC-1314-10	**Type:**	Special Claim	**Status:**	Consent Item
Version:	2	**Reference:**	Item No. 18	**In Control:**	City Council
Department:	Legal Department	**Cost:**	$8,300.57	**File Created:**	11/14/2013
File Name:	Special Claim Gaines			**Final Action:**	

Title: SPECIAL CLAIM NO. SC-1314-10: A CLAIM IN THE AMOUNT OF $8,300.57 SUBMITTED BY EARNEST AND ANNE GAINES FOR DAMAGES TO THEIR VEHICLE AND CHARGES INCURRED DUE TO AN ACCIDENT WITH A SANITATION VEHICLE AT THE INTERSECTION OF THE INTERSTATE 35 SERVICE ROAD AND HIGHWAY 9.

Notes: ACTION NEEDED: Motion to approve or reject Special Claim No. SC-1314-10; and, if approved, direct payment in the amount of $8,300.57 contingent upon obtaining a Release and Covenant Not to Sue from Earness and Anne Gaines.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 18

Attachments: Text File Gaines.pdf, Gaines Claim.pdf, Police Report Gaines.pdf

Project Manager: Jeanne Snider, 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 SC-1314-10

Body

BACKGROUND: A claim has been filed by Earnest and Anne Gaines in the amount of $8,300.57 for damages to her vehicle as the result of an accident that occurred on September 4, 2013, when her vehicle was struck by a City of Norman sanitation truck at the exit ramp on Highway 9.

DISCUSSION: This incident was investigated by Monte Davis, Utilities Supervisor. According to the investigation and the official accident report, both vehicles were entering the on-ramp from State Highway 9 onto I-35. Mrs. Gaines was driving her vehicle in front of the City sanitation truck. She slowed to almost a stop to merge onto the service road. The City vehicle, driven by Robert Stroman, looked to his left and was unable to avoid Mrs. Gaines' vehicle which had slowed to a stop in front of him. The front of the City vehicle struck the rear of Mrs. Gaines' vehicle.

Mrs. Gaines' vehicle was a 2009 Honda Odyssey LX. She has provided an invoice for the repair to her vehicle in the amount of $8,300.57. Additionally, the City has paid a rental car invoice in the amount of $1,482.07 for rental car expense during the repair of her vehicle.

As indicated above, there appears to be possible negligence on the part of the City in this matter and, consequently, potential liability on the City. The amount requested by Mrs. Gaines 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 Anne Gaines for damages to her vehicle in the amount of $8,300.57, as above set forth, be approved.

CITY OF NORMAN
POST OFFICE BOX 370
NORMAN, OKLAHOMA 73070

NOTICE OF TORT CLAIM

CLAIMANT: Earnest & Anne Gaines DATE: 9-5-13

ADDRESS: 5100 156 Ave S.E. CITY: Noble

STATE: OK ZIP: 73068 PHONE: (H) 4058723847 (W)

DATE OF INCIDENT: 9-4-13

LOCATION OF INCIDENT: Hwy 9 + I 35

STATEMENT OF CIRCUMSTANCES / REASONS YOU BELIEVE CITY IS LIABLE:

I was on the exit ramp of Hwy 9 attempting to enter the service road to enter north bound I-35. I stop to yeild to oncoming traffic. The city truck failed to stop + rammed into the back of my car. If I had not stopped I would have hit the 3 other cars + it would have been 5 car crash instead of a 2 car crash

(use additional pages if necessary)

MONETARY STATEMENT: List of expenses claimed for payment:

~66,000 miles

Flair Body Shop	$ 8,300.57		$
	$		$
Enterprise	$ 1,482.07	* pd by City to Enterprise	$

TOTAL AMOUNT CLAIMED: $9,782.64

NAME AND ADDRESS OF INSURANCE COMPANY: USAA

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.

Anne E. Gaines
CLAIMANT'S SIGNATURE

FILED IN THE OFFICE OF THE CITY CLERK ON 11-14-13

enterprise

103 MERKLE
NORMAN OK 73069-6320

Rental Agreement D739182 - 5133

BILLING DETAIL

Description		Rate	Amount
6 DAYS	@	49.99	299.94
27 DAYS	@	31.99	863.73
6 DAYS DW	@	23.99	143.94
VRT			78.46
SALES TAX%		8.25	96.00

Bill To:

CITY OF NORMAN RISK MANAGEMENT
ATTN: ROE*JAMEY*
PO Box 370
norman OK 73070

INVOICE STAMP
REQ. DATE 10/2/13
VENDOR NO. 11840
CONSUE CODE 044-000
AMOUNT $1,482.07
ACCOUNT NO 044-2251-54
DATE POSTED 10/2/13
CASE BROWN

AMOUNT DUE ▶ 1482.07

RENTAL INFORMATION

Date Out 9/06/13 6:37PM **Date In** 10/09/13 2:19P
Renter ANNA GAINES

Additional Driver

Name NONE

RENTAL VEHICLES

Color	License No.	Claim #/Policy #/P.O. #
GRAY MED	2CC6A36	
Model	**Unit #**	**Insured**
13 TC	7HDPQC	

Color	License No.	Date of Loss	Type of Loss
SILVER	865RXG	9/04/13	CLAIMANT
Model	**Unit #**	**Type of Car**	**Repair Shop**
13 PASS	7GHV10		FLAIRS-MOORE

CLAIM INFORMATION

IMPORTANT INFORMATION

Billing Inquiries Call 405-364-0123
Fed Tax ID # 26-4086616
Billing Information
SEE ECARS2.0 FOR CHRG DETAILS

*** NEED A CAR FOR THE WEEKEND? ***
ASK ABOUT OUR SPECIAL WEEKEND RATES

Please Return This Portion with Remittance

AMOUNT DUE ▶ 1482.07

Remit to:

ENTERPRISE RENT-A-CAR
ATTN: ACCTS RECEIVABLE
433 EAST MEMORIAL ROAD
OKLAHOMA CITY OK 73114-2273

Paid by:

CITY OF NORMAN RISK MANAGEMENT
ATTN: ROE*JAMEY*
PO Box 370
norman OK 73070

Customer#	Rental Agreement	Amount	GPBR
51A5137	D739182	1482.07	5133

10/10

FLAIR BODY WORKS - MOORE

128 NE 1ST ST, MOORE, OK 73160
Phone: (405) 794-4469
FAX: (405) 794-4310

Workfile ID: 6e79e391
Federal ID: 731164358

Final Bill

RO Number: 43735

Customer:	Insurance:	Adjuster:	Katherine Bosquez	Estimator:	Eric Baker
GAINES, PFC EARNEST	USAA	Phone	(800) 531-8722 Day	Create Date.	9/9/2013
5100 156TH AVE SE	Visit us @ USAA.com or	Claim:	02891761100000000 2001		
NOBLE, OK 73068	San Antonuio, TX 78265	Loss Date:	9/4/2013		
(405) 872-3847		Deductible:	500.00		

Year:	2009	Style:	4D VAN	VIN:	5FNRL382698041107	Mileage In:	66428
Make.	HOND	Color:	GRAY			Mileage Out:	
Model:	ODYSSEY LX	License:	311HDP	Job Number:	43735	Vehicle Out.	

Line	Ver	Operation	Description	Qty	Extended Price $	Type	Labor	Type	Paint
1	E01		SIDE LOADING DOOR						
2	E01	Blend	LT Door shell (HSS)						1.0
3	E01	Remove/Install	LT R&I door assy				1.0	Body	
4	E01	Remove/Install	LT Belt molding				0.2	Body	
5	E01	Remove/Install	LT Body side mldg gray				0.3	Body	
6	E01	Remove/Install	LT Handle, outside gray				0.4	Body	
7	E01	Remove/Install	LT R&I trim panel				0.4	Body	
8	E01		REAR LAMPS						
9	E01	Remove/Replace	RT Lens & housing	1	152.00T	A/M	0.0	Body	
10	E01	Remove/Replace	LT Lens & housing	1	152.00T	A/M	0.0	Body	
11	S01	Overhaul	O/H bumper assy				1.8	Body	
12	E01	Remove/Replace	LT Lens & housing	1	180.00T	A/M	0.0	Body	
13	E01		PILLARS, ROCKER & FLOOR						
14	E01	Remove/Install	LT Rocker molding LX				0.5	Body	
15	E01		SIDE PANEL						
16	E01	Repair	LT Inner panel assy LX				4.0	Body	1.8
17	E01	Remove/Replace	LT Rail cover	1	109.00T	OEM	0.3	Body	0.5
18	E01		Overlap Minor Panel						(0.2)
19	E01	Remove/Replace	LT side panel	1	700.00T	Used	21.0	Body	3.5
20	E01	Remove/Replace	LT Side trim panel LX gray	1	226.62T	OEM	1.0	Body	
21	E01	Repair	Trim and Fit Used Quarter				3.0	Body	
22	E01	Repair	Add for Sleeve				2.0	Body	
23	E01	Remove/Install	LT Side glass Honda				1.3	Body	
24	E01	Remove/Replace	Side Panel Urethane Kit	1	20.00T	A/M			
25	S01	Remove/Replace	LT Gutter w/o navigation	1	47.68T	OEM	2.5	Body	0.8
26	S01		Overlap Minor Panel						(0.2)
27	E01		REAR BODY & FLOOR						

T = Taxable Item, RPD = Related Prior Damage, AA = Appearance Allowance, UPD = Unrelated Prior Damage, PDR = Paintless Dent Repair, A/M = Aftermarket, Rechr = Rechromed, Reman = Remanufactured, OEM = New Original Equipment Manufacturer, Recor = Re-covered, LKQ = Like Kind Quality or Used, Diag = Diagnostic, Elec = Electrical, Mech = Mechanical, Ref = Refinish, Struc = Structural

Final Bill

RO Number: 43735

Vehicle: 2009 HOND ODYSSEY LX 4D VAN 6-3.5L-FI GRAY

28	E01	Remove/Replace	Rear body panel	1	123.47T	OEM	12.0 Body	2.0
29	E01		Overlap Major Non-Adj. Panel					(0.2)
30	E01		Deduct for Overlap				(2.0) Body	
31	E01	Remove/Replace	Rear trim panel gray	1	38.18T	OEM	0.0 Body	
32	S01	Remove/Replace	Rear trim panel cap #1 gray	1	19.50T	OEM		
33	E01		REAR BUMPER					
34	E01	Remove/Replace	bumper assy	1	400.00T	Used	0.0 Body	3.2
35	E01		Add for Clear Coat					1.5
36	E01		Deduct for Rear Bumper R&I				(1.1) Body	
37	E01	Remove/Replace	RT Spacer	1	22.83T	OEM	0.0 Body	
38	E01	Remove/Replace	LT Spacer	1	22.83T	OEM	0.0 Body	
39	E01	Remove/Install	Rear Seats				1.5 Body	
40	E01	Remove/Install	Left Second Row Seat				0.6 Body	
41	S01	Remove/Replace	Bumper cover cap silver	1	6.37T	OEM	0.0 Body	
42	E01		LIFT GATE					
43	S01	Remove/Replace	Lift gate all	1	1,009.00T	OEM	4.7 Body	3.6
44	E01		Overlap Major Non-Adj. Panel					(0.2)
45	E01		Add for trnsfr glass				0.7 Body	
46	E01	Remove/Replace	Weatherstrip	1	44.32T	OEM	0.0 Body	
47	E01	Remove/Replace	Back Glass Urethane Kit	1	20.00T	A/M		
48	E01	Remove/Replace	Nameplate "ODYSSEY"	1	25.00T	OEM	0.2 Body	
49	E01	Remove/Replace	Upper molding LX, EX gray	1	77.63T	OEM	0.0 Body	1.0
50	E01		Clear Coat					2.5
51	E01	Remove/Replace	Gate trim panel EX, LX gray	1	133.98T	OEM	0.0 Body	
52	E01		CORROSION PROTECTION	1	12.00T	Other		
53	E01	Remove/Install	Spoiler assy LX				0.7 Body	
54	E01		FLEX ADDITIVE	1	4.00T	Other		
55	E01		FLOOR SET UP				1.0 Body	
56	E01	Repair	Pull Rear Body & Side Panel for Replacement				2.0 Body	
57	E01	Sublet	HAZARDOUS WASTE	1	3.00	Other		
58	E01		CARCOVER	1	10.00T	Other		
59	E01		STRIPE TAPE	1	10.00T	Other	0.3 Body	
60	S01	Remove/Replace	RT Support cylinder	1	50.32T	A/M	0.2 Body	
61	S01	Remove/Replace	LT Support cylinder	1	50.32T	A/M	0.2 Body	
62	S01	Repair	LKQ Clean Up				3.0 Body	

Estimate Totals	Discount $	Markup $	Rate $	Total Hours	Total $
Parts		275.00			3,942.05
Sublet/Miscellaneous					3.00
Labor, Body			42.00	63.7	2,675.40
Labor, Refinish			42.00	20.4	856.80
Material, Paint					450.00

T = Taxable Item, RPD = Related Prior Damage, AA = Appearance Allowance, UPD = Unrelated Prior Damage, PDR = Paintless Dent Repair, A/M = Aftermarket, Rechr = Rechromed, Reman = Remanufactured, OEM = New Original Equipment Manufacturer, Recor = Re-cored, LKQ = Like Kind Quality or Used, Diag = Diagnostic, Elec = Electrical, Mech = Mechanical, Ref = Refinish, Struc = Structural

Final Bill

RO Number: 43735

Vehicle: 2009 HOND ODYSSEY LX 4D VAN 6 3.5L-FI GRAY

Subtotal	**7,927.25**
Sales Tax	373.32
Grand Total	**8,300.57**
Deductible	(500.00)
Net Total	**7,800.57**

Estimate Version	Total $
Original	8,029.97
Supplement S01	270.60

Insurance Total $:		7,800.57
Received from Insurance $:		7,529.97
USAA	9/30/2013	7,529.97
Balance due from Insurance $:		270.60
Customer Total $:		500.00
Received from Customer $.		0.00
Balance due from Customer $:		500.00

T = Taxable Item, RPD = Related Prior Damage, AA = Appearance Allowance, UPD = Unrelated Prior Damage, PDR = Paintless Dent Repair, A/M = Aftermarket, Reuhr = Rechromed, Reman = Remanufactured, OEM = New Original Equipment Manufacturer, Recor = Re-cored, LKQ = Like Kind Quality or Used, Diag = Diagnostic, Elec = Electrical, Mech = Mechanical, Ref = Refinish, Struc = Structural

FLAIR BODY WORKS - MOORE

128 NE 1ST ST, MOORE, OK 73160
Phone: (405) 794-4469
FAX: (405) 794-4310

Workfile ID: [illegible]
Federal ID: 731164358

Preliminary Estimate

Customer: Gaines, Earnest

Written By: Eric Baker

Insured:	Gaines, Earnest	Policy #:		Claim #:	
Type of Loss:		Date of Loss:		Days to Repair:	0
Point of Impact:	07 Left Rear				

Owner:
Gaines, Earnest
5100 156th Ave S.E.
Noble, OK 73068
(405) 872-3847 Business

Inspection Location:
FLAIR BODY WORKS - MOORE
128 NE 1ST ST
MOORE, OK 73160
Repair Facility
(405) 794-4469 Business

Insurance Company:

VEHICLE

Year:	2009	Body Style:	4D VAN	VIN:	5FNRL38269B041107	Mileage In:	
Make:	HOND	Engine:	6-3.5L-FI	License:	311HDP	Mileage Out:	
Model:	ODYSSEY LX	Production Date:	1/2009	State:	OK	Vehicle Out:	
Color:	Gray Met Int:	Condition:	Good	Job #:			

TRANSMISSION
Automatic Transmission
Overdrive
POWER
Power Steering
Power Brakes
Power Windows
Power Locks
Power Mirrors
DECOR
Dual Mirrors
Privacy Glass

CONVENIENCE
Air Conditioning
Intermittent Wipers
Tilt Wheel
Cruise Control
Rear Defogger
Keyless Entry
Rear Window Wiper
Telescopic Wheel
Dual Air Condition
RADIO
AM Radio
FM Radio
Stereo
Search/Seek
CD Player
Auxiliary Audio Connection
SAFETY
Drivers Side Air Bag
Passenger Air Bag
Anti-Lock Brakes (4)
4 Wheel Disc Brakes
Traction Control
Stability Control
Front Side Impact Air Bags
Head/Curtain Air Bags
SEATS
Cloth Seats
3rd Row Seat
Retractable Seats
Captain Chairs (4)
PAINT
Clear Coat Paint
OTHER
Rear Spoiler

Preliminary Estimate

Customer: Gaines, Earnest

Vehicle: 2009 HOND ODYSSEY LX 4D VAN 6-3.5L-FI Gray Met

Line		Oper	Description	Part Number	Qty	Extended Price $	Labor	Paint
1	**SIDE LOADING DOOR**							
2		Blnd	LT Door shell (HSS)		0	0.00	0.0	1.0
3		R&I	LT Body side mldg gray		0	0.00	0.3	0.0
4		R&I	LT Handle, outside gray		0	0.00	0.4	0.0
5		R&I	LT R&I trim panel		0	0.00	0.4	0.0
6		R&I	LT Belt molding		0	0.00	0.2	0.0
7	**SIDE PANEL**							
8		Repl	LT Side panel LX	04646SHJC00ZZ	1	1,079.33	19.0	4.1
9			Add for Clear Coat		0	0.00	0.0	1.6
10	*	R&I	LT Rail trim		0	0.00	2.2	0.0
11		Refn	Fuel door		0	0.00	0.0	0.3
12			Add for Clear Coat		0	0.00	0.0	0.1
13	*	R&I	LT Rail cover		0	0.00	0.3	0.0
14		Refn	LT Rail cover		0	0.00	0.0	0.5
15		R&I	LT Side glass Honda		0	0.00	Incl.	0.0
16	#	Repl	Quarter Glass Urethane Kit		1	11.00	0.0	0.0
17	**REAR BODY & FLOOR**							
18		Repl	Rear body panel	65750SHJA01ZZ	1	123.47	12.0	2.0
19			Overlap Major Non-Adj. Panel		0	0.00	0.0	-0.2
20			Add for Clear Coat		0	0.00	0.0	0.4
21			Deduct for Overlap		0	0.00	-2.0	0.0
22	**LIFT GATE**							
23		Repl	Lift gate all	68100SHJ305ZZ	1	1,185.40	4.7	3.6
24			Overlap Major Non-Adj. Panel		0	0.00	0.0	-0.2
25	*		Add for Clear Coat		0	0.00	0.0	0.7
26			Add for trnsfr glass		0	0.00	0.7	0.0
27		Repl	Weatherstrip	74440SHJA02	1	44.32	Incl.	0.0
28		Repl	Upper molding LX, EX gray	74890SHJA11ZK	1	77.63	Incl.	1.0
29	*		Add for Clear Coat		0	0.00	0.0	0.2
30		Repl	Emblem	75701SHJA10	1	24.95	0.2	0.0
31		Repl	Nameplate "ODYSSEY"	75722SHJA20	1	25.00	0.2	0.0
32		R&I	Wiper arm		0	0.00	0.2	0.0
33	*	R&I	Motor assy		0	0.00	0.4	0.0
34		R&I	Spoiler assy LX		0	0.00	0.7	0.0
35	**REAR LAMPS**							
36		Repl	LT Lens & housing	34155SHJA51	1	183.43	Incl.	0.0
37			O/H bumper assy		0	0.00	1.8	0.0
38		Repl	LT Lens & housing	33551SHJA51	1	217.27	Incl.	0.0
39		Repl	RT License lamp	34102SWAA01	1	37.37	0.1	0.0
40		Repl	LT License lamp	34102SWAA01	1	37.37	0.1	0.0
41	**REAR BUMPER**							
42	<>	Repl	Bumper cover EX, EX-L, LX	04715SHJA92ZZ	1	419.60	Incl.	3.2
43			Overlap Major Non-Adj. Panel		0	0.00	0.0	-0.2

Preliminary Estimate

Customer: Gaines, Earnest

Vehicle: 2009 HOND ODYSSEY LX 4D VAN 6-3.5L-FI Gray Met

44	*		Add for Clear Coat		0	0.00		0.0	0.6
45			Deduct for Rear Bumper R&I		0	0.00		-1.1	0.0
46		Repl	LT Bumper cover buffer lift gate	85268SA0000	1	1.93		Incl.	0.0
47		Repl	Bumper cover cap gray	71503S0X000YP	1	6.37		Incl.	0.0
48		Repl	Step pad	71510SHJA00	1	35.50		Incl.	0.0
49		Repl	Absorber	71570SHJA00	1	41.50		Incl.	0.0
50		Repl	Reinf beam (HSS)	71530SHJA00ZZ	1	219.72		Incl.	0.8
51			Overlap Minor Panel		0	0.00		0.0	-0.2
52		Repl	RT Spacer	71593SHJA00	1	22.83		Incl.	0.0
53		Repl	LT Spacer	71598SHJA00	1	22.83		Incl.	0.0
54	#		FLEX ADDITIVE		1	6.00	X	0.0	0.0
55	#		CORROSION PROTECTION		1	12.00	T	0.0	0.0
56	#	Subl	HAZARDOUS WASTE		1	3.00	X	0.0	0.0
57	#		COLOR SAND & BUFF		1	0.00		0.0	0.3
58	#		CARCOVER		1	10.00		0.0	0.0
			SUBTOTALS			**3,847.82**		**40.8**	**19.6**

ESTIMATE TOTALS

Category	Basis		Rate	Cost $
Parts				3,826.82
Body Labor	40.8 hrs	@	$ 46.00 /hr	1,876.80
Paint Labor	19.6 hrs	@	$ 46.00 /hr	901.60
Paint Supplies	19.6 hrs	@	$ 35.00 /hr	686.00
Miscellaneous				21.00
Subtotal				7,312.22
Sales Tax	$ 4,524.82	@	8.5000 %	384.61
Grand Total				**7,696.83**
Deductible				0.00
CUSTOMER PAY				**0.00**
INSURANCE PAY				**7,696.83**

America First Insurance, Colorado Casualty, Golden Eagle Insurance, Indiana Insurance, Liberty Agency Underwriters, Liberty Northwest, Montgomery Insurance, Ohio Casualty, Peerless Insurance and Safeco Insurance are part of Liberty Mutual Agency Markets, a business unit of Liberty Mutual Group.

WARNING : ANY PERSON WHO KNOWINGLY, AND WITH INTENT TO INJURE, DEFRAUD OR DECEIVE ANY INSURER, MAKES ANY CLAIM FOR THE PROCEEDS OF AN INSURANCE POLICY CONTAINING ANY FALSE, INCOMPLETE OR MISLEADING INFORMATION IS GUILTY OF A FELONY.

Pg 1 of 4

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

(1) Reporting Agency: NORMAN POLICE DEPARTMENT | Case Number (Agency Use): 2013-11965 | Motor Vehicles Involved: 02 | Number Injured: 00 | Number Killed: 00

(2) Date of Collision (mm/dd/yyyy): 09042013 | Time: 1333 | 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: I35NB ON RAMP 108A | At | Distance from: 1056 Mi [ ] Ft [X] N [X] S [ ] E [ ] W [ ] of | (Nearest) Intersecting Street, Road or Highway: SH 9 EAST

(5) Unit	Occupant's Type	Hit & Run	Last Name	First	Middle	Suffix	Date of Birth (mm/dd/yyyy)	Sex
01	01	D	STROMAN	ROBERT	CARROLL	JR	02131965	M

(6) Address: 9809 E. FRANKLIN RD | City: NORMAN | State: OK | Zip: 73026 | Telephone (Use Area Code):

(7) Driver License Number: E | State: OK | Class: D | Endorsement(s) | Restriction(s) | Inj. Sev: 1 | Type of Injury: 0 | Drv./Ped. Cond.: 01 | OP Use: 04

(8) Air Bag: 1 | Ejected: 1 | Extricated: 1 | Test: 5 | (% BAC): 0 | Transported by | To Medical Facility | License Plate Number | State: OK | Month: 12 | Year: 2013

(9) VIN: 1HSGSSJT3CJ120913 | Vehicle Year: 2012 | Color: GRN | 2nd Color: 0 | Make: INTL | Model: 760 | Veh. Conf.: 10 | Extent of Damage: 1

(10) Insurance Verification: 4 | Insurance Company Name | Policy Number | Insurance Telephone (Use Area Code)

(11) Vehicle Removed by: Driver [X] | 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: P | Towed Veh. Type: 12 | Rolled [ ] Burned [ ] | Phone present [ ] Phone in use [ ]

(13) Citation Number | Statute/Ordinance Number | Citation Number | Statute/Ordinance Number

(14) Unit	Occupant's Type	Hit & Run	Last Name	First	Middle	Suffix	Date of Birth (mm/dd/yyyy)	Sex
02	01	D	GAINES	ANNE	E		09171940	F

(15) Address: 5100 156TH AVE SE | City: NOBLE | State: OK | Zip: 73068 | Telephone (Use Area Code):

(16) Driver License Number | State: OK | Class: D | Endorsement(s) | Restriction(s) | Inj. Sev: 1 | Type of Injury: 0 | Drv./Ped. Cond.: 01 | OP Use: 04

(17) Air Bag: 1 | Ejected: 1 | Extricated: 1 | Test: 5 | (% BAC): 0 | Transported by | To Medical Facility | License Plate Number | State: OK | Month: 08 | Year: 2014

(16) VIN | Vehicle Year: 2009 | Color: SIL | 2nd Color: 0 | Make: HOND | Model: ODYS | Veh. Conf.: 21 | Extent of Damage: 3

(19) Insurance Verification: 2 | Insurance Company Name: USAA | Policy Number: 028917611G71017 | Insurance Telephone (Use Area Code): 8005316111

(20) Vehicle Removed by: Driver [X] | Same as Driver [X] | Owner's Last Name | First | Middle | Suffix

(21) Owner's Address | City | State | Zip | Oversized Load: 0 | Towed Veh. Type: 00 | Rolled [ ] Burned [ ] | Phone present [ ] Phone in use [ ]

(22) Citation Number | Statute/Ordinance Number | Citation Number | Statute/Ordinance Number

(23) Investigating Officer: SGT J. FORMBY | Badge Number: 9607 | Trip/Div. Assigned | Trip/Div. Location | Reviewer (Init.): DZ | Reviewer Badge Number: 9441 | Date of Report (mm/dd/yyyy): 09062013

Unit Type: 0 Driver; 1 Passenger; 2 Pedestrian; 3 Bicyclist; 4 Motorcycle; 5 Motorcycle Passenger; 6 Motorcycle Other; 7 Train; 8 Other Vehicle; 9 Unknown

Injury Severity: 0 N/A; 1 No Injury; 2 Possible; 3 Fatal; 4 Incapacitating; 9 Unknown

Type of Injury: 0 N/A; 1 Head; 2 Neck - Extreme; 3 Trunk - Internal; 4 Arms; 5 Legs; 6 Unknown

Driver/Pedestrian Condition: 00 Not Applicable; 01 Apparently Normal; 02 Driving - Ability Impaired; 03 Odor of Alcohol; 04 Illegal Drugs; 05 Under the Influence of Alcohol/Drugs; 06 Sleepy/Tired; 07 Emotional; 08 Illness; 09 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 Deployed - Front; 2 Deployed - Side; 3 Deployed - Both; 4 Deployed - Other (Knee, Air Belt, etc.); 8 Not Deployed; 9 Unknown

Ejected: 0 Not Ejected; 1 Totally Ejected; 2 Ejected Partially; 3 Ejected Partially; 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; 5 Unknown

Insurance Verification: 0 N/A; 1 No; 2 Yes; 3 Operator; 4 Owner

Oversized Load: 0 N/A; 1 Not Required; 2 Permitted

Towed Vehicle Type: 00 N/A; 01 Boat Trailer; 02 House Trailer; 03 Farm Trailer; 04 Horse Trailer; 05 Boat (Trailer); 06 Another Vehicle; 07 Homemade Trailer; 08 Child Restraint; 09 Utility Trailer; 10 Camping Trailer; 11 Construction Trailer; 12 Other; 99 Unknown

OK S 0527

WARNING - STATE LAW Use of contents for commercial solicitation is unlawful

DPS: 0192-01 REV 0107

Case Number 2013-11965

(34) Unit — Pos in Veh — Last Name — First — Middle — Suffix — DOB (mm/dd/yyyy) — Sex

(35) Owner Same As Driver — Address — City — State — Zip — Telephone (Use Area Code)

(36) Injury Severity / Type — DP Use — Air Bag — Ejected — Extricated — Transported by — To Medical Facility — Property Type

(37) Unit — Pos in Veh — Last Name — First — Middle — Suffix — DOB (mm/dd/yyyy) — Sex

(38) Owner Same As Driver — Address — City — State — Zip — Telephone (Use Area Code)

(39) Injury Severity / Type — DP Use — Air Bag — Ejected — Extricated — Transported by — To Medical Facility — Property Type

(40) Unit — Pos in Veh — Last Name — First — Middle — Suffix — DOB (mm/dd/yyyy) — Sex

(41) Owner Same As Driver — Address — City — State — Zip — Telephone (Use Area Code)

(42) Injury Severity / Type — DP Use — Air Bag — Ejected — Extricated — Transported by — To Medical Facility — Property Type

(43) Unit — Pos in Veh — Last Name — First — Middle — Suffix — DOB (mm/dd/yyyy) — Sex

(44) Owner Same As Driver — Address — City — State — Zip — Telephone (Use Area Code)

(45) Injury Severity / Type — DP 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 bears HAZMAT PLACARD, or is a BUS WITH SEATING FOR NINE OR MORE INCLUDING THE DRIVER

(46) Unit — Carrier Name: 01 — CITY OF NORMAN — Address: 201 W. GRAY ST

(47) City: NORMAN — State: OK — Zip: 73069 — GVWR / GCWR — Axle Qty: 05 — Cargo Body: 10 — Vehicle Use: Commercial

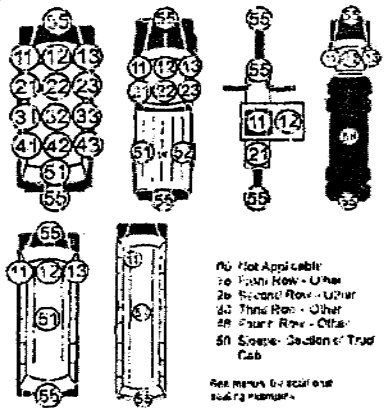
(48) U.S. DOT Number — MCSI Report Number: OK — Placard Number — Haz. Mat Class — Haz. Mat Involved: No — Haz. Mat Release: No — Other Non-Commercial — Government

(49) Unit — Carrier Name — Address

(50) City — State — Zip — GVWR / GCWR — Axle Qty — Cargo Body — Vehicle Use

(51) U.S. DOT Number — MCSI Report Number: OK — Placard Number — Haz. Mat Class — Haz. Mat Involved — Haz. Mat Release — Other Non-Commercial — Government

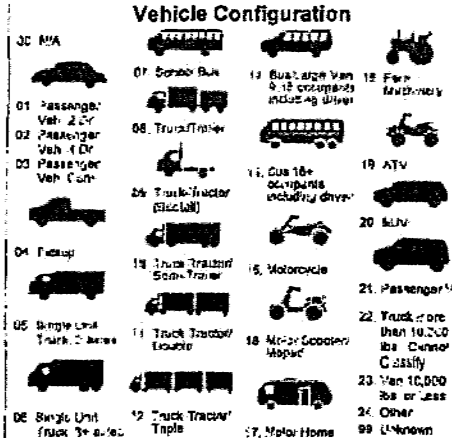
Position in Vehicle



00 Not Applicable
10 Front Row - Other
20 Second Row - Other
30 Third Row - Other
40 Fourth Row - Other
50 Sleeper Section of Truck Cab

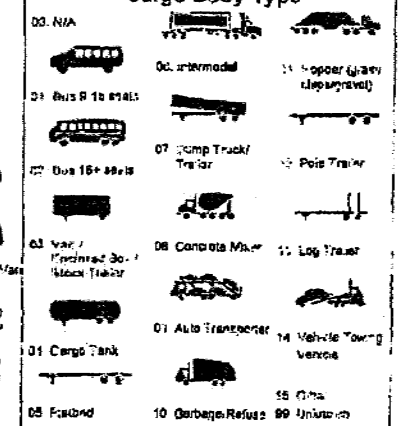
See manual for additional seating positions

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
18 Motor Scooter/Moped
17 Motor Home
18 Farm Machinery
19 ATV
20 SUV
21 Passenger Van
22 Truck more than 10,000 lbs Owner Classify
23 Van 10,000 lbs or Less
24 Other
99 Unknown

Cargo Body Type



00 N/A
01 Cargo Tank
02 Flatbed
03 Dump
04 Concrete Mixer
05 Auto Transporter
06 Garbage/Refuse
07 Pole Trailer
08 Log Trailer
09 Vehicle Towing Vehicle
10 Other
99 Unknown

DPS 0192-02 REV 01/07

Case Number 2013-11965

OFFICIAL OKLAHOMA TRAFFIC COLLISION REPORT Pg 3 of 4

	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	01	50				
This unit will correspond to Unit 2	02	01	50				

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 5
1 Residential
2 Business
3 Industrial
4 School
5 Not Built-Up
6 Mixed Use
7 Other
9 Unknown

Type of Intersection 0
0 Not an Intersection
2 Y-Intersection
3 T-Intersection
4 Four-Way Intersection
5 Five-Point or More
6 Intersection as Part of Interchange
7 Traffic Circle
8 Roundabout
9 Unknown

Incident Type 00
00 Not an Incident
51 Private Property
52 Deliberate Intent
53 Medical Condition
54 Legal Intervention
55 Suicide
57 Drowning
58 Other

Location of First Harmful Event 01
01 On Roadway
02 Shoulder
03 Median
04 Roadside
05 Gore
06 Separator
07 Parking Lane/Zone
08 Off Roadway, Location Unknown
09 Outside Right-of Way
10 Other
99 Unknown

	Unit 1	Unit 2
What Vehicle Was Going to Do	01	06
What Vehicle Did	01	05
Visibility Obscured by	00	00
Driver Distracted by	4	0

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

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

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

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 05 Unit 2 05
00 No Control
01 Stop Sign
02 Traffic Signal
03 Flashing Traffic Signal
04 School Zone Signs
05 Yield Sign
06 Warning Sign
07 Railroad Advance Warning Sign
08 Railroad Cross Bucks
09 Railroad Gates
10 Railroad Signal
11 No Passing Zone
12 Person (including flagger, law enforcement, crossing guard, etc.)
13 Abnormal Control
14 Other
99 Unknown

Road Surface Conditions Unit 1 01 Unit 2 01
01 Dry
02 Wet
03 Ice/Frost
04 Snow
05 Mud, Dirt, Gravel
06 Slush
07 Water (standing, moving)
08 Sand
09 Oil
10 Other
99 Unknown

Road Character

Grade	Unit 1	Unit 2
	1	1

1 Level
2 Hillcrest
3 Uphill
4 Downhill
5 Sag (bottom)

Road Alignment	Unit 1	Unit 2
	1	1

1 Straight
2 Curve - Left
3 Curve - Right

Road Surface Type	Unit 1	Unit 2
	1	1

1 Concrete
2 Asphalt
3 Gravel
4 Dirt
5 Brick
8 Other
9 Unknown

Trafficway Unit 1 6 Unit 2 6
0 Not Applicable
1 One Way
2 Two-Way - Not Divided
3 Two-Way - Divided
4 Two-Way - Divided - Positive Median Barrier
5 Turn Lane
6 Ramp / Loop
7 Driveway
8 Alley / Parking Lot
9 Unknown

Vehicle Removal Unit 1 4 Unit 2 4
0 Not Applicable
1 Towed Due to Vehicle Damage
2 Towed For Reasons Other Than Damage
3 Remained at Scene
4 Driven from Scene
5 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 15 Unit 2 00
00 Not Applicable
01 School Bus
02 Transit Bus
03 Intercity Bus
04 Charter Bus
05 Other Bus
06 Military
07 OHP
08 Other Police
09 Other Law Enforcement
10 Ambulance
11 Fire Truck
12 Public Owned Vehicle
13 Highway Equipment
14 Special Mobilized Machine
15 Other 99 Unknown

Emergency Vehicle Responding to an Emergency Unit 1 0 Unit 2 0
0 N/A 2 No
1 Yes 9 Unknown

Unsafe / Unlawful Contributing Factors Unit 1 72 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
11 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 or Roadway (Gravel, Dirt, etc.)
21 For Ice or Snow on Roadway
22 Rain or Wet Roadway
23 Wind
24 Other Weather Conditions
26 Vehicle Condition
28 View Obstruction
27 On Curve/Turn
28 Impeding Traffic
29 Other
IMPROPER TURN
30 From Wrong Lane
31 From Direct Course
32 Right
33 Left
34 Turn About/U-Turn
35 To Enter Private Drive
36 In Front of Oncoming Traffic
37 Other
38 **CHANGED LANES UNSAFELY**
39 **STOPPED IN TRAFFIC LANE**
FAILED TO STOP
40 For Stop Sign
41 For Traffic Signal
42 For School Bus
43 For Railroad Gates/ Signal
44 For Officer/Flagman
45 At Sidewalk/Stopline
46 Other
UNSAFE VEHICLE
47 Brakes
48 Steering
49 Tires
50 Suspension
51 Headlights
52 Tail Lights
53 Stop Lights
54 Wheel
55 Exhaust System
56 Windshield Wipers
57 Other Mechanical Defects
LEFT OF CENTER
58 In Meeting
59 No Passing Zone (Unmarked)
60 Marked Zone
61 Other
IMPROPER OVERTAKING
62 In Marked Zone
63 On Hill/Curve
64 At Intersection
65 Without Sufficient Clearance
66 Other
IMPROPER PARKING
67 On Roadway
68 Where Prohibited
69 Other
INATTENTION
70 Distracted by Passenger in Vehicle
71 Other Distraction Inside Vehicle
72 Distraction From Outside Vehicle
73 Other
WRONG WAY
74 On One Way
75 On Exit Ramp
76 On Entrance Ramp
77 Other
IMPROPER START FROM
78 Parked Position
79 Other
80 ALCOHOL-DUI/DWI
81 DRUG-DUI
OTHER IMPROPER ACT/ MOVEMENT
82 Failed to Signal
83 Disregarded Warning Signal
84 Improper Use of Lane
85 Improper Backing
86 Apparently Sleepy
87 Failed to Secure Load
88 Other/Unknown
UNKN./NO IMPROPER ACT
89 Deer in Roadway
90 Animal in Roadway
91 Domestic Animal in Rdwy
92 Avoiding Other Vehicle
93 Avoiding Pedestrian
94 Object/Debris in Roadway
95 Defect in Roadway
96 Abnormal Traffic Control
97 Improper Bicyclist Action
98 **NO IMPROPER ACTION BY DRIVER**
99 **PEDESTRIAN ACTION**

Point of First Contact on Vehicle Unit 1 12 Unit 2 06

Most Damaged Area Unit 1 08 Unit 2 06

00 Not Applicable 14 Undercarriage
13 Top 99 Unknown

DPS-0192-03 REV 0107

Case Number 2013-11965

Latitude N Longitude W Railroad Crossing Number Roadway Orientation Unit Number 01 NE SW N Unit Number 02 NE SW N

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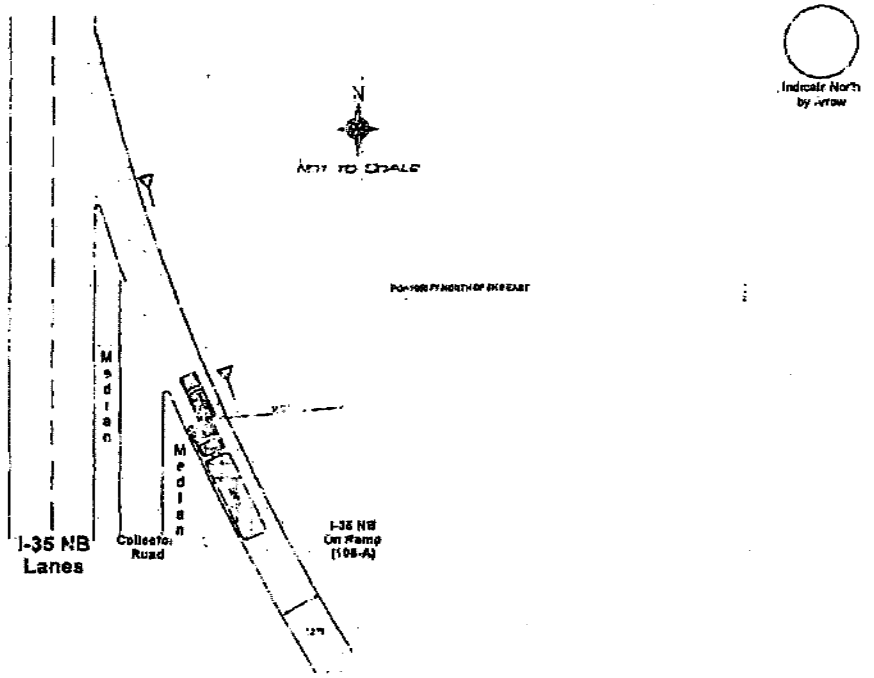

COLLISION EVENTS

Unit	First Event	Second Event	Third Event	Fourth Event	Most Harmful Event	First Harmful Event for this Entire Collision
01	34	00	00	00	34	34
02	34	00	00	00	34	

08 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 Grading Stump
61 Retaining Wall
62 Bridge Abutment
63 Bridge Pier or Support
64 Bridge Rail
65 Bridge Post
66 Bridge Curb
67 Bridge Super Structure (Beams)
68 Bridge Overhead Structure
69 Delineator
70 Mailbox
71 Other Fixed Object
72 Other Highway Structure
73 Ground
99 Unknown

Remarks

UNIT #2 WAS SLOWING TO A STOP WHEN UNIT #1 HIT HER FROM BEHIND. UNIT #2 STATED THAT SHE WAS SLOWING DOWN FOR TRAFFIC TO CLEAR SO SHE COULD MERGE. UNIT #1 STATED THAT HE WAS LOOKING BACK TO HIS LEFT FOR A BREAK IN TRAFFIC AND DID NOT SEE UNIT #2 COMING TO A STOP.

This report is based on the officer's investigation of this collision. This report may contain the opinion of the officer.

DPS: 0192-04 REV 0107

City of Norman, OK

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

Master

File Number: K-0708-42 Amd #5

File ID:	K-0708-42 Amd #5	**Type:**	Contract	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 19	**In Control:**	City Council
Department:	Utilities Department	**Cost:**	$161,780.00	**File Created:**	11/06/2013
File Name:	Amendment No. 5 to Contract No. K-0708-42			**Final Action:**	

Title: AMENDMENT NO. FIVE TO CONTRACT NO. K-0708-42: BY AND BETWEEN THE NORMAN UTILITIES AUTHORITY AND RJN GROUP, INC., IN AN AMOUNT NOT-TO-EXCEED $161,780 TO PROVIDE PERMANENT WASTEWATER FLOW METERING SERVICES AND EXTENDING THE CONTRACT UNTIL AUGUST 27, 2014.

Notes: ACTION NEEDED: Acting as the Norman Utilities Authority, motion to approve or reject Amendment No. Five to Contract No. K-0708-42 with RJN Group, Inc., in an amount not-to-exceed $161,780 and extending the contract until August 27, 2014; and, if approved, authorize the execution thereof.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 19

Attachments: Text File amdmt K-0708-42.pdf, Amd 5 K-0708-42.pdf

Project Manager: David Hager, Line Maintenence Superintendent

Entered by: paul.johnston@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-0708-42 Amd #5

body

BACKGROUND: In March 2002, the Norman Utilities Authority (NUA) approved Contract K-0102-50 with RJN Group, Inc. (RJN) which began a program to measure wastewater flows from satellite collection systems. Satellite systems are privately-owned wastewater collection systems that discharge into the NUA system. The scope of services included metering equipment selection, installation, calibration, software for data collection and reporting, and a one-year maintenance contract which ended March 31, 2003. The program began with the installation of 10 flow meters at discharge points serving the University of Oklahoma (OU). The wastewater metering program results in approximately $600,000 in revenues annually. The contract was amended several times to authorize continued maintenance, data collection, and reporting. Historically, RJN has been the only interested firm and they continue to provide a competitive price due to familiarity with the equipment, software and metering locations.

After five years, a Request for Proposal (RFP) was forwarded to interested engineering firms. On August 28,

2007, Contract K-0708-42 for Permanent Wastewater Flow Metering services was awarded to RJN in an annual amount not to exceed $150,000. Under Contract K-0708-42, additional unit prices were provided to perform meter maintenance, if necessary, and to install a total of 19 meters. Additional meters were installed at discharge points from several satellite systems such as mobile home parks and apartment complexes, to determine if permanent meters were justified at these locations. Additional meters also were installed to determine existing wastewater flows prior to improvements under the Sewer Maintenance Program (SMP). Post-construction flows in these areas are also measured to determine the effectiveness of the sewer main replacements.

On August 28, 2008, the NUA approved Amendment 1 to the RJN contract extending the unit prices in the original contract through August 28, 2009. On August 25, 2009, the NUA approved Amendment 2 extending the contract through August 28, 2010 and allowing a price increase from $390 to $405 per meter per month. On August 28, 2010, the NUA approved Amendment 3 extending the contract through August 28, 2011 and allowing a 2% price increase from $405 to $412 per meter per month. Amendment 4 extended the contract for a two-year period through August 27, 2013 and allowed a 3% price increase from $412 to $424 per meter per month.

DISCUSSION: For proposed Amendment 5, staff requested that RJN provide costs for a one-year period ending August 27, 2014. The new unit price for data collection and reporting will increase 3% from $424 to $437 per meter per month. The proposed "not to exceed" contract amount of $161,780 is based on a total of 20 meters and a contract duration of 12 months, and provides funding for initial installations and meter repairs.

The Fiscal Year Ending (FYE) 2014 budget includes an appropriation of $150,000 for wastewater flow metering. Combining these funds with encumbered funds carried forward from FYE13 provides a current balance of $244,592 in the Sewer Maintenance Fund, Professional Services (account 321-5552-432.40-99).

RECOMMENDATION: Staff recommends approval of Amendment 5 to Contract K-0708-42 with RJN Group, Inc. to perform extended wastewater flow monitoring services through August 27, 2014, in an amount not to exceed $161,780.

Funds are available in Sewer Maintenance Fund - Professional Services (account 321-5552-432.40-99)

AMENDMENT NO. 5

AMENDMENT TO AGREEMENT BETWEEN OWNER AND ENGINEER FOR ENGINEERING SERVICES

This Amendment is made a part of the Agreement dated August 28, 2007 between the Norman Utilities Authority (OWNER) and RJN Group, Inc. (ENGINEER) for engineering design and installation services in connection with the Permanent Wastewater Flow Monitoring Project.

1. The Scope of Services of ENGINEER and Compensation as described in Attachment A of said Agreement are amended and supplemented as follows:

Scope of Services - Service and Data Management Period
The management period will be extended for a one year period under this amendment from August 28, 2013 through August 27, 2014.

Compensation
The compensation for amended services rendered by ENGINEER shall be set forth in the compensation table (compensation table included in attachment A).

Acceptance of the terms of this Amendment is acknowledged by the following authorized signatures of the parties to the Agreement:

OWNER:	ENGINEER:
Norman Utilities Authority	RJN Group, Inc.
Signature	Signature:
Chairman	Vice President
Title	Title
Date of Signature	10/30/13
	Date of Signature
ATTEST	ATTEST
Secretary	Notary
Seal	Seal

CHERYL D. TEAMES
MY COMMISSION EXPIRES
NOVEMBER 30, 2013

APPROVED as to form and legality this 15 day of November 2013

City Attorney

RJN FM Amendment 5-(10-2013).doc

ATTACHMENT A

SCOPE OF SERVICES

Project Initiation Period

Coordination

RJN shall review all information collected by the Norman Utilities Authority (NUA) to ensure a thorough understanding of the project background. A kick-off meeting with the NUA shall be conducted to develop a thorough understanding of the project, goals and to coordinate the routine and timely exchange of information.

Routine project team meetings shall be conducted with NUA representatives as necessary to review the project issues and status. RJN shall institute a safety program to be strictly followed throughout the entire duration of the project. All crews shall wear appropriate identification.

Site Investigation

RJN shall assist in selecting the specific monitoring points from a strategic and feasibility viewpoint. Site investigations shall involve the evaluation of the monitoring location to ensure sensor survivability and the ability to collect quality flow data. The investigation shall further include hydraulic evaluation for potential flow regimes including laminar, turbulent, backwater, and surcharged conditions.

The investigation shall also include evaluation and feasibility of site accessibility, telemetry, and power.

Equipment Selection

Based on the site selection investigation reports, the appropriate technologies shall be considered and evaluated to fulfill the project objectives. Equipment selection criteria shall consider the pipe size, anticipated flow ranges, telemetry method, operating principal, accuracy, data management requirements, and cost. A recommendation of the most practical technology for each site shall be provided to the NUA.

Installation Period

Flow Monitoring Equipment

RJN shall procure and deliver the monitoring equipment including sensors, installation bands, and necessary installation hardware. The NUA will be provided with a copy of the selected flow monitoring software. The NUA shall become the owner of the equipment and software at the time that Substantial Completion is reached.

The selected flow monitoring units shall be operated under battery power to allow for in-manhole installations without the necessity to bring permanent power to each site.

Expanded Memory – RJN shall procure the equipment with expanded memory to increase the data storage capabilities by four fold. This provides the opportunity for the flow monitoring equipment to continue to collect and store data in the event that telemetry is lost.

Installation

The equipment shall be installed according to the manufacturers recommendations by trained technicians. The flow monitors shall be capable of recording both depth and velocity components and shall be configured to obtain readings on 15 minute intervals.

The sensing equipment is typically installed on a thin metal ring for smaller pipe applications. For larger pipe installations over 42", the sensing equipment is generally installed on a flange or partial band. The cabling shall be secured to the manhole walls and attached to a data logger at the top of the manhole for easy access. Prior to leaving the site, each flow monitor shall be configured and activated at the site.

Each monitored location shall be calibrated at installation, which involves comparing the returned sensor values against independent devices. RJN staff shall acquire at least six calibrations at various flow levels.

Telemetry

RJN shall recommend the most viable telemetry means which may include cellular or standard voice grade service. For standard voice grade service, RJN shall coordinate with the local phone provider to establish permanent service at each location. Phone cable shall be provided to the data logger and routed to the telephone network termination point (NTP). Modems shall be provided to establish remote telemetry capabilities. Phone service costs may vary depending on the installation and conduit requirements. RJN shall notify the NUA in the event that any installation may exceed the allotted amount.

Service and Data Management Period

The contract shall be in effect for a period of 1 year. The OWNER may terminate the contract in the event funding becomes insufficient.

Data Collection

Each flow meter shall be remotely collected and the data reviewed on a weekly basis. During each download operation, data shall be graphed to check for inconsistencies, gaps or adverse trends. The data shall be edited, processed and finalized on a monthly basis to generate final Q (flow) in addition to the depth and velocity readings.

RJN shall analyze data from each monitoring site for maintenance problems and predictive failure. Any modifications to the meter configuration or adjustments to the data based on field calibrations shall be logged. Data shall be initially reviewed for hydraulic conditions such as bottlenecks, surcharging, suspected overflows, and wet weather contributions. If requested, the data shall be reviewed on a monthly basis for trend analysis of I/I contributions, I/I reduction and significant capacity variations. Any significant variations from this baseline flow shall be reported to the OWNER. Indications of concern shall be reported immediately.

Equipment Maintenance and Service

Quarterly calibrations shall be performed by RJN and shall be reviewed against the measured sensor readings. On a quarter year interval, each site shall be visited to obtain hydraulic calibrations and to perform routine interrogation of the meters. Service or maintenance requirements shall be scheduled within 48 hours of data collection. RJN technicians shall then have 72 hours to make necessary adjustments or repairs. Any equipment found to be working improperly shall be repaired or replaced with a spare unit until the equipment is repaired. Field technicians shall maintain a service log for all activities performed.

RJN shall organize and maintain electronic records of the flow data. RJN shall further maintain a back-up record of all collected flow data. The data shall be made available to the NUA upon request.

RJN shall perform quarterly calibrations of the flow meter equipment. The calibration of the flow metering sites shall consist of comparing manual depth and velocity measurements to the flow meters measurements using independent devices.

RJN shall replace batteries during field visits according to the manufacturer's recommended battery replacement interval or as needed due to battery failure.

Monthly Deliverables

RJN shall provide a monthly summary of the flow data in the form of average flow for each site and total cost for billing purposes. The summary shall note any maintenance and service requirements in addition to any downtime that may have occurred.

The data shall include a monthly summary of the daily total flow, monthly minimum, average and maximum flow. Depth, velocity, and flow shall be represented in tabular and graphical formats. All monthly flow and data reports shall be delivered if requested in electronic formats to enable special reports to be generated by the NUA. Hard copies may be provided upon request. Electronic data shall be created using the selected manufacturer's software. Electronic data shall be compatible with Adobe and/or Microsoft Access and Excel.

SCHEDULE

RJN shall mobilize within 14 days of receipt of the written Notice to Proceed. RJN shall perform operation and maintenance on the existing Permanent Monitoring Meters as needed and on quarterly basis. Upon request to install new meters RJN shall achieve Substantial Completion for the installation of the requested equipment within 60 days of the authorization by NUA to install the flow meters at the approved site locations. Upon receipt of Substantial Completion, the annual Service and Data Management Period shall commence on a site-by-site basis.

Limits of Responsibility

RJN shall not be responsible for any damages to the equipment caused by activities of others including, construction, vandalism, sewer cleaning, sewer maintenance, or utility trenching. The NUA shall not make any modifications or repair to the equipment without the prior consent of RJN. The NUA may authorize RJN to repair such damages on a time and material basis. RJN shall not be liable for any loss of data due to meter malfunction or causes beyond its control.

Payment of the monthly telephone and power utilities shall be the responsibility of the NUA, unless otherwise provided in the compensation table.

COMPENSATION

The NUA agrees to compensate RJN for these services based on the unit rate table below. Quantities under Services Upon NUA Request are estimated and may be adjusted by NUA. The total contract amount $161,780 shall not be exceeded unless authorized by NUA.

The NUA may request Additional Services that may not have been identified in the compensation table. The NUA may request a cost estimates from the Engineer for services that may include equipment repair or other flow monitoring related services for the NUA.

Description	Quantity	Unit Rate	Total
Quarter Service and Data Management			
OU Permanent Meters (12 mos. x 10 meters)	120 meter/mos.	$437 meter/mo.	$52,440.00
Norman Interceptor Meters (12 mos. x 6 meters)	72 meter/mos	$437 meter/mo.	$31,464.00
Additional Meters (12 mos. x 4 meters)	48 meter/mos	$437 meter/mo.	$20,976.00
Telemetry Cellular Billing (12 mos. x 10 Telem)[1/]	120 Telem/mos	$15 meter/mo.	$1,800.00
Subtotal			**$106,680.00**
Services Upon NUA Request – Additional Site Visits	**Units**	**Unit Rate**	**Total**
A. FM Equipment	2	$7,346.00/meter	$14,692.00
B. Equipment Installation or Relocation	2	$2,369.00/meter	$4,738.00
C. Telemetry Install (cellular)	1	$3,450.00/meter	$3,450.00
D. Mobilization (Relocate crews to Norman and maintenance) other than quarterly	12	$2,085.00/each	$25,020.00
E. Equipment Repairs[2/]	2/	2/	$7,200.00
Subtotal			**$55,100.00**
Total			**$161,780.00**

1/ Based on Verizon charges
2/ As needed per repair based on Manufacturer's invoice

City of Norman, OK

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

Master

File Number: K-1314-34

File ID:	K-1314-34	**Type:**	Contract	**Status:**	Agenda Ready
Version:	1	**Reference:**	Item No. 20	**In Control:**	City Council
Department:	Legal Department	**Cost:**	$63,969.00	**File Created:**	11/14/2013
File Name:	K-1314-34 Funding Agreement with the Sooner Theatre			**Final Action:**	

Title: CONTRACT NO. K-1314-34: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND SOONER THEATRE, INC., IN THE AMOUNT OF $63,969 TO ASSIST IN THE OPERATION OF THE SOONER THEATRE LOCATED AT 101 EAST MAIN STREET.

Notes: ACTION NEEDED: Motion to approve or reject Contract No. K-1314-34 with Sooner Theatre, Inc., in the amount of $63,969; and, if approved, authorize the execution thereof.

ACTION TAKEN:_____

Agenda Date: 11/26/2013

Agenda Number: 20

Attachments: Text file Sooner Theatre.pdf, K-1314-34 Sooner Theatre.pdf, Sooner Theatre Report.pdf

Project Manager: Jud Foster, Director of Parks and Recreation

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-1314-34

Body

BACKGROUND: During the budgeting process for FYE 2014, a number of requests were specifically reviewed, discussed and approved by Council. Pursuant to those discussions, funding agreements were prepared and submitted to the various agencies for their execution. One of those agencies is the Sooner Theatre. Their funding agreement is now returned to Council for its approval.

DISCUSSION: The agreement which comes before Council at this time is the same basic form agreement for all agencies. The agreement provides that the Sooner Theatre will use the City funds of $63,969 to operate the Theatre. The agreement includes a reporting procedure by the agency to the Council of expenditures of the funds. The agreement also provides for cancellation of the agreement by either party; specifically provides for cancellation and return of any unexpended funds should the agency fail to use the funds for the purpose for which they are intended; or for cancellation should the agency be dissolved or cease to exist any time during the contract period.

The previous agreement with the Sooner Theatre included a clause allowing the agreement to renew automatically subject to Council's appropriation of funding when adopting the budget. That clause has been

included in the new agreement.

RECOMMENDATION: Based upon the above and foregoing background and discussion, it is staff's recommendation that the funding agreement submitted herewith be approved. Funds are available in Contributions-Organizations (account 010-7083-451.47-41).

Contract #K-1314-34

FUND DISBURSEMENT AGREEMENT

This agreement is made and entered into on the _____ day of _____, 2013, by and between the City of Norman, Oklahoma, a municipal corporation, party of the first part and hereinafter referred to as "City" and

Sooner Theater, Inc.

(Name of Organization)

party of the second part, and hereinafter referred to as "the Organization", witnesseth:

A. That in consideration for the performance by the organization of the covenants and agreements as specified herein, the City, covenants and agrees:

1. To disperse to the Organization the sum of $63,969 for the purpose of providing a grant to assist with the operation of the Sooner Theatre.

2. Disbursement of funds shall be made annually to the Organization at the beginning of the City's fiscal year subject to, and contingent upon, the City Council appropriating funds annually to fund this agreement.

B. That in consideration for the performance of the covenants and agreements of the City as stated herein, the Organization covenants and agrees:

1. To expend funds granted by the City for the purpose as listed above.

2. Allow a representative of the City to hold an ex-officio position on the Organization's Board of Directors.

3. Provide at least one oral presentation per year on the activities of the Organization to the Norman Board of Parks Commissioners and to provide a written annual report on the activities of the Organization to the City, said report to be sent to the attention of the Director of Parks and Recreation. The annual report shall include a summary of all activity along with the revenue and expenditure summaries for all activity for the preceding year. All detailed records associated with Sooner Theatre, Inc. shall be made available for review within ten days by the Sooner Theatre, Inc. upon request by the City of Norman.

C. It is further understood and agreed by both parties:

1. In the event the Organization is dissolved all such funds not yet expended for the purposes provided herein shall immediately revert back to the City and the Organization shall immediately deliver such unexpended funds to the City.

2. Organization agrees to keep accurate records of all receipts and collections of its income in a manner approved by the City. Organization shall make such records

available for inspection by the City at any time upon demand and shall submit such records to whomever the City may designate hereafter for the purpose of auditing such records.

3. In the event the Organization should mishandle the expenditure of funds as provided herein, such action will be considered a breech of this agreement, and any unexpected funds as provided by this agreement, from the date of notice by the City, shall immediately revert back to the City and the Organization shall immediately deliver such unexpended funds to the City.

4. This agreement shall automatically renew annually upon City Council approval of the annual budget subject to and contingent upon the appropriation of funds to fund this agreement.

5. This agreement may be canceled by either party upon the giving of thirty (30) days written notice of cancellation to the other. Upon cancellation any unexpended funds as provided by this agreement, from the date of notice of cancellation, shall immediately revert back to the City, and the Organization shall immediately deliver such unexpended funds to the City.

D. It is further understood and agreed by both parties that the Organization and any employee of the Organization is a separate entity from the City and the Organization and its employees are responsible for its actions and that the Organization agrees to indemnify and save harmless the City from all fines, suits, proceedings, claims, demands, action, loss, and expense from liability of any kind whatsoever (including but not limited to attorney fees for costs incurred in litigation) and from any person whomsoever asserting the same arising or growing out of or in any way connected with the Organization's management, operation and services.

E. There are no other terms, either express or implied, than those expressly stated herein.

F. This contract will supersede any previous contract, agreement or resolution.

G. In witness hereof, the parties hereto have executed this agreement on the day first above written.

SOONER THEATER, INC.

President Executive Director

ATTEST:

SECRETARY

Approved as to form and legality by the office of the City Attorney this 7th day of November, 2013.

Office of the City Attorney

Approved by the Norman City Council this _____ day of _____, 2013.

MAYOR

ATTEST:

CITY CLERK

The Sooner Theatre of Norman, Inc.

Financial Report FY 2012

Photos (top to bottom): 2013 Sooner Stage Presents *Man of La Mancha*, Patty Griffin, 2013 Sooner stage Presents White Christmas,2011 Marcia Ball; 2013 Sooner Stage Presents *Hello, Dolly!*, starring Jennifer Baker; Asleep At The Wheel; Delbert McClinton

THE SOONER THEATRE OF NORMAN, INC.

The Sooner Theatre belongs to The City of Norman. It is listed on the National Registry of Historic Places and is truly a Norman landmark. The Board and Staff are proud "stewards" of the management and activities of the facility, and have made significant investments of time, effort and resources to assure the survival of The Sooner...Norman's Premier Performing Arts Venue and Academy.

OUR MISSION

The mission of The Sooner Theatre of Norman, Inc., is to provide cultural, educational and entertainment opportunities, by operating a financially sound performing arts center, while maintaining its historical integrity and character.

OUR FUNCTION STATEMENTS

PRESENT quality theatrical productions
PROVIDE a quality venue for the presentation of cultural, artistic, educational and community development activities that improve the quality of life for our citizens and to **SERVE** as an historic anchor for the development of partnerships with other arts and business entities to create a revitalized, downtown arts district for Norman.

THE SOONER THEATRE BOARD OF DIRECTORS

President, Laurie McReynolds, University of Oklahoma
Vice President, Eric Melton, American Red Cross
Treasurer, Beth Pepper, Eide Bailey
Secretary, Susan Vassilakos, Community Volunteer
Past President, Steve Sayers, Dell Computers

Woody Glass, Attorney at Law
Tyler LaReau, LaReau and Associates
Tim Lashar, Lashar Comfort Systems
Mark Ledbetter, Republic Bank and Trust
Andy Paden, Insurica
Leanne Pence, Box Talent
Amy Pepper, University of Oklahoma Legal Clinic
Anitra Tucker, Community Volunteer
John Waller, Norman Community Foundation

Advisory Members
Jud Foster, City of Norman
Chuck Thompson, Republic Bank of Norman
Tom Cooper, First American Bank
Jerry Hargis, Theatre Consultant

SOONER THEATRE STAFF

Jennifer Heavner Baker, Executive Director
Nicki Kralsky, Business Manager
Brandon Adams, Associate Artistic Director
Katherine McLaughlin, House Operations Manager
Nancy Coggins, PR and Development
Thomas Muhn, Technical Director
Tish Willis, Studio Director

THEATRE ACTIVITY

In 2002, our Board of Directors approved a programming portfolio consisting of **seven initiatives**. Our programs serve **quality of life** needs in the areas of culture, education, theatre and music for an increasing number of citizens.

1. THE MAIN EVENT SERIES

The Sooner Theatre's concert series.

2011-2012 Season: Robert Cray, A Tribute to Wayman Tisdale with Tom Braxton, The Oklahoma Rodeo Opry, The Four Freshman
Current Season: Patty Griffin, Marcia Ball, Asleep at The Wheel, Delbert McClinton

2. SOONER STAGE PRESENTS

The Sooner Theatre's self-produced theatrical series.

2011-2012 Season: *The Secret Garden, Joseph and the Amazing Technicolor Dreamcoat*
Current Season: Man Of La Mancha, White Christmas, Hello Dolly

3. THE STUDIO OF THE SOONER THEATRE

This initiative addresses the educational and service mission of the Sooner Theatre, by providing instructional activities for adults and children in performance related areas to include classes, camps, master classes and workshops.

The Studio of The Sooner Theatre is thriving! Currently, more than 730 students are participating or will participate in a camp or class at The Studio! It's hard to believe that just four years ago we were supplementing extra space. We traded space with the Norman Public Library and borrowed and rented space from the City of Norman Parks & Recreation Department including the Irving and Whittier Recreation Centers, Reeves Building, Rotary House and the Senior Citizens' Center. In addition we utilized space at All Saints Catholic School, Middle Earth, First Presbyterian Church and Norman Public Schools.

We are thankful to have our Studio downtown Norman in the hustle and bustle of the growing arts district. Our landlord has been quite supportive and donates to our organization. Our space at 227 E. Main Street, houses our classes, rehearsals for our productions, the majority of our summer camps, as well as storage for costumes and props. We are now utilizing the space for small performances and have had several rental inquiries as well.
We feel our initial investment of **$50,000** for renovations, was well worth it!

The Studio offers 26 classes a week during the school year and 23 camps and classes during the summer. The Studio offers Acting I and II, Musical Theatre I and II, Intro to Musical Theatre, Theatre Dance, Tap I, II, and III, Ballet, Hip-Hop, Show Troupe, Broadway Kids, Broadway Babies 1 & 2, Claymation, Song Study/Audition Technique, private dance, private voice and group voice. We have also added three new production classes and one new production camp to the schedule, giving our students more opportunities to perform each year!
Last fiscal year's Studio productions included: All Shook Up,101 Dalmatians, Good News, Footloose, Piggy Nation and The Wizard of Oz.
Our current Studio Season: Crazy For You, Jungle Book, The Little Mermaid, Cinderella, How to Succeed in Business Without Really Trying and Seussical.

Our annual cost to run the Studio last year, including utilities, instructor fees, repairs, maintenance, and supplies was **$156,375. Plus, we gave a total of 43 scholarships at a value of $15,255. This year to date, we have given 80 scholarships at a value of $30,665!!!** We are proud of our solid program and are currently addressing the issues of our continued "growth" and the impact it's having on our building.

Many of our students perform in the community for various events including roles in commercials and films. **This past year, one of our Studio trained students, traveled to NYC for final callbacks for 3 Broadway shows, *Annie*, *Mary Poppins* and the new musical *Matilda*. We also had a student training in LA for pilot season.** Twelve Studio students auditioned for and were selected to play the **Munchkins and Winkies in the National Tour of *The Wizard Of Oz*, and we had several students featured as the kids in *The OKC Philharmonic Christmas Show* for the past two years.**

Last year, The Studio was selected to premier the new children's musical ***Piggy Nation*!** 20 students were selected and performed **the Oklahoma and Southwest Premiere** just 3 weeks ago. The L.A. based author Richard Rosser was here to work with the students and attended all 3 performances. This was quite a coup for The Sooner Theatre and the community of Norman. October of fiscal year 2012, The Sooner took a group of 80 to **NYC** to work with Broadway veterans including Anne L. Nathan, from the original Broadway cast of *Thoroughly Modern Millie*, Michelle Lookadoo, from the Broadway casts of *Mary Poppins* and *Anything Goes*, Jim Cooney and Marc Tumminelli, in workshops including Tap, Vocal Performance, Auditioning, Make-up and Hair, and Musical Theatre Dance. While in NYC, these students also had the opportunity to see two Broadway shows, and gain a better understanding of the industry from the performers and professionals who live it. We have planned another trip for this October!

Listed below of places our students have performed:

The 2009 Mayor's Convention, NAC Arts Explosion, The 100th Anniversary of the Depot, Norman Music Festival, Kids for Kids Sake, Earth Day, The Oklahoma Rodeo Opry, The OKC Thunder, the Andy Roddic Tennis Exposition, OKC Arts Festival, Norman's Centennial Follies, Lyric Theatre, Jewel Box Theatre, University of Central Oklahoma, OMEA All State Chorus, Oklahoma City's Centennial Parade, Norman Christmas Parade, Norman Public Schools, Oklahoma Summer Arts Institute, Norman Chamber of Commerce Annual Banquet, May Fair, June Bug Jam, and The Chocolate Festival, several events at the University of Oklahoma, local church events.

The Studio regularly hosts Master Classes and Workshops with Broadway performers and performers from National Tours. Past Master Classes include performers from, *Wicked, Cats, Will Rogers Follies, The Who's Tommy, The Phantom of The Opera, Hairspray, Legally Blonde, The Wizard of Oz, Memphis, West Side Story* and *The Addams Family.* Last summer, we hosted Iqbal Theba from FOX's hit show *GLEE*. Tituss Burgess, who originated the role of Sebastian in the Broadway smash *Disney's The Little Mermaid*, has also worked with Studio students in vocal workshops, and we plan to bring him back this summer.

We also bring in leaders from our industry to work with the students. For example, college professors will visit our teen classes and discuss and answer questions about the transition from high school performing arts to college performing arts, as well as hold mock auditions to give the students an idea of what to expect.

4. SPECIAL EVENTS

The Sooner Theatre hosts an annual Murder Mystery Dinner and Show, which raised a total of $13,000 toward operations last year. For this year's event we have already received $10,000 in sponsorships, and the food has been completely donated. Projected totals thus far are at $20,000!

5. RENTAL ACTIVITIES

Community organizations and individuals have the opportunity to rent the theatre for their activities, meetings or performances. Our renters are important to our survival. Our Rental revenue for 2011-2012 was $15,548.

2011/2012 RENTALS

- Antioch Community Church
- Hispanic Flamenco Ballet
- Rocky Horror Picture Show
- Julia's Academy of International Dance
- Weddings & Engagements
- Crimson & Cream Pageant
- Norman Music Festival
- Showtime Dance Studio
- June Bug Jam
- Ben Rector Concert

6. OUTREACH AND DEVELOPMENT

In addition to our programming, The Sooner staff is deeply rooted in the community. We have staff members who hold Board of Director seats or committee positions for several Norman organizations. We also provide entertainment for community events in Norman and neighboring communities, including matinee performances for Norman Public Schools, plus we keep our doors open for all Downtown related events.

Our Outreach and Development includes:

United Way's Celebrity Sing, The Main St. Christmas/Holiday Parade, NAC Arts Explosion, The 100th Anniversary of the Depot, Norman Music Festival, June Bug Jam, Norman Chamber Of Commerce Banquet, May Fair, The Assistance League's Gala, Kids for Kids Sake, Norman Chamber of Commerce, Citizen's Advisory Council, Norman Convention and Visitors Bureau, The Norman Public School's Gifted Council and the Norman Arts Council. We are represented at the Norman Downtowner's Association, Norman Arts Council's Roundtable, Norman Rotary, the United Way Cabinet, Assistance League, Norman Public Schools PTA and several other organizations.

We also participate as donors for community events to include:

Assistance League
Community After School Program
Tour de Vin
Norman Regional Health System "United Way Silent Auction"
Meals on Wheels
Among Friends ...an Activity Center for Adults with Special Needs
Travelers Aid & Homeless Assistance Center
Norman Regional Hospital
Blanchard Public Schools
Oklahoma Statewide Independent Living Council
Cleveland County Family YMCA
Travelers Aid and Homeless Assistance Center
Norman Public Schools
Moore Public Schools
Norman Chamber of Commerce
Meals on Wheels
United Ministries
University of Oklahoma
Southwestern Publishing
Oklahoma Youth Orchestra

As you can see from this list, the programming portfolio is ambitious. It is designed to provide more activities, for more groups and therefore... more audiences. This is a way to maximize Theatre appeal by a broader portion of our community, and to hopefully ensure long term fiscal return

7. Sooner Cinema

The Sooner Theatre's film and video offerings.

STAFFING

Our mission, function and program direction have, each year, been approved by the City administration, and Municipal money has been provided for The Sooner to have a firm "base" for staffing the facility, and on which to build it's activities. According to Theatre Facts, A Report on Practices and Performances in the American Nonprofit Theatre, a typical theatre our size, with a similar County population count, and the same amount of programming will have 8-10 full time employees. Our current staff manages both the Sooner Theatre and The Studio of The Sooner Theatre with 6 full-time employees and 1 part-time employee. We also utilize the Federal Work Study program at OU, providing one student at 20 hrs a week.

This current The Studio will contract 40 instructors, 7 choreographers, 5 accompanists, 6 counselors, and numerous musicians.

Our board of directors provides benefits to our employees through Blue Cross Blue Shield of Oklahoma. As you know, the turnover rate in the "nonprofit world" has always been high, and it's even higher in the "theatre world, so offering benefits to our theatre employees is an incredible feat for our organization. This past fiscal year we paid **$13,216** in Health Insurance costs.

ECONOMIC USE OF PAST FUNDING

- Salaries 2003/2004 **$86,847.27**
- Salaries 2004/2005 **$94,534.36**
- Salaries 2005/2006 **$108,541.76**
- Salaries 2006/2007 **$141,000.00**
- Salaries 2007-2008 **$146,473.00**
- Salaries 2008-2009 **$187,202.00**
- Salaries 2009-2010 **$184,516.00**
- Salaries 2010-2011 **$190,950.00**
- Salaries 2011-2012 **$194,600.00**

The Municipal money we receive in the amount of **$65,274** is paying for approximately **33.5%** of our payroll expenses. (2011-2012)
We are now paying 20% of our total utility costs, which through December of 2012 totaled $2800.

OTHER SOURCES OF INCOME

In addition to the Municipal money our other sources of income are from our annual Murder Mystery Fundraiser, Sponsorships, Donations, Program Advertising, Rentals, Grants, and our camps and classes. All of these help cover our **current operating budget** of approximately **$687,104**

THANK YOU

Our product tells what we stand for, what we want to offer the community and how well we know our business. At The Sooner Theatre we host professional artists to first-timers and foster performers from 3 years old on up. Our presentations reflect our mission, our image and ultimately they determine our survival. We embrace the fact that we are not "Community Theatre" but "Theatre for the Community". Nearly **15,000** people walked through our doors last year and we were able to track ticket sales to **135 Oklahoma zip codes and 58 out-of-state!** We hope you agree that The Sooner Theatre grants a major return for City's investment.

Thank you for all that you do to take care of the beautiful Sooner Theatre! The air conditioning, carpet and curtains have been a true blessing!! I hope you can drop by to see our new ramp, roof and proposed lighting upgrades. Kudos to Jud Foster and James Briggs for the hard work and dedication to this amazing Norman landmark.

City of Norman, OK

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

Master

File Number: K-1314-96

File ID:	K-1314-96	**Type:**	Contract	**Status:**	ATS Paused
Version:	1	**Reference:**	Item No. 21	**In Control:**	City Council
Department:	Legal Department	**Cost:**		**File Created:**	11/18/2013
File Name:	Lease Termination - Nextel Sprint			**Final Action:**	

Title: CONTRACT K-1314-96: A CONTRACT BY AND BETWEEN THE NORMAN UTIILITIES AUTHORITY AND NEXTEL WEST CORPORATION PROVIDING FOR TERMINATION OF A LEASE FOR CELLULAR EQUIPMENT AT 620 EAST LINDSEY STREET.

Notes: ACTION NEEDED: Motion to approve or reject Contract No. K-1314-96 with Nextel West Corporation; and, if approved, authorize the execution thereof.

ACTION TAKEN:_____

Agenda Date: 11/26/2013

Agenda Number: 21

Attachments: Text File Nextel.pdf, Nextel Contract.pdf

Project Manager: Kathryn Walker, Assistant City Attorney

Entered by: kathryn.walker@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File K-1314-96

Body

BACKGROUND: The Norman Utilities Authority ("NUA") entered into Contract K-9798-130 with Nextel West Corporation ("Nextel") for the purpose of leasing space on the Lindsey Street Water Tower for the placement of cellular service equipment. The contract was for a five year initial term, with five successive five year term renewals allowed at the option of Nextel. The rent for leasing the space during the initial term was $625 per month. The rent increased by 15% with each term renewal. The rent paid by Nextel in 2013 was $826.56 per month. The contract provided that it may be cancelled at any time with thirty days written notice to NUA.

Staff learned during the summer that Sprint Nextel had been evaluating its cell sites and had deemed the Lindsey Street site no longer appropriate for its operations due to technological and economic reasons. Sprint Nextel gave notice of its desire to terminate the lease and presented Contract K-1314-96 to formalize the termination of the lease.

DESCRIPTION: Contract K-1314-96 provides that the lease will be terminated when Sprint Nextel has removed its equipment from the tower, which will occur no later than April 30, 2014. Rents will continue to be

paid until the equipment is removed. Once the equipment has been removed and the site restored to the condition it was in when the lease was originally approved, Staff will inspect the site and sign the Site Acceptance and Release document provided by Sprint Nextel.

RECOMMENDATION: Staff recommends approval of Contract K-1314-96.

LEASE TERMINATION AGREEMENT AND GENERAL RELEASE

This LEASE TERMINATION AGREEMENT AND GENERAL RELEASE (the "Agreement") is made as of November 6, 2013, by and between, Nextel West Corp., a Delaware Corporation d/b/a Nextel Communications, ("Nextel") and Norman Utilities Authority ("Owner") with reference to the following facts, understandings and intentions:

RECITALS

A. Owner owns certain property located at 620 E. Lindsey, Norman, OK ("Owner's Property"). Nextel, as lessee or tenant (or successor in interest to the lessee or tenant), and Owner, as lessor or landlord (or successor in interest to the lessor or landlord), are parties to that Contract No. K-9798-130, Communications Site Lease Agreement (Water Tower) dated as of June 09, 1998 (the "Lease") whereby Owner leases to Nextel a portion of Owner's Property, as further described in the Lease (the "Site").

B. Nextel uses the Site for a communications facility that, pursuant to the Lease, may include among other things, an antenna tower or pole and foundation, utility lines, transmission lines, an air conditioned equipment room or shelter and pad, cable wiring, conduit runs, radios and other electronic equipment, transmitting and receiving antennas and microwave dishes, batteries and other power sources (possibly including a generator and pad), related fixtures and supporting equipment, and structures therefor (collectively, the "Communications Facility").

C. By mutual agreement, Nextel and Owner desire to terminate the Lease, effective as of the Termination Date (as defined below).

D. Nextel and Owner are willing to so terminate the Lease, pursuant to the provisions of this Agreement. All provisions contained in the Lease and not altered by the terms of this Agreement shall remain in full force and effect until the Termination Date set forth herein.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

1. Date of Termination; Final Payment.

   a. The Lease is hereby canceled and terminated effective at 11:59 p.m. on April 30, 2014, or the date Nextel vacates and surrenders the Site pursuant to Section 2a below, whichever first occurs ("Termination Date"). From and after the Termination Date, neither Owner nor Nextel will have any further

rights or obligations under the Lease, and Nextel will have no further right or interest with respect to the Site.

b. In full and final payment of any and all sums due or owing by Nextel to Owner under the Lease or otherwise in connection with Owner's Property or the Site, Nextel will make a final payment of Eight Hundred Twenty-Six Dollars and Fifty-Six Cents ($826.56) in the same time and manner as rent is currently paid by Nextel, constituting Rent and other charges (if applicable) for the final month of the Lease (the "Final Payment") said final month to be the month in which the Termination Date occurs.

2. Vacation and Surrender of the Site; Site Acceptance.

a. Owner and Nextel have expressly agreed that, on or before the Termination Date, Nextel will vacate and surrender the Site to Owner in its current "AS-IS" condition, except that Nextel will remove from the Site the following (the "Removed Equipment"):

Remove antennas and mounting hardware
Remove Coax Lines and related hardware
Remove grounding equipment above and below grade (include bars, cable and ancillary hardware on tower) or as stipulated in agreement.
Restore gravel on grounds, if disturbed.
Remove exterior cabinets and enclosures (RF and battery), including above ground platforms, stairs and exterior Telco and AC conduits and cable.
Remove coax cable trays, sleepers, wear pads and parapet wall coax support brackets.
Remove all iDEN radio equipment (base radios, ISCs, rectifiers, AC-DC power plants, batteries, racks, controller, DC power, and related support hardware).
Remove generator and fuel storage tanks, including draining and disposal of fluids, and disconnection of electrical and Telco conduits.

Nextel will have no further obligation (notwithstanding anything to the contrary contained in the Lease or otherwise) to remove the Communications Facility (all of which will be deemed abandoned by Nextel and accepted by Owner) or otherwise repair or restore the Site or any other portion of Owner's Property.

b. Upon Nextel's vacation of the Site, Owner and Nextel will each execute duplicate originals of the "Site Acceptance and Release" in the form attached hereto as Exhibit A ("Site Acceptance"). Owner's execution of the Site Acceptance will constitute conclusive evidence and proof that Nextel has vacated and surrendered the Site to Owner in the condition required by the Lease and this Agreement, and that any portion of the Communications Facility (and any other equipment or property) remaining on Owner's Property will be deemed abandoned by Nextel and accepted by Owner, on the terms set forth therein.

3. Release of Obligations. Except for Owner's and Nextel's respective rights to enforce the provisions of this Agreement and the Site Acceptance, effective as of the

Termination Date, Owner and Nextel, for themselves and their respective parent, subsidiary and related corporations, partners, affiliates, heirs, successors and assigns, do each hereby release and forever discharge each other and their present and former directors, officers, shareholders, managers, agents, trustees, beneficiaries, attorneys and employees (the "Released Parties") from all obligations, damages, losses, costs, expenses and liabilities whether known or unknown, contingent or direct, liquidated or unliquidated, and from any claims, demands, judgments, actions or suits of any kind (collectively, "Claims") which they may have against one another arising out of or relating to the Lease, and the use and occupancy of Site, the Communications Facility and/or Owner's Property, including without limitation, any attorneys' fees incurred in connection therewith. Each party acknowledges the possibility that the other party may have unknown Claims against the other arising out of or related to the Lease, and the use and occupancy of Site, the Communications Facility and/or Owner's Property, and that by signing this Agreement, each party expressly waives such Claims. The parties further acknowledge that the consideration for this mutual release takes into account the possibility of such further Claims.

4. Voluntary Agreement. The parties have read this Agreement and the releases contained herein and, on advice of counsel, have freely and voluntarily entered into this Agreement with full understanding of its terms.

5. Recitals. The above recitals are an integral and substantive part of this Agreement and are incorporated herein.

6. Attorneys' Fees. If either party commences an action against the other party arising out of or in connection with this Agreement, the prevailing party will be entitled to recover attorneys' fees and expenses from the other.

7. Successors. This Agreement will be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors and assigns.

8. Counterparts. This Agreement may be executed in any number of duplicate originals or counterparts, each of which will be deemed to be an original, and all of which taken together will constitute one and the same agreement. The parties agree that their signatures may be delivered by fax or email.

9. Governing Law. The validity, interpretation, construction and performance of this Agreement will be controlled by and construed under the laws of the state in which the Site is located.

IN WITNESS WHEREOF, the parties have executed this Lease Termination Agreement and General Release as of the date and year first above written.

"OWNER"	"NEXTEL"
Norman Utilities Authority	Nextel West Corp., a Delaware Corporation d/b/a Nextel Communications
By: _____	By: _____
Name: _____	Name: _____
Title: _____	Title: _____

Exhibit A

SITE ACCEPTANCE and RELEASE

This SITE ACCEPTANCE and RELEASE is made as of _____("Effective Date"), by and between Nextel West Corp., a Delaware Corporation d/b/a Nextel Communications ("Nextel") and Norman Utilities Authority ("Owner") with reference to the following facts, understandings and intentions:

A. Owner and Nextel are parties to that LEASE TERMINATION AGREEMENT and GENERAL RELEASE dated November 6, 2013 (the "Agreement"), that terminated a Lease for a Site on Owner's Property located at 620 E Lindsey, Norman, OK (Nextel Site # OK3096), all terms of which are incorporated herein. Capitalized terms used but not defined herein have the meanings set forth in the Agreement.

B. Nextel used the Site for a communications facility that may have included, among other things, an antenna tower or pole and foundation, utility lines, transmission lines, an air conditioned equipment room or shelter and pad, cable wiring, conduit runs, radios and other electronic equipment, transmitting and receiving antennas and microwave dishes, batteries and other power sources (possibly including a generator and pad), related fixtures and supporting equipment, and structures therefor (collectively, the "Communications Facility").

C. Nextel removed some or all of the Communications Facility and restored the Site and Owner's Property to the condition required by the Lease and the Agreement, and Nextel vacated and surrendered the Site to Owner as of the Effective Date. The parties now desire to execute this Site Acceptance and Release, pursuant to the Agreement.

NOW, THEREFORE, in consideration of the foregoing, the provisions set forth below, and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, Owner hereby acknowledges that, as of the Effective Date, Nextel has vacated, surrendered and restored the Site and Owner's Property to the condition required by the Lease and the Agreement and that any portion of the Communications Facility (and any other equipment or property) remaining on Owner's Property shall be deemed abandoned by Nextel (collectively, the "Abandoned Property"); Owner accepts any such Abandoned Property in its present condition "AS-IS", "WHERE-IS" and "WITH ALL FAULTS", and without any representations, warranties, promises, covenants or guaranties whatsoever, express, implied, oral, written, statutory or otherwise (including, without limitation, no warranties of merchantability, marketability, profitability, fitness for a particular purpose or conformity to models or materials); and Owner fully and forever releases Nextel and the Released Parties from all Claims and any and all liability whatsoever in connection with the foregoing and the Lease, and agrees to indemnify, defend and hold Nextel and the Released Parties harmless from and against all Claims and any and all losses, costs, liabilities, damages, claims, actions and causes of action (including attorneys' fees and court costs) arising out of or relating in any way to any such Abandoned Property.

Executed on _____, 2013

"OWNER"	"NEXTEL"
Norman Utilities Authority	Nextel West Corp., a Delaware Corporation d/b/a Nextel Communications
By: _____	By: _____
Name: _____	Name: _____
Title: _____	Title: _____

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B. Nextel uses the Site for a communications facility that, pursuant to the Lease, may include among other things, an antenna tower or pole and foundation, utility lines, transmission lines, an air conditioned equipment room or shelter and pad, cable wiring, conduit runs, radios and other electronic equipment, transmitting and receiving antennas and microwave dishes, batteries and other power sources (possibly including a generator and pad), related fixtures and supporting equipment, and structures therefor (collectively, the "Communications Facility").

C. By mutual agreement, Nextel and Owner desire to terminate the Lease, effective as of the Termination Date (as defined below).

D. Nextel and Owner are willing to so terminate the Lease, pursuant to the provisions of this Agreement. All provisions contained in the Lease and not altered by the terms of this Agreement shall remain in full force and effect until the Termination Date set forth herein.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

1. Date of Termination; Final Payment.

   a. The Lease is hereby canceled and terminated effective at 11:59 p.m. on April 30, 2014, or the date Nextel vacates and surrenders the Site pursuant to Section 2a below, whichever first occurs ("Termination Date"). From and after the Termination Date, neither Owner nor Nextel will have any further

rights or obligations under the Lease, and Nextel will have no further right or interest with respect to the Site.

b. In full and final payment of any and all sums due or owing by Nextel to Owner under the Lease or otherwise in connection with Owner's Property or the Site, Nextel will make a final payment of Eight Hundred Twenty-Six Dollars and Fifty-Six Cents ($826.56) in the same time and manner as rent is currently paid by Nextel, constituting Rent and other charges (if applicable) for the final month of the Lease (the "Final Payment") said final month to be the month in which the Termination Date occurs.

2. Vacation and Surrender of the Site; Site Acceptance.

a. Owner and Nextel have expressly agreed that, on or before the Termination Date, Nextel will vacate and surrender the Site to Owner in its current "AS-IS" condition, except that Nextel will remove from the Site the following (the "Removed Equipment"):

Remove antennas and mounting hardware
Remove Coax Lines and related hardware
Remove grounding equipment above and below grade (include bars, cable and ancillary hardware on tower) or as stipulated in agreement.
Restore gravel on grounds, if disturbed.
Remove exterior cabinets and enclosures (RF and battery), including above ground platforms, stairs and exterior Telco and AC conduits and cable.
Remove coax cable trays, sleepers, wear pads and parapet wall coax support brackets.
Remove all iDEN radio equipment (base radios, ISCs, rectifiers, AC-DC power plants, batteries, racks, controller, DC power, and related support hardware).
Remove generator and fuel storage tanks, including draining and disposal of fluids, and disconnection of electrical and Telco conduits.

Nextel will have no further obligation (notwithstanding anything to the contrary contained in the Lease or otherwise) to remove the Communications Facility (all of which will be deemed abandoned by Nextel and accepted by Owner) or otherwise repair or restore the Site or any other portion of Owner's Property.

b. Upon Nextel's vacation of the Site, Owner and Nextel will each execute duplicate originals of the "Site Acceptance and Release" in the form attached hereto as Exhibit A ("Site Acceptance"). Owner's execution of the Site Acceptance will constitute conclusive evidence and proof that Nextel has vacated and surrendered the Site to Owner in the condition required by the Lease and this Agreement, and that any portion of the Communications Facility (and any other equipment or property) remaining on Owner's Property will be deemed abandoned by Nextel and accepted by Owner, on the terms set forth therein.

3. Release of Obligations. Except for Owner's and Nextel's respective rights to enforce the provisions of this Agreement and the Site Acceptance, effective as of the

Termination Date, Owner and Nextel, for themselves and their respective parent, subsidiary and related corporations, partners, affiliates, heirs, successors and assigns, do each hereby release and forever discharge each other and their present and former directors, officers, shareholders, managers, agents, trustees, beneficiaries, attorneys and employees (the "Released Parties") from all obligations, damages, losses, costs, expenses and liabilities whether known or unknown, contingent or direct, liquidated or unliquidated, and from any claims, demands, judgments, actions or suits of any kind (collectively, "Claims") which they may have against one another arising out of or relating to the Lease, and the use and occupancy of Site, the Communications Facility and/or Owner's Property, including without limitation, any attorneys' fees incurred in connection therewith. Each party acknowledges the possibility that the other party may have unknown Claims against the other arising out of or related to the Lease, and the use and occupancy of Site, the Communications Facility and/or Owner's Property, and that by signing this Agreement, each party expressly waives such Claims. The parties further acknowledge that the consideration for this mutual release takes into account the possibility of such further Claims.

4. Voluntary Agreement. The parties have read this Agreement and the releases contained herein and, on advice of counsel, have freely and voluntarily entered into this Agreement with full understanding of its terms.

5. Recitals. The above recitals are an integral and substantive part of this Agreement and are incorporated herein.

6. Attorneys' Fees. If either party commences an action against the other party arising out of or in connection with this Agreement, the prevailing party will be entitled to recover attorneys' fees and expenses from the other.

7. Successors. This Agreement will be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors and assigns.

8. Counterparts. This Agreement may be executed in any number of duplicate originals or counterparts, each of which will be deemed to be an original, and all of which taken together will constitute one and the same agreement. The parties agree that their signatures may be delivered by fax or email.

9. Governing Law. The validity, interpretation, construction and performance of this Agreement will be controlled by and construed under the laws of the state in which the Site is located.

IN WITNESS WHEREOF, the parties have executed this Lease Termination Agreement and General Release as of the date and year first above written.

"OWNER"	"NEXTEL"
Norman Utilities Authority	Nextel West Corp., a Delaware Corporation d/b/a Nextel Communications
By: _____	By: _____
Name: _____	Name: _____
Title: _____	Title: _____

Exhibit A

SITE ACCEPTANCE and RELEASE

This SITE ACCEPTANCE and RELEASE is made as of _____("Effective Date"), by and between Nextel West Corp., a Delaware Corporation d/b/a Nextel Communications ("Nextel") and Norman Utilities Authority ("Owner") with reference to the following facts, understandings and intentions:

A. Owner and Nextel are parties to that LEASE TERMINATION AGREEMENT and GENERAL RELEASE dated November 6, 2013 (the "Agreement"), that terminated a Lease for a Site on Owner's Property located at 620 E Lindsey, Norman, OK (Nextel Site # OK3096), all terms of which are incorporated herein. Capitalized terms used but not defined herein have the meanings set forth in the Agreement.

B. Nextel used the Site for a communications facility that may have included, among other things, an antenna tower or pole and foundation, utility lines, transmission lines, an air conditioned equipment room or shelter and pad, cable wiring, conduit runs, radios and other electronic equipment, transmitting and receiving antennas and microwave dishes, batteries and other power sources (possibly including a generator and pad), related fixtures and supporting equipment, and structures therefor (collectively, the "Communications Facility").

C. Nextel removed some or all of the Communications Facility and restored the Site and Owner's Property to the condition required by the Lease and the Agreement, and Nextel vacated and surrendered the Site to Owner as of the Effective Date. The parties now desire to execute this Site Acceptance and Release, pursuant to the Agreement.

NOW, THEREFORE, in consideration of the foregoing, the provisions set forth below, and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, Owner hereby acknowledges that, as of the Effective Date, Nextel has vacated, surrendered and restored the Site and Owner's Property to the condition required by the Lease and the Agreement and that any portion of the Communications Facility (and any other equipment or property) remaining on Owner's Property shall be deemed abandoned by Nextel (collectively, the "Abandoned Property"); Owner accepts any such Abandoned Property in its present condition "AS-IS", "WHERE-IS" and "WITH ALL FAULTS", and without any representations, warranties, promises, covenants or guaranties whatsoever, express, implied, oral, written, statutory or otherwise (including, without limitation, no warranties of merchantability, marketability, profitability, fitness for a particular purpose or conformity to models or materials); and Owner fully and forever releases Nextel and the Released Parties from all Claims and any and all liability whatsoever in connection with the foregoing and the Lease, and agrees to indemnify, defend and hold Nextel and the Released Parties harmless from and against all Claims and any and all losses, costs, liabilities, damages, claims, actions and causes of action (including attorneys' fees and court costs) arising out of or relating in any way to any such Abandoned Property.

Executed on _____, 2013

"OWNER"

Norman Utilities Authority

By: _____
Name: _____
Title: _____

"NEXTEL"

Nextel West Corp., a Delaware Corporation
d/b/a Nextel Communications

By: _____
Name: _____
Title: _____

City of Norman, OK

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

Master

File Number: R-1314-58

File ID:	R-1314-58	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 22	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/12/2013
File Name:	Rock Creek Rd & Sequoyah Trail Signal			**Final Action:**	

Title: RESOLUTION NO. R-1314-58: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF ROCK CREEK ROAD AND SEQUOYAH TRAIL AND ITS INTERCONNECTION TO OTHER NEARBY SIGNALS IN NORMAN.

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-58.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 22

Attachments: Text File R-1314-58.pdf, R-1314-58 Rock Creek Sequoyah Signal.pdf, Location Map Rock Creek Road and Sequoyah Trail.pdf

Project Manager: Angelo Lombardo, Transportation Engineer

Entered by: michelle.rudder@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1314-58

Body

BACKGROUND: The 2012 - Moving Ahead for Progress in the 21st Century (MAP-21) federal transportation funding bill allocates approximately $21 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost.

Every year, the Association of Central Oklahoma Governments (ACOG) coordinates a regional evaluation process that identifies transportation improvements eligible for federal funding. Individual projects are rated and compared to one another using a pre-established criterion. The process ends with the formulation of the region's transportation improvement program and the decision to use federal funds to pay for a significant portion of the cost of the higher priority projects.

DISCUSSION: On December 16, 2013, staff will submit twenty one (21) projects for consideration in the formulation of ACOG's Four-Year Transportation Improvement Program. One of the requirements for project consideration is that interested cities submit programming resolutions for each individual project. In years past, Council has adopted resolutions for twelve of the twenty one (21) projects. The nine projects that need programming resolutions in order to be considered in the new plan are:

- New traffic signal at the intersection of Rock Creek Road and Sequoyah Trail
- New traffic signal at the intersection of Robinson Street and 48th Avenue NW
- Robinson Street fiber optic traffic signal interconnection upgrade (from Peters Avenue to 12th Avenue SE)
- Roadway widening and new traffic signal at the intersection of 24th Avenue NW and Tee Drive
- Roadway widening and new traffic signal at the intersection of 36th Avenue NW and Havenbrook Drive
- Traffic signal pedestrian push button upgrades at various intersections (100% Safety)
- Traffic signal video detection upgrades (Phase 2) at various intersections (100% Safety)
- New sidewalks along Classen Boulevard, between Shawnee Street and Enid Street (south side) and west of 12th Avenue SE (south side)
- Pavement markings on various federal functionally classified roadways throughout the City (Phase 4) (100% Safety)

The specific projects by federal fiscal year are:

Federal Fiscal Year 2015 (Total Federal Funds Requested - $9,711,072)

Lindsey Street, from 24th Avenue SW to east of Berry Road (Bond Project)
This project widens Lindsey Street and provides a four-lane divided triple-canopy urban arterial roadway with curb and gutter, storm drainage collection system, sidewalks, bike lanes, new bridge over Imhoff Creek, streetscape amenities, modified traffic signals at the Lindsey Street intersections with 24th Avenue SW, McGee Drive and Berry Road, and possible new signals at the intersections of Lindsey Street with Murphy Drive and Wylie Road The estimated construction cost of $21,450,000 (including storm water drainage improvements) will be funded with federal funds (45%) and City funds (55%). Estimated Federal Funds - $9,711,072

Federal Fiscal Year 2016 - (Total Federal Funds Requested - $9,150,491)

Franklin Road Bridge over Little River (Bond Project)
The project replaces the existing bridge structure over Little River and reconstructs approximately 1,000 feet of roadway on either side of the bridge. Estimated Federal Funds - $2,617,776

Main Street Bridge over Brookhaven Creek (Bond Project)
The project replaces the existing bridge structure over Brookhaven Creek, reconstructs approximately 1,000 feet of roadway on either side of the bridge and stabilizes 2,000 feet of downstream channel. Estimated Federal Funds - $3,116,240

Pavement Overlays on Lindsey Street (between Berry Road and Jenkins Avenue), Constitution Street (between Jenkins Avenue and Classen Boulevard), Imhoff Road (between Classen Boulevard and 24th Avenue SE) and Alameda Street (between 48th Avenue East and 60th Avenue East).
The project provides new pavement overlays and striping on four separate roadway segments eligible for federal funding. Estimated Federal Funds - $2,005,575

Traffic Signal Interconnect and Upgrades along Boyd Street, between Berry Road and Classen Boulevard (100% Safety)
The project provides a new fiber optic traffic signal interconnect system for the existing traffic signals along Boyd Street, between Berry Road and Classen Boulevard, and replaces the traffic signal at the University Boulevard intersection. Estimated Federal Funds - $570,000

New Traffic Signal at the intersection of Rock Creek Road and Sequoyah Trail (100% Safety)
The project provides a new traffic signal at the intersection of Rock Creek Road and Sequoyah Trail and interconnection of traffic signals on Rock Creek Road between Porter Avenue and 12th Avenue NE. Estimated Federal Funds - $250,000

New Traffic Signal at the intersection of Robinson Street and 48th Avenue NW (100% Safety)
The project provides a new traffic signal at the intersection of Robinson Street and 48th Avenue NW and provides interconnection to the Robinson Street system that begins at Brookhaven Boulevard. Estimated Federal Funds - $250,000

Robinson Street fiber optic traffic signal interconnection upgrade (from Peters Avenue to 12th Avenue SE) (100% Safety)
The project replaces the existing interconnect copper wire with new fiber optic cable and adds the intersections of Robinson Street at Porter Avenue, Findlay Avenue and 12th Avenue NE to the City's Centracs Traffic Signal Management System. Estimated Federal Funds - $340,000

Federal Fiscal Year 2017 - (Total Federal Funds Requested - $9,598,886)

Alameda Street, from Ridge Lake Boulevard to 48th Avenue NW (Bond Project)
The project widens Alameda Street, between Ridge Lake Boulevard and 36th Avenue East, from the current two-lane roadway to a four-lane curb and gutter roadway, improves the intersection of Alameda Street and 36th Avenue East with the addition of dedicated turn lanes, and adds paved shoulders on Alameda Street, between 36th Avenue East and 48th Avenue East, along with an overlay of the pavement. Estimated Federal Funds - $3,641,000

12th Avenue SE, from Cedar Lane Road to State Highway 9 (Bond Project)
The project widens 12th Avenue SE, between Cedar Lane Road and State Highway 9, from the current two-lane roadway to a four-lane roadway with curb and gutter, storm drainage collection system, sidewalks, bike lanes, and capacity improvements at the 12th Avenue SE and State Highway 9 intersection. Estimated Federal Funds - $2,933,700

Roadway widening and new traffic signal at the intersection of 24th Avenue NW and Tee Drive
The project widens 24th Avenue NW to provide exclusive left turn lanes at the Tee Drive intersection and provides a new traffic signal. Estimated federal share - $1,000,000

Roadway widening and new traffic signal at the intersection of 36th Avenue NW and Havenbrook Drive
The project widens 36th Avenue NW to provide exclusive left turn lanes at the Havenbrook Drive intersection and provides a new traffic signal. Estimated federal share - $1,000,000

New Traffic Signal at the intersection of Alameda Street and Summit Lakes Boulevard (100% Safety)
The project provides a new traffic signal at the intersection of Alameda Street and Summit Lakes Boulevard and interconnects its operation to other signals along Alameda Street. Estimated Federal Funds - $250,686

Traffic Signal Upgrade (MUTCD Compliance) (100% Safety)
The project provides upgrades several intersections throughout the City for compliance with the adopted Manual on Uniform Traffic Control Devices. Estimated Federal Funds - $280,000

Emergency Vehicle Traffic Signal Pre-Emption (100% Safety)
The project upgrades the emergency vehicle detection system at several intersections throughout the City. Estimated Federal Funds - $493,500

New sidewalks along Classen Boulevard, between Shawnee Street and Enid Street (south side) and west of 12th Avenue SE (south side)
The project addresses two sidewalk gaps along Classen Boulevard. The first location is along the south side of the road between Shawnee Street and Enid Street. The second location is a 350-foot long segment of sidewalks along the south side of Classen Boulevard immediately west of 12th Avenue SE. Estimated Federal Funds - $160,000

Pavement markings along various federal functionally classified roadways throughout the City (Phase 4) (100% Safety)
The project provides center line, lane lines, stop bars, crosswalks, arrows and other markings on various roadways throughout the City. Estimated Federal Funds - $200,000

Federal Fiscal Year 2018 - (Total Federal Funds Requested - $9,710,120)

24th Avenue East, from Lindsey Street to Robinson Street (Bond Project)
The project widens 24th Avenue East, Lindsey Street and Robinson Street, from the current two-lane roadway to a four-lane roadway with curb and gutter, storm drainage collection system, sidewalks, bike lanes, and a new traffic signal at the Meadowood Boulevard intersection. Estimated Federal Funds - $7,540,000

Roadway widening and new traffic signal at the intersections of Rock Creek Road with 12th Avenue NW and Trailwoods Drive
The project widens the intersections of Rock Creek Road with 12th Avenue NW and Trailwoods Drive to provide exclusive left turn lanes and provides new traffic signals and interconnection. Estimated federal share - $1,416,120

Traffic Signal Upgrade (Pedestrian Push Buttons) (100% Safety)
The project provides ADA compliant pedestrian push buttons for the visually impaired at various locations throughout the City. Estimated Federal Funds - $300,000

Traffic Signal Video Detection Upgrade Phase 2) (100% Safety)
The project provides vehicle video detection systems at various signalized intersections throughout the City. Estimated Federal Funds - $454,000

Seven of the projects in the Federal Fiscal Year 2015-2018 list have not been programmed by the Oklahoma Department of Transportation. In order for this to happen and for these projects to be considered for funding, City Council needs to adopt the corresponding programming resolutions. In the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the 20% local share of the construction cost.

STAFF RECOMMENDATION: Staff recommends approval of Resolution No. R-1314-58 a federally funded project.

Resolution

R-1314-58

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF ROCK CREEK ROAD AND SEQUOYAH TRAIL AND ITS INTERCONNECTION TO OTHER NEARBY SIGNALS IN NORMAN

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

1. **Installation of a new traffic signal at the intersection of Rock Creek Road and Sequoyah Trail**
2. **Interconnection of traffic signals along Rock Creek Road, between Porter Avenue and 12th Avenue NE**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $250,000 and Federal participation under the terms of the 2012 – Moving Ahead for Progress in the 21st Century (MAP-21), relating to STP/UZA - Safety funds is hereby requested in the amount of $250,000 or 100% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

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

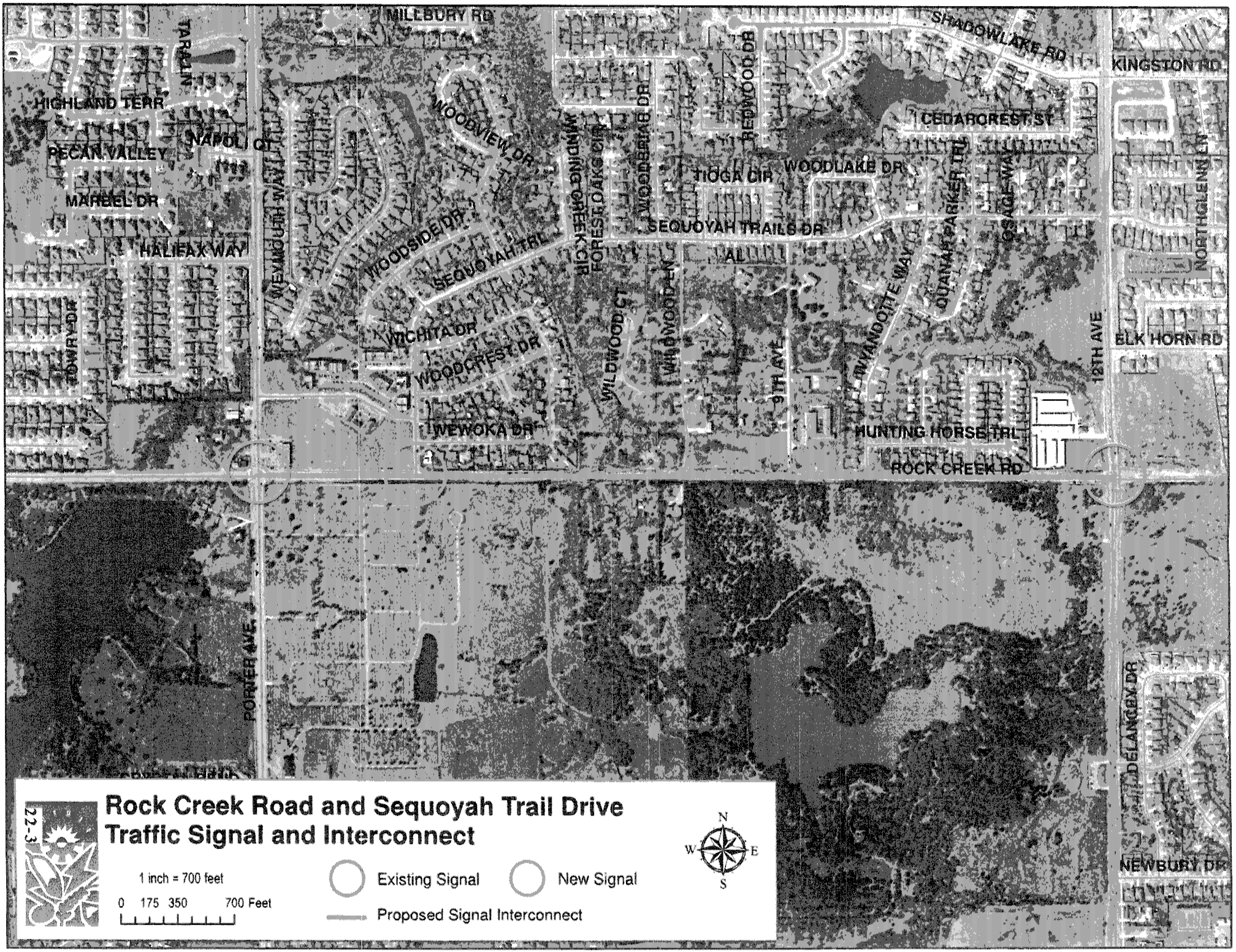
§ 9. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2013.

_____
Mayor

ATTEST:

_____
City Clerk


MILLBURY RD
SHADOWLAKE RD
KINGSTON RD
TARALIN
HIGHLAND TERR
NAPOLI CT
PECAN VALLEY
MAREEL DR
HALIFAX WAY
WEYMOUTH WAY
WOODVIEW DR
WOODSIDE DR
SEQUOYAH TRL
WINDING CREEK CIR
FOREST OAK CIR
WOODBRIAR DR
REDWOOD DR
CEDARCREST ST
TIOGA CIR
WOODLAKE DR
SEQUOYAH TRAILS DR
OSAGE WAY
QUANAH PARKER TRL
NORTHGLENN LN
ELK HORN RD
TOWRY DR
WICHITA DR
WOODCREST DR
WEWOKA DR
WILDWOOD CT
WILDWOOD LN
9TH AVE
12TH AVE
HUNTING HORSE TRL
ROCK CREEK RD
PORTER AVE
DELANCEY DR
NEWBURY DR
22-3
Rock Creek Road and Sequoyah Trail Drive
Traffic Signal and Interconnect
1 inch = 700 feet
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Existing Signal
New Signal
Proposed Signal Interconnect
N
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City of Norman, OK

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

Master

File Number: R-1314-59

File ID:	R-1314-59	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 23	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/12/2013
File Name:	Robinson St & 48th Ave NW Signal			**Final Action:**	

Title: RESOLUTION NO. R-1314-59: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF ROBINSON STREET AND 48TH AVENUE N.W. AND ITS INTERCONNECTION TO OTHER NEARBY SIGNALS IN NORMAN.

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-59.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 23

Attachments: Text File R-1314-59.pdf, R-1314-59 Robinson & 48th NW Signal, Location Map Robinson & 48th Signal connect.pdf

Project Manager: Angelo Lombardo, Transportation Engineer

Entered by: michelle.rudder@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1314-59

Body

BACKGROUND: The 2012 - Moving Ahead for Progress in the 21st Century (MAP-21) federal transportation funding bill allocates approximately $21 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost.

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DISCUSSION: On December 16, 2013, staff will submit twenty one (21) projects for consideration in the

formulation of ACOG's Four-Year Transportation Improvement Program. One of the requirements for project consideration is that interested cities submit programming resolutions for each individual project. In years past, Council has adopted resolutions for twelve of the twenty one (21) projects. The nine projects that need programming resolutions in order to be considered in the new plan are:

New traffic signal at the intersection of Rock Creek Road and Sequoyah Trail
New traffic signal at the intersection of Robinson Street and 48th Avenue NW
Robinson Street fiber optic traffic signal interconnection upgrade (from Peters Avenue to 12th Avenue SE)
Roadway widening and new traffic signal at the intersection of 24th Avenue NW and Tee Drive
Roadway widening and new traffic signal at the intersection of 36th Avenue NW and Havenbrook Drive
Traffic signal pedestrian push button upgrades at various intersections (100% Safety)
Traffic signal video detection upgrades (Phase 2) at various intersections (100% Safety)
New sidewalks along Classen Boulevard, between Shawnee Street and Enid Street (south side) and west of 12th Avenue SE (south side)
Pavement markings on various federal functionally classified roadways throughout the City (Phase 4) (100% Safety)

The specific projects by federal fiscal year are:

Federal Fiscal Year 2015 (Total Federal Funds Requested - $9,711,072)

Lindsey Street, from 24th Avenue SW to east of Berry Road (Bond Project)
This project widens Lindsey Street and provides a four-lane divided triple-canopy urban arterial roadway with curb and gutter, storm drainage collection system, sidewalks, bike lanes, new bridge over Imhoff Creek, streetscape amenities, modified traffic signals at the Lindsey Street intersections with 24th Avenue SW, McGee Drive and Berry Road, and possible new signals at the intersections of Lindsey Street with Murphy Drive and Wylie Road The estimated construction cost of $21,450,000 (including storm water drainage improvements) will be funded with federal funds (45%) and City funds (55%). Estimated Federal Funds - $9,711,072

Federal Fiscal Year 2016 - (Total Federal Funds Requested - $9,150,491)

Franklin Road Bridge over Little River (Bond Project)
The project replaces the existing bridge structure over Little River and reconstructs approximately 1,000 feet of roadway on either side of the bridge. Estimated Federal Funds - $2,617,776

Main Street Bridge over Brookhaven Creek (Bond Project)
The project replaces the existing bridge structure over Brookhaven Creek, reconstructs approximately 1,000 feet of roadway on either side of the bridge and stabilizes 2,000 feet of downstream channel. Estimated Federal Funds - $3,116,240

Pavement Overlays on Lindsey Street (between Berry Road and Jenkins Avenue), Constitution Street (between Jenkins Avenue and Classen Boulevard), Imhoff Road (between Classen Boulevard and 24th Avenue SE) and Alameda Street (between 48th Avenue East and 60th Avenue East)
The project provides new pavement overlays and striping on four separate roadway segments eligible for federal funding. Estimated Federal Funds - $2,005,575

Traffic Signal Interconnect and Upgrades along Boyd Street, between Berry Road and Classen Boulevard (100% Safety)
The project provides a new fiber optic traffic signal interconnect system for the existing traffic signals along Boyd Street, between Berry Road and Classen Boulevard, and replaces the traffic signal at the University Boulevard intersection. Estimated Federal Funds - $570,000

New Traffic Signal at the intersection of Rock Creek Road and Sequoyah Trail (100% Safety)
The project provides a new traffic signal at the intersection of Rock Creek Road and Sequoyah Trail and interconnection of traffic signals on Rock Creek Road between Porter Avenue and 12th Avenue NE. Estimated Federal Funds - $250,000

New Traffic Signal at the intersection of Robinson Street and 48th Avenue NW (100% Safety)
The project provides a new traffic signal at the intersection of Robinson Street and 48th Avenue NW and provides interconnection to the Robinson Street system that begins at Brookhaven Boulevard. Estimated Federal Funds - $250,000

Robinson Street fiber optic traffic signal interconnection upgrade (from Peters Avenue to 12th Avenue SE) (100% Safety)
The project replaces the existing interconnect copper wire with new fiber optic cable and adds the intersections of Robinson Street at Porter Avenue, Findlay Avenue and 12th Avenue NE to the City's Centracs Traffic Signal Management System. Estimated Federal Funds - $340,000

Federal Fiscal Year 2017 - (Total Federal Funds Requested - $9,598,886)

Alameda Street, from Ridge Lake Boulevard to 48th Avenue NW (Bond Project)
The project widens Alameda Street, between Ridge Lake Boulevard and 36th Avenue East, from the current two-lane roadway to a four-lane curb and gutter roadway, improves the intersection of Alameda Street and 36th Avenue East with the addition of dedicated turn lanes, and adds paved shoulders on Alameda Street, between 36th Avenue East and 48th Avenue East, along with an overlay of the pavement. Estimated Federal Funds - $3,641,000

12th Avenue SE, from Cedar Lane Road to State Highway 9 (Bond Project)
The project widens 12th Avenue SE, between Cedar Lane Road and State Highway 9, from the current two-lane roadway to a four-lane roadway with curb and gutter, storm drainage collection system, sidewalks, bike lanes, and capacity improvements at the 12th Avenue SE and State Highway 9 intersection. Estimated Federal Funds - $2,933,700

Roadway widening and new traffic signal at the intersection of 24th Avenue NW and Tee Drive
The project widens 24th Avenue NW to provide exclusive left turn lanes at the Tee Drive intersection and provides a new traffic signal. Estimated federal share - $1,000,000

Roadway widening and new traffic signal at the intersection of 36th Avenue NW and Havenbrook Drive
The project widens 36th Avenue NW to provide exclusive left turn lanes at the Havenbrook Drive intersection and provides a new traffic signal. Estimated federal share - $1,000,000

New Traffic Signal at the intersection of Alameda Street and Summit Lakes Boulevard (100% Safety)
The project provides a new traffic signal at the intersection of Alameda Street and Summit Lakes Boulevard and interconnects its operation to other signals along Alameda Street. Estimated Federal Funds - $250,686

Traffic Signal Upgrade (MUTCD Compliance) (100% Safety)
The project provides upgrades several intersections throughout the City for compliance with the adopted Manual on Uniform Traffic Control Devices. Estimated Federal Funds - $280,000

Emergency Vehicle Traffic Signal Pre-Emption (100% Safety)
The project upgrades the emergency vehicle detection system at several intersections throughout the City. Estimated Federal Funds - $493,500

New sidewalks along Classen Boulevard, between Shawnee Street and Enid Street (south side) and west of 12th Avenue SE (south side)
The project addresses two sidewalk gaps along Classen Boulevard. The first location is along the south side of the road between Shawnee Street and Enid Street. The second location is a 350-foot long segment of sidewalks along the south side of Classen Boulevard immediately west of 12th Avenue SE. Estimated Federal Funds - $160,000

Pavement markings along various federal functionally classified roadways throughout the City (Phase 4) (100% Safety)
The project provides center line, lane lines, stop bars, crosswalks, arrows and other markings on various roadways throughout the City. Estimated Federal Funds - $200,000

Federal Fiscal Year 2018 - (Total Federal Funds Requested - $9,710,120)

24th Avenue East, from Lindsey Street to Robinson Street (Bond Project)
The project widens 24th Avenue East, Lindsey Street and Robinson Street, from the current two-lane roadway to a four-lane roadway with curb and gutter, storm drainage collection system,
sidewalks, bike lanes, and a new traffic signal at the Meadowood Boulevard intersection. Estimated Federal Funds - $7,540,000

Roadway widening and new traffic signal at the intersections of Rock Creek Road with 12th Avenue NW and Trailwoods Drive
The project widens the intersections of Rock Creek Road with 12th Avenue NW and Trailwoods Drive to provide exclusive left turn lanes and provides new traffic signals and interconnection. Estimated federal share - $1,416,120

Traffic Signal Upgrade (Pedestrian Push Buttons) (100% Safety)
The project provides ADA compliant pedestrian push buttons for the visually impaired at various locations throughout the City. Estimated Federal Funds - $300,000

Traffic Signal Video Detection Upgrade Phase 2) (100% Safety)
The project provides vehicle video detection systems at various signalized intersections throughout the City. Estimated Federal Funds - $454,000

Seven of the projects in the Federal Fiscal Year 2015-2018 list have not been programmed by the Oklahoma Department of Transportation. In order for this to happen and for these projects to be considered for funding, City Council needs to adopt the corresponding programming resolutions. In the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the 20% local share of the construction cost.

STAFF RECOMMENDATION: Staff recommends approval of this resolution, a federally funded project.

Resolution

R-1314-59

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF ROBINSON STREET AND 48TH AVENUE NW AND ITS INTERCONNECTION TO OTHER NEARBY SIGNALS IN NORMAN

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

1. **Installation of a new traffic signal at the intersection of Robinson Street and 48th Avenue NW**
2. **Interconnection of traffic signals along Robinson Street, between 48th Avenue NW and Brookhaven Boulevard**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $250,000 and Federal participation under the terms of the 2012 – Moving Ahead for Progress in the 21st Century (MAP-21), relating to STP/UZA - Safety funds is hereby requested in the amount of $250,000 or 100% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

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

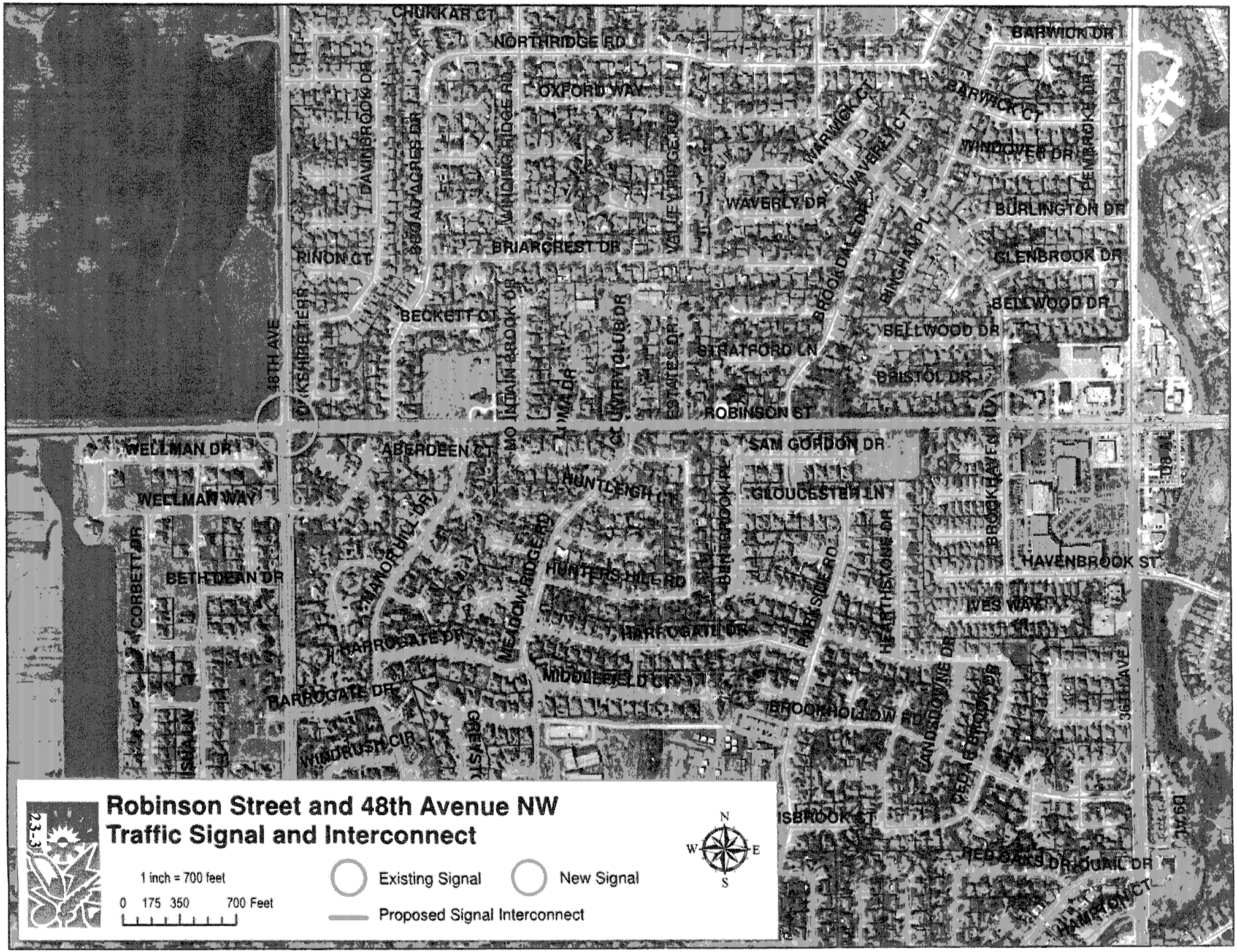
§ 9. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2013.

_____
Mayor

ATTEST:

_____
City Clerk


CHUKKAR CT
NORTHRIDGE RD
OXFORD WAY
BARWICK DR
BARWICK CT
WINDOVER DR
BURLINGTON DR
GLENBROOK DR
BELLWOOD DR
WAVERLY DR
BRIARCREST DR
RINON CT
BECKETT CT
48TH AVE
STRATFORD LN
BRISTOL DR
ROBINSON ST
WELLMAN DR
WELLMAN WAY
ABERDEEN CT
SAM GORDON DR
HUNTLEIGH
GLOUCESTER LN
BETHDEAN DR
CORBETT DR
HUNTERS HILL RD
HARROGATE DR
MIDDLEFIELD CT
BARROGATE DR
HAVENBROOK ST
IVES WAY
BROOKHOLLOW
ISBROOK CT
RED OAKS DR
QUAIL DR
HAMPTON CT
Robinson Street and 48th Avenue NW
Traffic Signal and Interconnect
1 inch = 700 feet
0 175 350 700 Feet
Existing Signal
New Signal
Proposed Signal Interconnect
N
W
E
S

City of Norman, OK

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

Master

File Number: R-1314-60

File ID:	R-1314-60	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 24	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/12/2013
File Name:	Robinson St Interconnect Upgrade			**Final Action:**	

Title: RESOLUTION NO. R-1314-60: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE TRAFFIC SIGNAL INTERCONNECTION UPGRADE ON ROBINSON STREET, FROM PETERS AVENUE TO 12TH AVENUE NE IN NORMAN.

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-60.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 24

Attachments: Text File R-1314-60.pdf, R-1314-60 Robinson Interconnect Upgrade, Location Map Robinson from Peters to 12th.pdf

Project Manager: Angelo Lombardo, Transportation Engineer

Entered by: michelle.rudder@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1314-60

Body

BACKGROUND: The 2012 - Moving Ahead for Progress in the 21st Century (MAP-21) federal transportation funding bill allocates approximately $21 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost.

Every year, the Association of Central Oklahoma Governments (ACOG) coordinates a regional evaluation process that identifies transportation improvements eligible for federal funding. Individual projects are rated and compared to one another using a pre-established criterion. The process ends with the formulation of the region's transportation improvement program and the decision to use federal funds to pay for a significant portion of the cost of the higher priority projects.

DISCUSSION: On December 16, 2013, staff will submit twenty one (21) projects for consideration in the formulation of ACOG's Four-Year Transportation Improvement Program. One of the requirements for project

consideration is that interested cities submit programming resolutions for each individual project. In years past, Council has adopted resolutions for twelve of the twenty one (21) projects. The nine projects that need programming resolutions in order to be considered in the new plan are:

New traffic signal at the intersection of Rock Creek Road and Sequoyah Trail
New traffic signal at the intersection of Robinson Street and 48th Avenue NW
Robinson Street fiber optic traffic signal interconnection upgrade (from Peters Avenue to 12th Avenue SE)
Roadway widening and new traffic signal at the intersection of 24th Avenue NW and Tee Drive
Roadway widening and new traffic signal at the intersection of 36th Avenue NW and Havenbrook Drive
Traffic signal pedestrian push button upgrades at various intersections (100% Safety)
Traffic signal video detection upgrades (Phase 2) at various intersections (100% Safety)
New sidewalks along Classen Boulevard, between Shawnee Street and Enid Street (south side) and west of 12th Avenue SE (south side)
Pavement markings on various federal functionally classified roadways throughout the City (Phase 4) (100% Safety)

The specific projects by federal fiscal year are:

Federal Fiscal Year 2015 (Total Federal Funds Requested - $9,711,072)

Lindsey Street, from 24th Avenue SW to east of Berry Road (Bond Project)
This project widens Lindsey Street and provides a four-lane divided triple-canopy urban arterial roadway with curb and gutter, storm drainage collection system, sidewalks, bike lanes, new bridge over Imhoff Creek, streetscape amenities, modified traffic signals at the Lindsey Street intersections with 24th Avenue SW, McGee Drive and Berry Road, and possible new signals at the intersections of Lindsey Street with Murphy Drive and Wylie Road The estimated construction cost of $21,450,000 (including storm water drainage improvements) will be funded with federal funds (45%) and City funds (55%). Estimated Federal Funds - $9,711,072

Federal Fiscal Year 2016 - (Total Federal Funds Requested - $9,150,491)

Franklin Road Bridge over Little River (Bond Project)
The project replaces the existing bridge structure over Little River and reconstructs approximately 1,000 feet of roadway on either side of the bridge. Estimated Federal Funds - $2,617,776

Main Street Bridge over Brookhaven Creek (Bond Project)
The project replaces the existing bridge structure over Brookhaven Creek, reconstructs approximately 1,000 feet of roadway on either side of the bridge and stabilizes 2,000 feet of downstream channel. Estimated Federal Funds - $3,116,240

Pavement Overlays on Lindsey Street (between Berry Road and Jenkins Avenue), Constitution Street (between Jenkins Avenue and Classen Boulevard), Imhoff Road (between Classen Boulevard and 24th Avenue SE) and Alameda Street (between 48th Avenue East and 60th Avenue East)
The project provides new pavement overlays and striping on four separate roadway segments eligible for federal funding. Estimated Federal Funds - $2,005,575

Traffic Signal Interconnect and Upgrades along Boyd Street, between Berry Road and Classen Boulevard (100% Safety)
The project provides a new fiber optic traffic signal interconnect system for the existing traffic signals along Boyd Street, between Berry Road and Classen Boulevard, and replaces the traffic signal at the University Boulevard intersection. Estimated Federal Funds - $570,000

New Traffic Signal at the intersection of Rock Creek Road and Sequoyah Trail (100% Safety)
The project provides a new traffic signal at the intersection of Rock Creek Road and Sequoyah Trail and interconnection of traffic signals on Rock Creek Road between Porter Avenue and 12th Avenue NE. Estimated Federal Funds - $250,000

New Traffic Signal at the intersection of Robinson Street and 48th Avenue NW (100% Safety)

The project provides a new traffic signal at the intersection of Robinson Street and 48th Avenue NW and provides interconnection to the Robinson Street system that begins at Brookhaven Boulevard. Estimated Federal Funds - $250,000

Robinson Street fiber optic traffic signal interconnection upgrade (from Peters Avenue to 12th Avenue SE) (100% Safety)

The project replaces the existing interconnect copper wire with new fiber optic cable and adds the intersections of Robinson Street at Porter Avenue, Findlay Avenue and 12th Avenue NE to the City's Centracs Traffic Signal Management System. Estimated Federal Funds - $340,000

Federal Fiscal Year 2017 - (Total Federal Funds Requested - $9,598,886)

Alameda Street, from Ridge Lake Boulevard to 48th Avenue NW (Bond Project)

The project widens Alameda Street, between Ridge Lake Boulevard and 36th Avenue East, from the current two-lane roadway to a four-lane curb and gutter roadway, improves the intersection of Alameda Street and 36th Avenue East with the addition of dedicated turn lanes, and adds paved shoulders on Alameda Street, between 36th Avenue East and 48th Avenue East, along with an overlay of the pavement. Estimated Federal Funds - $3,641,000

12th Avenue SE, from Cedar Lane Road to State Highway 9 (Bond Project)

The project widens 12th Avenue SE, between Cedar Lane Road and State Highway 9, from the current two-lane roadway to a four-lane roadway with curb and gutter, storm drainage collection system, sidewalks, bike lanes, and capacity improvements at the 12th Avenue SE and State Highway 9 intersection. Estimated Federal Funds - $2,933,700

Roadway widening and new traffic signal at the intersection of 24th Avenue NW and Tee Drive

The project widens 24th Avenue NW to provide exclusive left turn lanes at the Tee Drive intersection and provides a new traffic signal. Estimated federal share - $1,000,000

Roadway widening and new traffic signal at the intersection of 36th Avenue NW and Havenbrook Drive

The project widens 36th Avenue NW to provide exclusive left turn lanes at the Havenbrook Drive intersection and provides a new traffic signal. Estimated federal share - $1,000,000

New Traffic Signal at the intersection of Alameda Street and Summit Lakes Boulevard (100% Safety)

The project provides a new traffic signal at the intersection of Alameda Street and Summit Lakes Boulevard and interconnects its operation to other signals along Alameda Street. Estimated Federal Funds - $250,686

Traffic Signal Upgrade (MUTCD Compliance) (100% Safety)

The project provides upgrades several intersections throughout the City for compliance with the adopted Manual on Uniform Traffic Control Devices. Estimated Federal Funds - $280,000

Emergency Vehicle Traffic Signal Pre-Emption (100% Safety)

The project upgrades the emergency vehicle detection system at several intersections throughout the City. Estimated Federal Funds - $493,500

New sidewalks along Classen Boulevard, between Shawnee Street and Enid Street (south side) and west of 12th Avenue SE (south side)

The project addresses two sidewalk gaps along Classen Boulevard. The first location is along the south side of the road between Shawnee Street and Enid Street. The second location is a 350-foot long segment of sidewalks along the south side of Classen Boulevard immediately west of 12th Avenue SE. Estimated Federal Funds - $160,000

Pavement markings along various federal functionally classified roadways throughout the City (Phase 4) (100% Safety)

The project provides center line, lane lines, stop bars, crosswalks, arrows and other markings on various roadways throughout the City. Estimated Federal Funds - $200,000

Federal Fiscal Year 2018 - (Total Federal Funds Requested - $9,710,120)

24th Avenue East, from Lindsey Street to Robinson Street (Bond Project)
The project widens 24th Avenue East, Lindsey Street and Robinson Street, from the current two-lane roadway to a four-lane roadway with curb and gutter, storm drainage collection system,
sidewalks, bike lanes, and a new traffic signal at the Meadowood Boulevard intersection. Estimated Federal Funds - $7,540,000

Roadway widening and new traffic signal at the intersections of Rock Creek Road with 12th Avenue NW and Trailwoods Drive
The project widens the intersections of Rock Creek Road with 12th Avenue NW and Trailwoods Drive to provide exclusive left turn lanes and provides new traffic signals and interconnection. Estimated federal share - $1,416,120

Traffic Signal Upgrade (Pedestrian Push Buttons) (100% Safety)
The project provides ADA compliant pedestrian push buttons for the visually impaired at various locations throughout the City. Estimated Federal Funds - $300,000

Traffic Signal Video Detection Upgrade Phase 2) (100% Safety)
The project provides vehicle video detection systems at various signalized intersections throughout the City. Estimated Federal Funds - $454,000

Seven of the projects in the Federal Fiscal Year 2015-2018 list have not been programmed by the Oklahoma Department of Transportation. In order for this to happen and for these projects to be considered for funding, City Council needs to adopt the corresponding programming resolutions. In the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the 20% local share of the construction cost.

STAFF RECOMMENDATION: Staff recommends approval of Resolution No. R-1314-60, a federally funded project.

Resolution

R-1314-60

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR TRAFFIC SIGNAL INTERCONNECTION UPGRADE ON ROBINSON STREET, FROM PETERS AVENUE TO 12TH AVENUE NE IN NORMAN

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

1. **Traffic Signal Interconnection Upgrade on Robinson Street, between Peters Avenue and 12th Avenue NE**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $340,000 and Federal participation under the terms of the 2012 – Moving Ahead for Progress in the 21st Century (MAP-21), relating to STP/UZA - Safety funds is hereby requested in the amount of $340,000 or 100% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

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

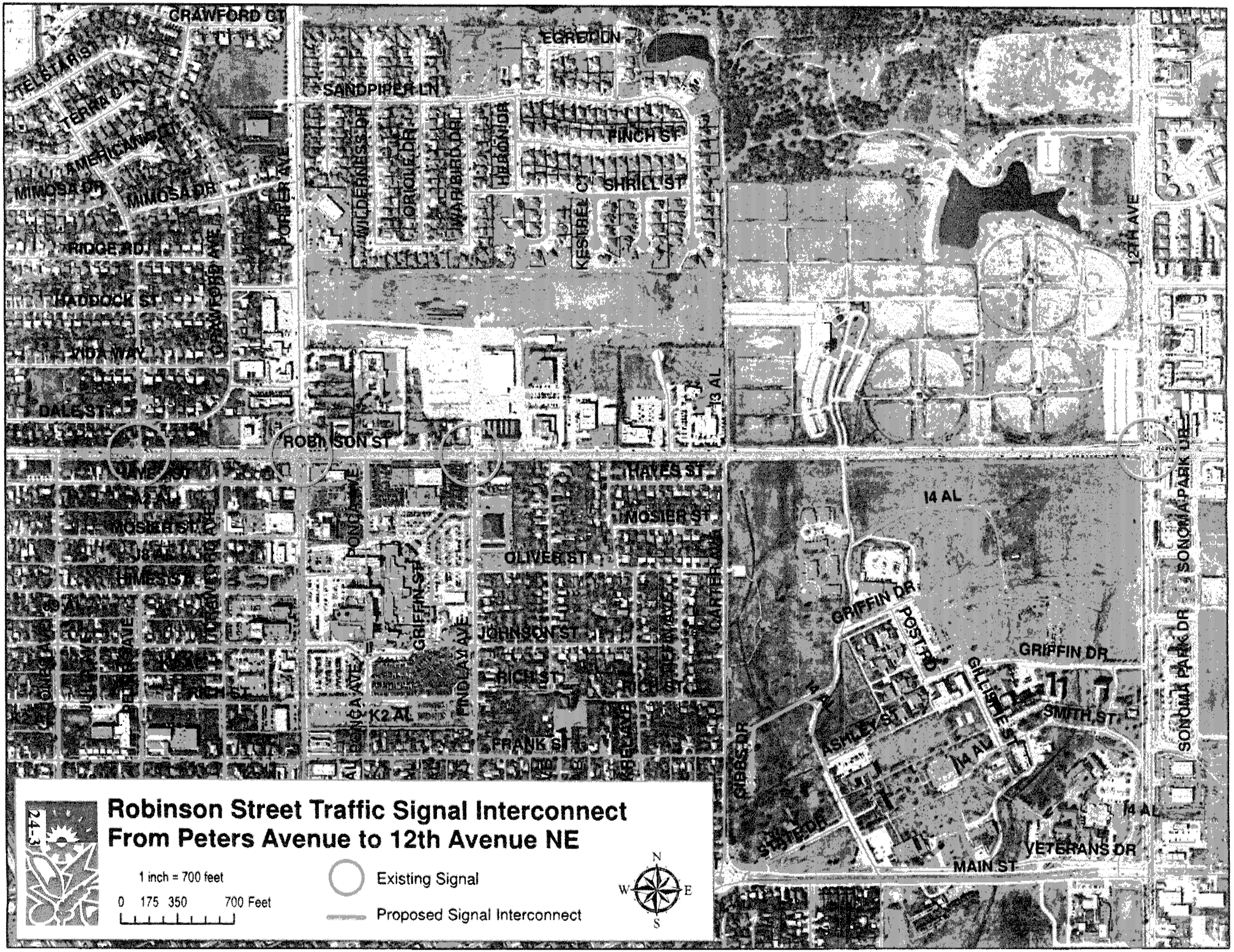
§ 9. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2013.

_____
Mayor

ATTEST:

_____
City Clerk



24-3

Robinson Street Traffic Signal Interconnect From Peters Avenue to 12th Avenue NE

1 inch = 700 feet

0 175 350 700 Feet

Existing Signal

Proposed Signal Interconnect

N W E S

City of Norman, OK

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

Master

File Number: R-1314-61

File ID:	R-1314-61	**Type:**	Resolution	**Status:**	Consent Item
Version:	2	**Reference:**	Item No. 25	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/12/2013
File Name:	24th Avenue NW & Tee Drive			**Final Action:**	

Title: RESOLUTION NO. R-1314-61: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR ROADWAY MODIFICATIONS AND A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF 24TH AVENUE N.W. AND TEE DRIVE IN NORMAN.

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-61.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 25

Attachments: Text File R-1314-61.pdf, R-1314-61 24th NW & Tee Drive, Location Map 24th Tee Drive.pdf

Project Manager: Angelo Lombardo, Transportation Engineer

Entered by: michelle.rudder@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1314-61

Body

BACKGROUND: The 2012 - Moving Ahead for Progress in the 21st Century (MAP-21) federal transportation funding bill allocates approximately $21 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost.

Every year, the Association of Central Oklahoma Governments (ACOG) coordinates a regional evaluation process that identifies transportation improvements eligible for federal funding. Individual projects are rated and compared to one another using a pre-established criterion. The process ends with the formulation of the region's transportation improvement program and the decision to use federal funds to pay for a significant portion of the cost of the higher priority projects.

DISCUSSION: On December 16, 2013, staff will submit twenty one (21) projects for consideration in the formulation of ACOG's Four-Year Transportation Improvement Program. One of the requirements for project consideration is that interested cities submit programming resolutions for each individual project. In years past,

Council has adopted resolutions for twelve of the twenty one (21) projects. The nine projects that need programming resolutions in order to be considered in the new plan are:

New traffic signal at the intersection of Rock Creek Road and Sequoyah Trail
New traffic signal at the intersection of Robinson Street and 48th Avenue NW
Robinson Street fiber optic traffic signal interconnection upgrade (from Peters Avenue to 12th Avenue SE)
Roadway widening and new traffic signal at the intersection of 24th Avenue NW and Tee Drive
Roadway widening and new traffic signal at the intersection of 36th Avenue NW and Havenbrook Drive
Traffic signal pedestrian push button upgrades at various intersections (100% Safety)
Traffic signal video detection upgrades (Phase 2) at various intersections (100% Safety)
New sidewalks along Classen Boulevard, between Shawnee Street and Enid Street (south side) and west of 12th Avenue SE (south side)
Pavement markings on various federal functionally classified roadways throughout the City (Phase 4) (100% Safety)

The specific projects by federal fiscal year are:

Federal Fiscal Year 2015 (Total Federal Funds Requested - $9,711,072)

Lindsey Street, from 24th Avenue SW to east of Berry Road (Bond Project)
This project widens Lindsey Street and provides a four-lane divided triple-canopy urban arterial roadway with curb and gutter, storm drainage collection system, sidewalks, bike lanes, new bridge over Imhoff Creek, streetscape amenities, modified traffic signals at the Lindsey Street intersections with 24th Avenue SW, McGee Drive and Berry Road, and possible new signals at the intersections of Lindsey Street with Murphy Drive and Wylie Road The estimated construction cost of $21,450,000 (including storm water drainage improvements) will be funded with federal funds (45%) and City funds (55%). Estimated Federal Funds - $9,711,072

Federal Fiscal Year 2016 - (Total Federal Funds Requested - $9,150,491)

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The project replaces the existing bridge structure over Little River and reconstructs approximately 1,000 feet of roadway on either side of the bridge. Estimated Federal Funds - $2,617,776

Main Street Bridge over Brookhaven Creek (Bond Project)
The project replaces the existing bridge structure over Brookhaven Creek, reconstructs approximately 1,000 feet of roadway on either side of the bridge and stabilizes 2,000 feet of downstream channel. Estimated Federal Funds - $3,116,240

Pavement Overlays on Lindsey Street (between Berry Road and Jenkins Avenue), Constitution Street (between Jenkins Avenue and Classen Boulevard), Imhoff Road (between Classen Boulevard and 24th Avenue SE) and Alameda Street (between 48th Avenue East and 60th Avenue East)
The project provides new pavement overlays and striping on four separate roadway segments eligible for federal funding. Estimated Federal Funds - $2,005,575

Traffic Signal Interconnect and Upgrades along Boyd Street, between Berry Road and Classen Boulevard (100% Safety)
The project provides a new fiber optic traffic signal interconnect system for the existing traffic signals along Boyd Street, between Berry Road and Classen Boulevard, and replaces the traffic signal at the University Boulevard intersection. Estimated Federal Funds - $570,000

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The project provides a new traffic signal at the intersection of Rock Creek Road and Sequoyah Trail and interconnection of traffic signals on Rock Creek Road between Porter Avenue and 12th Avenue NE. Estimated Federal Funds - $250,000

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The project provides a new traffic signal at the intersection of Robinson Street and 48th Avenue NW and

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Robinson Street fiber optic traffic signal interconnection upgrade (from Peters Avenue to 12th Avenue SE) (100% Safety)
The project replaces the existing interconnect copper wire with new fiber optic cable and adds the intersections of Robinson Street at Porter Avenue, Findlay Avenue and 12th Avenue NE to the City's Centracs Traffic Signal Management System. Estimated Federal Funds - $340,000

Federal Fiscal Year 2017 - (Total Federal Funds Requested - $9,598,886)

Alameda Street, from Ridge Lake Boulevard to 48th Avenue NW (Bond Project)
The project widens Alameda Street, between Ridge Lake Boulevard and 36th Avenue East, from the current two-lane roadway to a four-lane curb and gutter roadway, improves the intersection of Alameda Street and 36th Avenue East with the addition of dedicated turn lanes, and adds paved shoulders on Alameda Street, between 36th Avenue East and 48th Avenue East, along with an overlay of the pavement. Estimated Federal Funds - $3,641,000

12th Avenue SE, from Cedar Lane Road to State Highway 9 (Bond Project)
The project widens 12th Avenue SE, between Cedar Lane Road and State Highway 9, from the current two-lane roadway to a four-lane roadway with curb and gutter, storm drainage collection system, sidewalks, bike lanes, and capacity improvements at the 12th Avenue SE and State Highway 9 intersection. Estimated Federal Funds - $2,933,700

Roadway widening and new traffic signal at the intersection of 24th Avenue NW and Tee Drive
The project widens 24th Avenue NW to provide exclusive left turn lanes at the Tee Drive intersection and provides a new traffic signal. Estimated federal share - $1,000,000

Roadway widening and new traffic signal at the intersection of 36th Avenue NW and Havenbrook Drive
The project widens 36th Avenue NW to provide exclusive left turn lanes at the Havenbrook Drive intersection and provides a new traffic signal. Estimated federal share - $1,000,000

New Traffic Signal at the intersection of Alameda Street and Summit Lakes Boulevard (100% Safety)
The project provides a new traffic signal at the intersection of Alameda Street and Summit Lakes Boulevard and interconnects its operation to other signals along Alameda Street. Estimated Federal Funds - $250,686

Traffic Signal Upgrade (MUTCD Compliance) (100% Safety)
The project provides upgrades several intersections throughout the City for compliance with the adopted Manual on Uniform Traffic Control Devices. Estimated Federal Funds - $280,000

Emergency Vehicle Traffic Signal Pre-Emption (100% Safety)
The project upgrades the emergency vehicle detection system at several intersections throughout the City. Estimated Federal Funds - $493,500

New sidewalks along Classen Boulevard, between Shawnee Street and Enid Street (south side) and west of 12th Avenue SE (south side)
The project addresses two sidewalk gaps along Classen Boulevard. The first location is along the south side of the road between Shawnee Street and Enid Street. The second location is a 350-foot long segment of sidewalks along the south side of Classen Boulevard immediately west of 12th Avenue SE. Estimated Federal Funds - $160,000

Pavement markings along various federal functionally classified roadways throughout the City (Phase 4) (100% Safety)
The project provides center line, lane lines, stop bars, crosswalks, arrows and other markings on various roadways throughout the City. Estimated Federal Funds - $200,000

Federal Fiscal Year 2018 - (Total Federal Funds Requested - $9,710,120)

24th Avenue East, from Lindsey Street to Robinson Street (Bond Project)
The project widens 24th Avenue East, Lindsey Street and Robinson Street, from the current two-lane roadway to a four-lane roadway with curb and gutter, storm drainage collection system,
sidewalks, bike lanes, and a new traffic signal at the Meadowood Boulevard intersection. Estimated Federal Funds - $7,540,000

Roadway widening and new traffic signal at the intersections of Rock Creek Road with 12th Avenue NW and Trailwoods Drive
The project widens the intersections of Rock Creek Road with 12th Avenue NW and Trailwoods Drive to provide exclusive left turn lanes and provides new traffic signals and interconnection. Estimated federal share - $1,416,120

Traffic Signal Upgrade (Pedestrian Push Buttons) (100% Safety)
The project provides ADA compliant pedestrian push buttons for the visually impaired at various locations throughout the City. Estimated Federal Funds - $300,000

Traffic Signal Video Detection Upgrade Phase 2) (100% Safety)
The project provides vehicle video detection systems at various signalized intersections throughout the City. Estimated Federal Funds - $454,000

Seven of the projects in the Federal Fiscal Year 2015-2018 list have not been programmed by the Oklahoma Department of Transportation. In order for this to happen and for these projects to be considered for funding, City Council needs to adopt the corresponding programming resolutions. In the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the 20% local share of the construction cost.

STAFF RECOMMENDATION: Staff recommends approval of this resolution, a federally funded project.

Resolution

R-1314-61

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR ROADWAY MODIFICATIONS AND A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF 24TH AVENUE NW AND TEE DRIVE IN NORMAN

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

1. **Roadway modifications and new traffic signal at the intersection of 24th Avenue NW and Tee Drive**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $1,000,000 and Federal participation under the terms of the 2012 – Moving Ahead for Progress in the 21st Century (MAP-21), relating to STP/UZA - Safety funds is hereby requested in the amount of $800,000 or 80% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

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

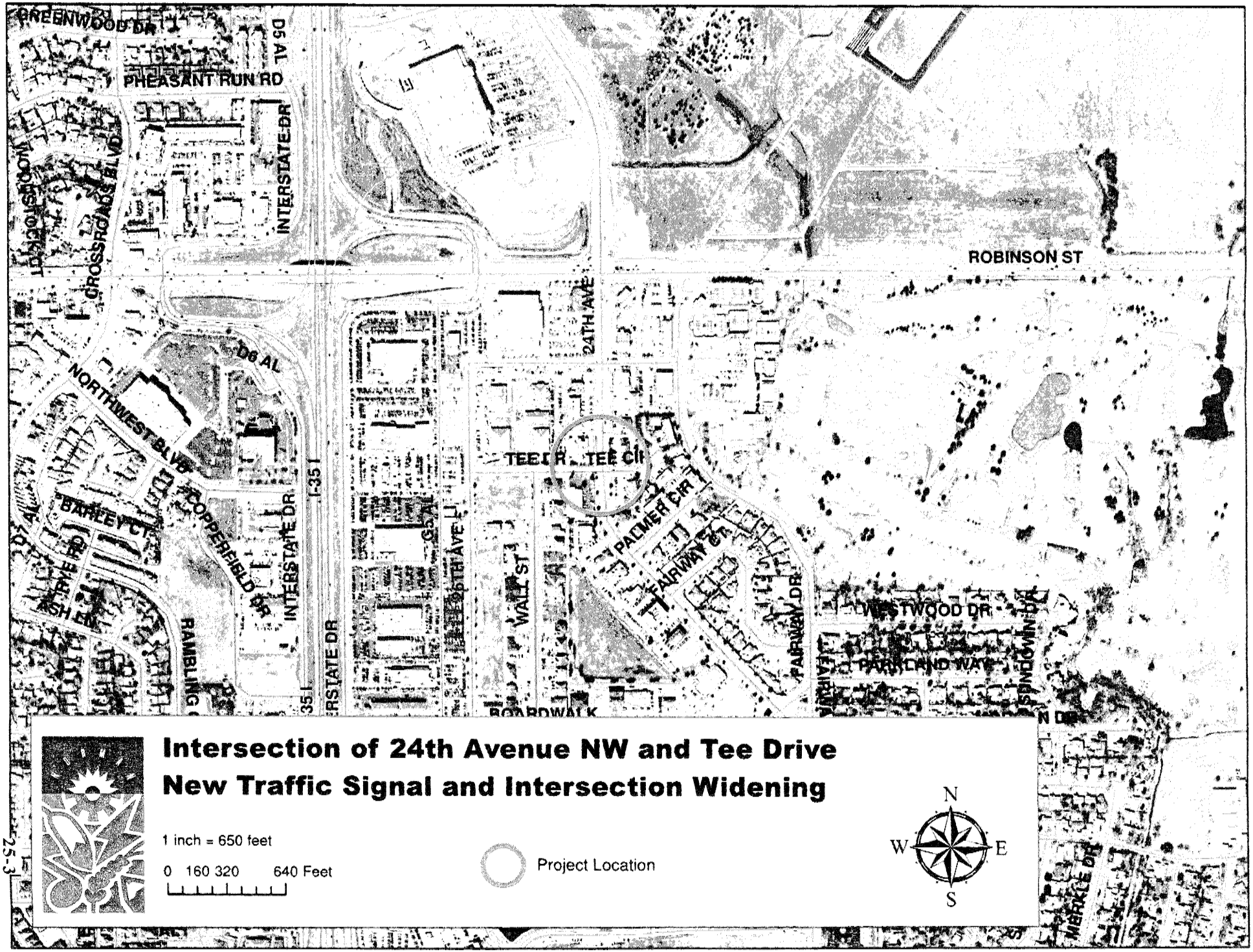
§ 9. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2013.

_____
Mayor

ATTEST:

_____
City Clerk



Intersection of 24th Avenue NW and Tee Drive
New Traffic Signal and Intersection Widening

1 inch = 650 feet

0 160 320 640 Feet

Project Location

City of Norman, OK

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

Master

File Number: R-1314-62

File ID:	R-1314-62	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 26	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/12/2013
File Name:	36th Avenue NW & Havenbrook			**Final Action:**	

Title: RESOLUTION NO. R-1314-62: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR ROADWAY MODIFICATIONS AND A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF 36TH AVENUE N.W. AND HAVENBROOK STREET IN NORMAN.

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-62.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 26

Attachments: Text File R-1314-62.pdf, R-1314-62 36th NW & Havenbrook, Location Map 36th and Havenbrook.pdf

Project Manager: Angelo Lombardo, Transportation Engineer

Entered by: michelle.rudder@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1314-62

Body

BACKGROUND: The 2012 - Moving Ahead for Progress in the 21st Century (MAP-21) federal transportation funding bill allocates approximately $21 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost.

Every year, the Association of Central Oklahoma Governments (ACOG) coordinates a regional evaluation process that identifies transportation improvements eligible for federal funding. Individual projects are rated and compared to one another using a pre-established criterion. The process ends with the formulation of the region's transportation improvement program and the decision to use federal funds to pay for a significant portion of the cost of the higher priority projects.

DISCUSSION: On December 16, 2013, staff will submit twenty one (21) projects for consideration in the formulation of ACOG's Four-Year Transportation Improvement Program. One of the requirements for project consideration is that interested cities submit programming resolutions for each individual project. In years past,

Council has adopted resolutions for twelve of the twenty one (21) projects. The nine projects that need programming resolutions in order to be considered in the new plan are:

New traffic signal at the intersection of Rock Creek Road and Sequoyah Trail
New traffic signal at the intersection of Robinson Street and 48th Avenue NW
Robinson Street fiber optic traffic signal interconnection upgrade (from Peters Avenue to 12th Avenue SE)
Roadway widening and new traffic signal at the intersection of 24th Avenue NW and Tee Drive
Roadway widening and new traffic signal at the intersection of 36th Avenue NW and Havenbrook Drive
Traffic signal pedestrian push button upgrades at various intersections (100% Safety)
Traffic signal video detection upgrades (Phase 2) at various intersections (100% Safety)
New sidewalks along Classen Boulevard, between Shawnee Street and Enid Street (south side) and west of 12th Avenue SE (south side)
Pavement markings on various federal functionally classified roadways throughout the City (Phase 4) (100% Safety)

The specific projects by federal fiscal year are:

Federal Fiscal Year 2015 (Total Federal Funds Requested - $9,711,072)

Lindsey Street, from 24th Avenue SW to east of Berry Road (Bond Project)
This project widens Lindsey Street and provides a four-lane divided triple-canopy urban arterial roadway with curb and gutter, storm drainage collection system, sidewalks, bike lanes, new bridge over Imhoff Creek, streetscape amenities, modified traffic signals at the Lindsey Street intersections with 24th Avenue SW, McGee Drive and Berry Road, and possible new signals at the intersections of Lindsey Street with Murphy Drive and Wylie Road The estimated construction cost of $21,450,000 (including storm water drainage improvements) will be funded with federal funds (45%) and City funds (55%). Estimated Federal Funds - $9, 711,072

Federal Fiscal Year 2016 - (Total Federal Funds Requested - $9,150,491)

Franklin Road Bridge over Little River (Bond Project)
The project replaces the existing bridge structure over Little River and reconstructs approximately 1,000 feet of roadway on either side of the bridge. Estimated Federal Funds - $2,617,776

Main Street Bridge over Brookhaven Creek (Bond Project)
The project replaces the existing bridge structure over Brookhaven Creek, reconstructs approximately 1,000 feet of roadway on either side of the bridge and stabilizes 2,000 feet of downstream channel. Estimated Federal Funds - $3,116,240

Pavement Overlays on Lindsey Street (between Berry Road and Jenkins Avenue), Constitution Street (between Jenkins Avenue and Classen Boulevard), Imhoff Road (between Classen Boulevard and 24th Avenue SE) and Alameda Street (between 48th Avenue East and 60th Avenue East)
The project provides new pavement overlays and striping on four separate roadway segments eligible for federal funding. Estimated Federal Funds - $2,005,575

Traffic Signal Interconnect and Upgrades along Boyd Street, between Berry Road and Classen Boulevard (100% Safety)
The project provides a new fiber optic traffic signal interconnect system for the existing traffic signals along Boyd Street, between Berry Road and Classen Boulevard, and replaces the traffic signal at the University Boulevard intersection. Estimated Federal Funds - $570,000

New Traffic Signal at the intersection of Rock Creek Road and Sequoyah Trail (100% Safety)
The project provides a new traffic signal at the intersection of Rock Creek Road and Sequoyah Trail and interconnection of traffic signals on Rock Creek Road between Porter Avenue and 12th Avenue NE. Estimated Federal Funds - $250,000

New Traffic Signal at the intersection of Robinson Street and 48th Avenue NW (100% Safety)
The project provides a new traffic signal at the intersection of Robinson Street and 48th Avenue NW and

provides interconnection to the Robinson Street system that begins at Brookhaven Boulevard. Estimated Federal Funds - $250,000

Robinson Street fiber optic traffic signal interconnection upgrade (from Peters Avenue to 12th Avenue SE) (100% Safety)
The project replaces the existing interconnect copper wire with new fiber optic cable and adds the intersections of Robinson Street at Porter Avenue, Findlay Avenue and 12th Avenue NE to the City's Centracs Traffic Signal Management System. Estimated Federal Funds - $340,000

Federal Fiscal Year 2017 - (Total Federal Funds Requested - $9,598,886)

Alameda Street, from Ridge Lake Boulevard to 48th Avenue NW (Bond Project)
The project widens Alameda Street, between Ridge Lake Boulevard and 36th Avenue East, from the current two-lane roadway to a four-lane curb and gutter roadway, improves the intersection of Alameda Street and 36th Avenue East with the addition of dedicated turn lanes, and adds paved shoulders on Alameda Street, between 36th Avenue East and 48th Avenue East, along with an overlay of the pavement. Estimated Federal Funds - $3,641,000

12th Avenue SE, from Cedar Lane Road to State Highway 9 (Bond Project)
The project widens 12th Avenue SE, between Cedar Lane Road and State Highway 9, from the current two-lane roadway to a four-lane roadway with curb and gutter, storm drainage collection system, sidewalks, bike lanes, and capacity improvements at the 12th Avenue SE and State Highway 9 intersection. Estimated Federal Funds - $2,933,700

Roadway widening and new traffic signal at the intersection of 24th Avenue NW and Tee Drive
The project widens 24th Avenue NW to provide exclusive left turn lanes at the Tee Drive intersection and provides a new traffic signal. Estimated federal share - $1,000,000

Roadway widening and new traffic signal at the intersection of 36th Avenue NW and Havenbrook Drive
The project widens 36th Avenue NW to provide exclusive left turn lanes at the Havenbrook Drive intersection and provides a new traffic signal. Estimated federal share - $1,000,000

New Traffic Signal at the intersection of Alameda Street and Summit Lakes Boulevard (100% Safety)
The project provides a new traffic signal at the intersection of Alameda Street and Summit Lakes Boulevard and interconnects its operation to other signals along Alameda Street. Estimated Federal Funds - $250,686

Traffic Signal Upgrade (MUTCD Compliance) (100% Safety)
The project provides upgrades several intersections throughout the City for compliance with the adopted Manual on Uniform Traffic Control Devices. Estimated Federal Funds - $280,000

Emergency Vehicle Traffic Signal Pre-Emption (100% Safety)
The project upgrades the emergency vehicle detection system at several intersections throughout the City. Estimated Federal Funds - $493,500

New sidewalks along Classen Boulevard, between Shawnee Street and Enid Street (south side) and west of 12th Avenue SE (south side)
The project addresses two sidewalk gaps along Classen Boulevard. The first location is along the south side of the road between Shawnee Street and Enid Street. The second location is a 350-foot long segment of sidewalks along the south side of Classen Boulevard immediately west of 12th Avenue SE. Estimated Federal Funds - $160,000

Pavement markings along various federal functionally classified roadways throughout the City (Phase 4) (100% Safety)
The project provides center line, lane lines, stop bars, crosswalks, arrows and other markings on various roadways throughout the City. Estimated Federal Funds - $200,000

Federal Fiscal Year 2018 - (Total Federal Funds Requested - $9,710,120)

24th Avenue East, from Lindsey Street to Robinson Street (Bond Project)
The project widens 24th Avenue East, Lindsey Street and Robinson Street, from the current two-lane roadway to a four-lane roadway with curb and gutter, storm drainage collection system,
sidewalks, bike lanes, and a new traffic signal at the Meadowood Boulevard intersection. Estimated Federal Funds - $7,540,000

Roadway widening and new traffic signal at the intersections of Rock Creek Road with 12th Avenue NW and Trailwoods Drive
The project widens the intersections of Rock Creek Road with 12th Avenue NW and Trailwoods Drive to provide exclusive left turn lanes and provides new traffic signals and interconnection. Estimated federal share - $1,416,120

Traffic Signal Upgrade (Pedestrian Push Buttons) (100% Safety)
The project provides ADA compliant pedestrian push buttons for the visually impaired at various locations throughout the City. Estimated Federal Funds - $300,000

Traffic Signal Video Detection Upgrade Phase 2) (100% Safety)
The project provides vehicle video detection systems at various signalized intersections throughout the City. Estimated Federal Funds - $454,000

Seven of the projects in the Federal Fiscal Year 2015-2018 list have not been programmed by the Oklahoma Department of Transportation. In order for this to happen and for these projects to be considered for funding, City Council needs to adopt the corresponding programming resolutions. In the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the 20% local share of the construction cost.

STAFF RECOMMENDATION: Staff recommends approval of this resolution, a federally funded project.

Resolution

R-1314-62

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR ROADWAY MODIFICATIONS AND A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF 36TH AVENUE NW AND HAVENBROOK STREET IN NORMAN

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

1. **Roadway modifications and new traffic signal at the intersection of 36th Avenue NW and Havenbrook Street**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $1,000,000 and Federal participation under the terms of the 2012 – Moving Ahead for Progress in the 21st Century (MAP-21), relating to STP/UZA - Safety funds is hereby requested in the amount of $800,000 or 80% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

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

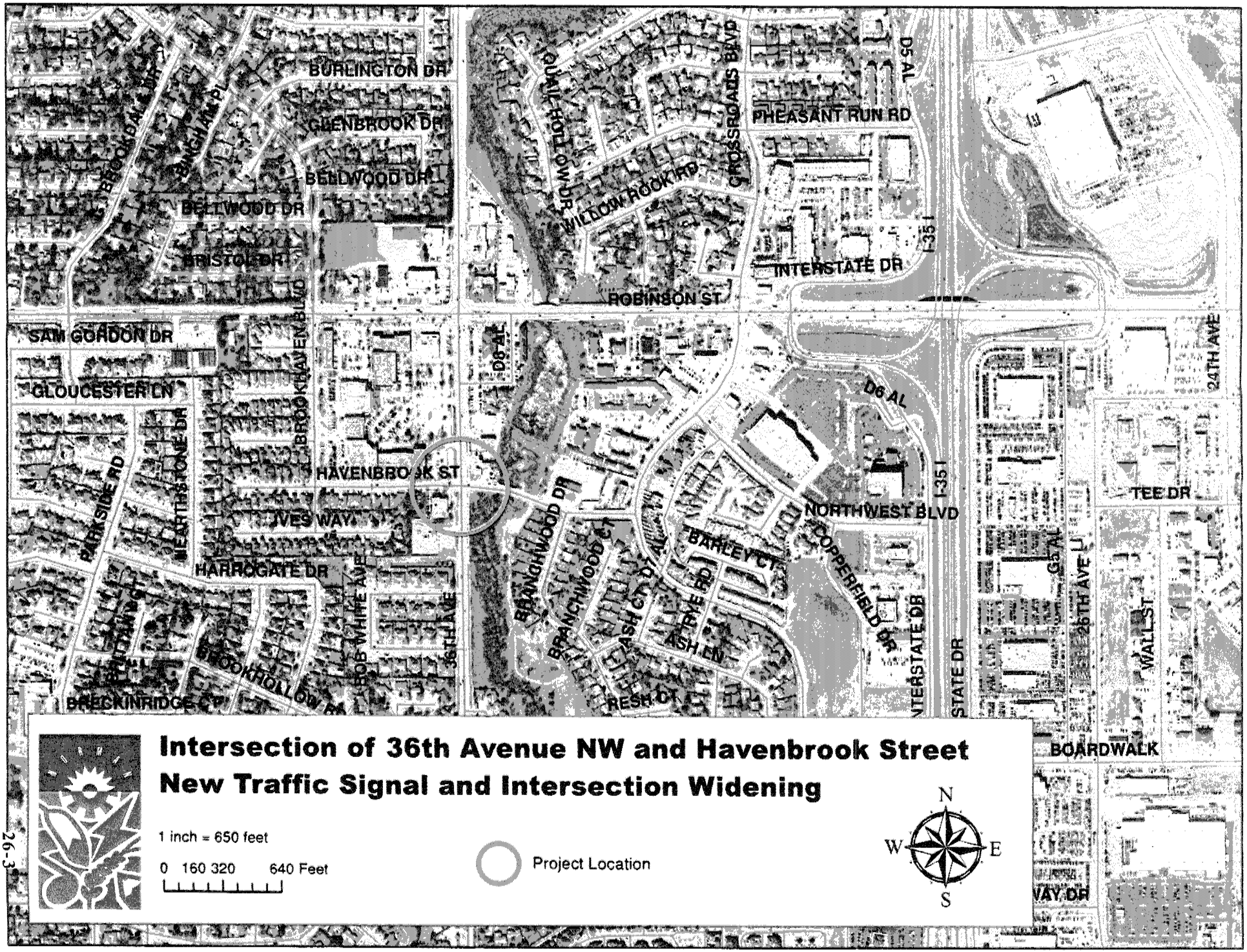
§ 9. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2013.

_____
Mayor

ATTEST:

_____
City Clerk



Intersection of 36th Avenue NW and Havenbrook Street
New Traffic Signal and Intersection Widening

1 inch = 650 feet

0 160 320 640 Feet

Project Location

N W E S

26-3

City of Norman, OK

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

Master

File Number: R-1314-63

File ID:	R-1314-63	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 27	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/12/2013
File Name:	Traffic Signal Push Button Upgrade			**Final Action:**	

Title: RESOLUTION NO. R-1314-63: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR TRAFFIC SIGNAL UPGRADES CITYWIDE.

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-63.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 27

Attachments: Text File R-1314-63.pdf, R-1314-63 Traffic Signal Pedestrian Push Button Upgrades, Location Map Pedestrian Push Buttons.pdf

Project Manager: Angelo Lombardo, Transportation Engineer

Entered by: michelle.rudder@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1314-63

Body

BACKGROUND: The 2012 - Moving Ahead for Progress in the 21st Century (MAP-21) federal transportation funding bill allocates approximately $21 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost.

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Federal Fiscal Year 2018 - (Total Federal Funds Requested - $9,710,120)

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STAFF RECOMMENDATION: Staff recommends approval of this resolution, a federally funded project.

Resolution

R-1314-63

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR TRAFFIC SIGNAL UPGRADES CITYWIDE

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

1. **Traffic signal pedestrian push button upgrades at various intersections citywide**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $300,000 and Federal participation under the terms of the 2012 – Moving Ahead for Progress in the 21st Century (MAP-21), relating to STP/UZA - Safety funds is hereby requested in the amount of $300,000 or 100% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

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

§ 9. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

Traffic Signal Locations
Pedestrian Push Buttons Upgrade
1 inch = 3,000 feet
0 650 1,300 2,600 Feet
Traffic Signal Location
N
S
W
E
27-3

City of Norman, OK

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

Master

File Number: R-1314-64

File ID:	R-1314-64	**Type:**	Resolution	**Status:**	Consent Item
Version:	2	**Reference:**	Item No. 28	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/12/2013
File Name:	Traffic Signal Vehicle Video Detection Upgrades Citywide			**Final Action:**	

Title: RESOLUTION NO. R1314-64: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR TRAFFIC SIGNAL VEHICLE VIDEO DETECTION UPGRADES CITYWIDE.

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-64.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 28

Attachments: Text File R-1314-64.pdf, R-1314-64 Traffic Signal Vehicle Video Detection Upgrade (Phase 2), Location Map Video Detection.pdf

Project Manager: Angelo Lombardo, Transportation Engineer

Entered by: michelle.rudder@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1314-64

Body

BACKGROUND: The 2012 - Moving Ahead for Progress in the 21st Century (MAP-21) federal transportation funding bill allocates approximately $21 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost.

Every year, the Association of Central Oklahoma Governments (ACOG) coordinates a regional evaluation process that identifies transportation improvements eligible for federal funding. Individual projects are rated and compared to one another using a pre-established criterion. The process ends with the formulation of the region's transportation improvement program and the decision to use federal funds to pay for a significant portion of the cost of the higher priority projects.

DISCUSSION: On December 16, 2013, staff will submit twenty one (21) projects for consideration in the formulation of ACOG's Four-Year Transportation Improvement Program. One of the requirements for project

consideration is that interested cities submit programming resolutions for each individual project. In years past, Council has adopted resolutions for twelve of the twenty one (21) projects. The nine projects that need programming resolutions in order to be considered in the new plan are:

New traffic signal at the intersection of Rock Creek Road and Sequoyah Trail
New traffic signal at the intersection of Robinson Street and 48th Avenue NW
Robinson Street fiber optic traffic signal interconnection upgrade (from Peters Avenue to 12th Avenue SE)
Roadway widening and new traffic signal at the intersection of 24th Avenue NW and Tee Drive
Roadway widening and new traffic signal at the intersection of 36th Avenue NW and Havenbrook Drive
Traffic signal pedestrian push button upgrades at various intersections (100% Safety)
Traffic signal video detection upgrades (Phase 2) at various intersections (100% Safety)
New sidewalks along Classen Boulevard, between Shawnee Street and Enid Street (south side) and west of 12th Avenue SE (south side)
Pavement markings on various federal functionally classified roadways throughout the City (Phase 4) (100% Safety)

The specific projects by federal fiscal year are:

Federal Fiscal Year 2015 (Total Federal Funds Requested - $9,711,072)

Lindsey Street, from 24th Avenue SW to east of Berry Road (Bond Project)
This project widens Lindsey Street and provides a four-lane divided triple-canopy urban arterial roadway with curb and gutter, storm drainage collection system, sidewalks, bike lanes, new bridge over Imhoff Creek, streetscape amenities, modified traffic signals at the Lindsey Street intersections with 24th Avenue SW, McGee Drive and Berry Road, and possible new signals at the intersections of Lindsey Street with Murphy Drive and Wylie Road The estimated construction cost of $21,450,000 (including storm water drainage improvements) will be funded with federal funds (45%) and City funds (55%). Estimated Federal Funds - $9,711,072

Federal Fiscal Year 2016 - (Total Federal Funds Requested - $9,150,491)

Franklin Road Bridge over Little River (Bond Project)
The project replaces the existing bridge structure over Little River and reconstructs approximately 1,000 feet of roadway on either side of the bridge. Estimated Federal Funds - $2,617,776

Main Street Bridge over Brookhaven Creek (Bond Project)
The project replaces the existing bridge structure over Brookhaven Creek, reconstructs approximately 1,000 feet of roadway on either side of the bridge and stabilizes 2,000 feet of downstream channel. Estimated Federal Funds - $3,116,240

Pavement Overlays on Lindsey Street (between Berry Road and Jenkins Avenue), Constitution Street (between Jenkins Avenue and Classen Boulevard), Imhoff Road (between Classen Boulevard and 24th Avenue SE) and Alameda Street (between 48th Avenue East and 60th Avenue East)
The project provides new pavement overlays and striping on four separate roadway segments eligible for federal funding. Estimated Federal Funds - $2,005,575

Traffic Signal Interconnect and Upgrades along Boyd Street, between Berry Road and Classen Boulevard (100% Safety)
The project provides a new fiber optic traffic signal interconnect system for the existing traffic signals along Boyd Street, between Berry Road and Classen Boulevard, and replaces the traffic signal at the University Boulevard intersection. Estimated Federal Funds - $570,000

New Traffic Signal at the intersection of Rock Creek Road and Sequoyah Trail (100% Safety)
The project provides a new traffic signal at the intersection of Rock Creek Road and Sequoyah Trail and interconnection of traffic signals on Rock Creek Road between Porter Avenue and 12th Avenue NE. Estimated Federal Funds - $250,000

New Traffic Signal at the intersection of Robinson Street and 48th Avenue NW (100% Safety)

The project provides a new traffic signal at the intersection of Robinson Street and 48th Avenue NW and provides interconnection to the Robinson Street system that begins at Brookhaven Boulevard. Estimated Federal Funds - $250,000

Robinson Street fiber optic traffic signal interconnection upgrade (from Peters Avenue to 12th Avenue SE) (100% Safety)

The project replaces the existing interconnect copper wire with new fiber optic cable and adds the intersections of Robinson Street at Porter Avenue, Findlay Avenue and 12th Avenue NE to the City's Centracs Traffic Signal Management System. Estimated Federal Funds - $340,000

Federal Fiscal Year 2017 - (Total Federal Funds Requested - $9,598,886)

Alameda Street, from Ridge Lake Boulevard to 48th Avenue NW (Bond Project)

The project widens Alameda Street, between Ridge Lake Boulevard and 36th Avenue East, from the current two-lane roadway to a four-lane curb and gutter roadway, improves the intersection of Alameda Street and 36th Avenue East with the addition of dedicated turn lanes, and adds paved shoulders on Alameda Street, between 36th Avenue East and 48th Avenue East, along with an overlay of the pavement. Estimated Federal Funds - $3,641,000

12th Avenue SE, from Cedar Lane Road to State Highway 9 (Bond Project)

The project widens 12th Avenue SE, between Cedar Lane Road and State Highway 9, from the current two-lane roadway to a four-lane roadway with curb and gutter, storm drainage collection system, sidewalks, bike lanes, and capacity improvements at the 12th Avenue SE and State Highway 9 intersection. Estimated Federal Funds - $2,933,700

Roadway widening and new traffic signal at the intersection of 24th Avenue NW and Tee Drive

The project widens 24th Avenue NW to provide exclusive left turn lanes at the Tee Drive intersection and provides a new traffic signal. Estimated federal share - $1,000,000

Roadway widening and new traffic signal at the intersection of 36th Avenue NW and Havenbrook Drive

The project widens 36th Avenue NW to provide exclusive left turn lanes at the Havenbrook Drive intersection and provides a new traffic signal. Estimated federal share - $1,000,000

New Traffic Signal at the intersection of Alameda Street and Summit Lakes Boulevard (100% Safety)

The project provides a new traffic signal at the intersection of Alameda Street and Summit Lakes Boulevard and interconnects its operation to other signals along Alameda Street. Estimated Federal Funds - $250,686

Traffic Signal Upgrade (MUTCD Compliance) (100% Safety)

The project provides upgrades several intersections throughout the City for compliance with the adopted Manual on Uniform Traffic Control Devices. Estimated Federal Funds - $280,000

Emergency Vehicle Traffic Signal Pre-Emption (100% Safety)

The project upgrades the emergency vehicle detection system at several intersections throughout the City. Estimated Federal Funds - $493,500

New sidewalks along Classen Boulevard, between Shawnee Street and Enid Street (south side) and west of 12th Avenue SE (south side)

The project addresses two sidewalk gaps along Classen Boulevard. The first location is along the south side of the road between Shawnee Street and Enid Street. The second location is a 350-foot long segment of sidewalks along the south side of Classen Boulevard immediately west of 12th Avenue SE. Estimated Federal Funds - $160,000

Pavement markings along various federal functionally classified roadways throughout the City (Phase 4) (100% Safety)

The project provides center line, lane lines, stop bars, crosswalks, arrows and other markings on various roadways throughout the City. Estimated Federal Funds - $200,000

Federal Fiscal Year 2018 - (Total Federal Funds Requested - $9,710,120)

24th Avenue East, from Lindsey Street to Robinson Street (Bond Project)
The project widens 24th Avenue East, Lindsey Street and Robinson Street, from the current two-lane roadway to a four-lane roadway with curb and gutter, storm drainage collection system,
sidewalks, bike lanes, and a new traffic signal at the Meadowood Boulevard intersection. Estimated Federal Funds - $7,540,000

Roadway widening and new traffic signal at the intersections of Rock Creek Road with 12th Avenue NW and Trailwoods Drive
The project widens the intersections of Rock Creek Road with 12th Avenue NW and Trailwoods Drive to provide exclusive left turn lanes and provides new traffic signals and interconnection. Estimated federal share - $1,416,120

Traffic Signal Upgrade (Pedestrian Push Buttons) (100% Safety)
The project provides ADA compliant pedestrian push buttons for the visually impaired at various locations throughout the City. Estimated Federal Funds - $300,000

Traffic Signal Video Detection Upgrade Phase 2) (100% Safety)
The project provides vehicle video detection systems at various signalized intersections throughout the City. Estimated Federal Funds - $454,000

Seven of the projects in the Federal Fiscal Year 2015-2018 list have not been programmed by the Oklahoma Department of Transportation. In order for this to happen and for these projects to be considered for funding, City Council needs to adopt the corresponding programming resolutions. In the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the 20% local share of the construction cost.

STAFF RECOMMENDATION: Staff recommends approval of this resolution, a federally funded project.

Resolution

R-1314-64

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR TRAFFIC SIGNAL VEHICLE VIDEO DETECTION UPGRADES CITYWIDE

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

1. **Installation of new traffic signal video detection systems at several signalized intersections citywide (Phase 2)**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $454,000 and Federal participation under the terms of the 2012 – Moving Ahead for Progress in the 21st Century (MAP-21), relating to STP/UZA - Safety funds is hereby requested in the amount of $454,000 or 100% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

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

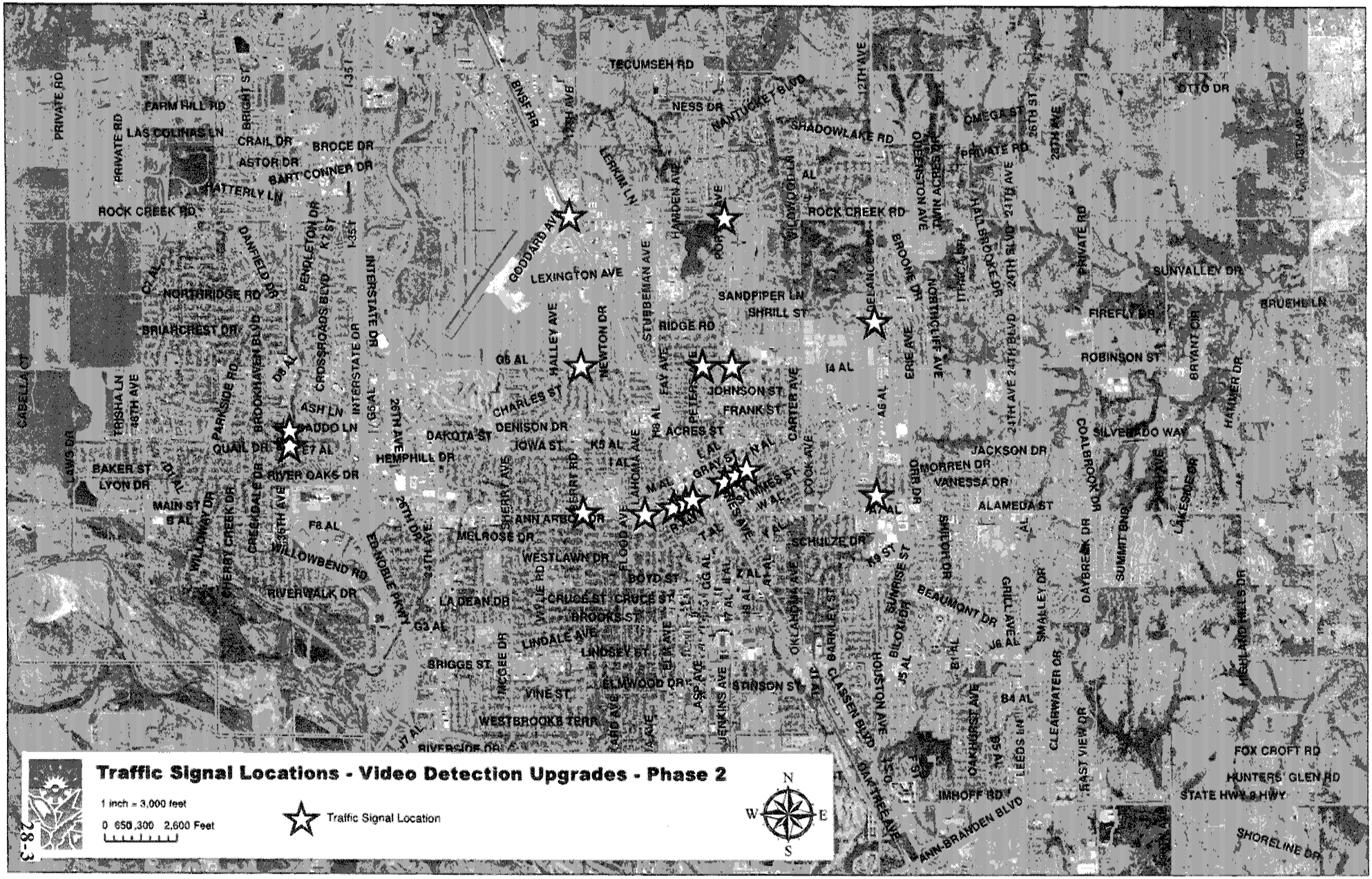
§ 9. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2013.

_____
Mayor

ATTEST:

_____
City Clerk


Traffic Signal Locations - Video Detection Upgrades - Phase 2
1 inch = 3,000 feet
0 650 1,300 2,600 Feet
Traffic Signal Location
N
W
E
S
TECUMSEH RD
NESS DR
NANTUCKET BLVD
SHADOWLAKE RD
OMEGA ST
OTTO DR
FARM HILL RD
LAS COLINAS LN
CRAIL DR
BROCE DR
ASTOR DR
BART CONNER DR
HATTERLY LN
ROCK CREEK RD
GODDARD AVE
LEXINGTON AVE
SANDPIPER LN
SHRILL ST
RIDGE RD
JOHNSON ST
FRANK ST
SUNVALLEY DR
FIREFLY DR
ROBINSON ST
BRUEHL LN
BRYANT DR
NORTHRIDGE RD
BRIARCREST DR
CROSSROADS BLVD
INTERSTATE DR
ASH LN
QUAIL DR
RIVER OAKS DR
HEMPHILL DR
DAKOTA ST
DENISON DR
IOWA ST
ACRES ST
JACKSON DR
MORREN DR
VANESSA DR
ALAMEDA ST
SILVERADO WAY
BAKER ST
LYON DR
MAIN ST
WILLOWBEND RD
RIVERWALK DR
ANN ARBOR DR
MELROSE DR
WESTLAWN DR
BOYD ST
SCHULZE DR
BEAUMONT DR
LA DEAN DR
CRUGE ST
BROOKS ST
LINDALE AVE
LINDSEY ST
ELMWOOD DR
BRIGGS ST
VINE ST
WESTBROOKS TERR
STINSON ST
FOX CROFT RD
HUNTERS GLEN RD
STATE HWY 9 HWY
IMHOFF RD
SHORELINE DR
28-3

City of Norman, OK

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

Master

File Number: R-1314-68

File ID:	R-1314-68	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 29	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/12/2013
File Name:	Classen Sidewalks			**Final Action:**	

Title: RESOLUTION NO. R-1314-68: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR THE CONSTRUCTION OF SIDEWALKS ALONG CLASSEN BOULEVARD, BETWEEN SHAWNEE STREET AND ENID STREET, AND WEST OF 12TH AVENUE SE.

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-68.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 29

Attachments: Text File K-1314-68.pdf, R-1314-68.pdf, Location Map Classen Sidewalks.pdf

Project Manager: Angelo Lombardo, Transportation Engineer

Entered by: michelle.rudder@NormanOK.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1314-68

body

BACKGROUND: The 2012 - Moving Ahead for Progress in the 21st Century (MAP-21) federal transportation funding bill allocates approximately $21 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost.

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DISCUSSION: On December 16, 2013, staff will submit twenty one (21) projects for consideration in the formulation of ACOG's Four-Year Transportation Improvement Program. One of the requirements for project consideration is that interested cities submit programming resolutions for each individual project. In years past,

Council has adopted resolutions for twelve of the twenty one (21) projects. The nine projects that need programming resolutions in order to be considered in the new plan are:

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New traffic signal at the intersection of Robinson Street and 48th Avenue NW
Robinson Street fiber optic traffic signal interconnection upgrade (from Peters Avenue to 12th Avenue SE)
Roadway widening and new traffic signal at the intersection of 24th Avenue NW and Tee Drive
Roadway widening and new traffic signal at the intersection of 36th Avenue NW and Havenbrook Drive
Traffic signal pedestrian push button upgrades at various intersections (100% Safety)
Traffic signal video detection upgrades (Phase 2) at various intersections (100% Safety)
New sidewalks along Classen Boulevard, between Shawnee Street and Enid Street (south side) and west of 12th Avenue SE (south side)
Pavement markings on various federal functionally classified roadways throughout the City (Phase 4) (100% Safety)

The specific projects by federal fiscal year are:

Federal Fiscal Year 2015 (Total Federal Funds Requested - $9,711,072)

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This project widens Lindsey Street and provides a four-lane divided triple-canopy urban arterial roadway with curb and gutter, storm drainage collection system, sidewalks, bike lanes, new bridge over Imhoff Creek, streetscape amenities, modified traffic signals at the Lindsey Street intersections with 24th Avenue SW, McGee Drive and Berry Road, and possible new signals at the intersections of Lindsey Street with Murphy Drive and Wylie Road The estimated construction cost of $21,450,000 (including storm water drainage improvements) will be funded with federal funds (45%) and City funds (55%). Estimated Federal Funds - $9, 711,072

Federal Fiscal Year 2016 - (Total Federal Funds Requested - $9,150,491)

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The project provides new pavement overlays and striping on four separate roadway segments eligible for federal funding. Estimated Federal Funds - $2,005,575

Traffic Signal Interconnect and Upgrades along Boyd Street, between Berry Road and Classen Boulevard (100% Safety)
The project provides a new fiber optic traffic signal interconnect system for the existing traffic signals along Boyd Street, between Berry Road and Classen Boulevard, and replaces the traffic signal at the University Boulevard intersection. Estimated Federal Funds - $570,000

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The project provides a new traffic signal at the intersection of Rock Creek Road and Sequoyah Trail and interconnection of traffic signals on Rock Creek Road between Porter Avenue and 12th Avenue NE. Estimated Federal Funds - $250,000

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provides interconnection to the Robinson Street system that begins at Brookhaven Boulevard. Estimated Federal Funds - $250,000

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The project replaces the existing interconnect copper wire with new fiber optic cable and adds the intersections of Robinson Street at Porter Avenue, Findlay Avenue and 12th Avenue NE to the City's Centracs Traffic Signal Management System. Estimated Federal Funds - $340,000

Federal Fiscal Year 2017 - (Total Federal Funds Requested - $9,598,886)

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12th Avenue SE, from Cedar Lane Road to State Highway 9 (Bond Project)
The project widens 12th Avenue SE, between Cedar Lane Road and State Highway 9, from the current two-lane roadway to a four-lane roadway with curb and gutter, storm drainage collection system, sidewalks, bike lanes, and capacity improvements at the 12th Avenue SE and State Highway 9 intersection. Estimated Federal Funds - $2,933,700

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Roadway widening and new traffic signal at the intersection of 36th Avenue NW and Havenbrook Drive
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Traffic Signal Upgrade (MUTCD Compliance) (100% Safety)
The project provides upgrades several intersections throughout the City for compliance with the adopted Manual on Uniform Traffic Control Devices. Estimated Federal Funds - $280,000

Emergency Vehicle Traffic Signal Pre-Emption (100% Safety)
The project upgrades the emergency vehicle detection system at several intersections throughout the City. Estimated Federal Funds - $493,500

New sidewalks along Classen Boulevard, between Shawnee Street and Enid Street (south side) and west of 12th Avenue SE (south side)
The project addresses two sidewalk gaps along Classen Boulevard. The first location is along the south side of the road between Shawnee Street and Enid Street. The second location is a 350-foot long segment of sidewalks along the south side of Classen Boulevard immediately west of 12th Avenue SE. Estimated Federal Funds - $160,000

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The project provides center line, lane lines, stop bars, crosswalks, arrows and other markings on various roadways throughout the City. Estimated Federal Funds - $200,000

Federal Fiscal Year 2018 - (Total Federal Funds Requested - $9,710,120)

24th Avenue East, from Lindsey Street to Robinson Street (Bond Project)
The project widens 24th Avenue East, Lindsey Street and Robinson Street, from the current two-lane roadway to a four-lane roadway with curb and gutter, storm drainage collection system,
sidewalks, bike lanes, and a new traffic signal at the Meadowood Boulevard intersection. Estimated Federal Funds - $7,540,000

Roadway widening and new traffic signal at the intersections of Rock Creek Road with 12th Avenue NW and Trailwoods Drive
The project widens the intersections of Rock Creek Road with 12th Avenue NW and Trailwoods Drive to provide exclusive left turn lanes and provides new traffic signals and interconnection. Estimated federal share - $1,416,120

Traffic Signal Upgrade (Pedestrian Push Buttons) (100% Safety)
The project provides ADA compliant pedestrian push buttons for the visually impaired at various locations throughout the City. Estimated Federal Funds - $300,000

Traffic Signal Video Detection Upgrade Phase 2) (100% Safety)

The project provides vehicle video detection systems at various signalized intersections throughout the City. Estimated Federal Funds - $454,000

Seven of the projects in the Federal Fiscal Year 2015-2018 list have not been programmed by the Oklahoma Department of Transportation. In order for this to happen and for these projects to be considered for funding, City Council needs to adopt the corresponding programming resolutions. In the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the 20% local share of the construction cost.

STAFF RECOMMENDATION: Staff recommends approval of this resolution, a federally funded project.

Resolution

R-1314-68

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) FUNDS FOR THE CONSTRUCTION OF SIDEWALKS ALONG CLASSEN BOULEVARD, BETWEEN SHAWNEE STREET AND ENID STREET, AND WEST OF 12TH AVENUE SE

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

Construction of sidewalks along Classen Boulevard at two different locations:

1. **Between Shawnee Street and Enid Street (south side)**
2. **Between 350 Feet west of 12th Avenue SE and 12th Avenue SE (south side)**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $200,000 and Federal participation under the terms of the 2012 – Moving Ahead for Progress in the 21st Century (MAP-21), relating to STP/UZA - Safety funds is hereby requested in the amount of $160,000 or 80% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

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

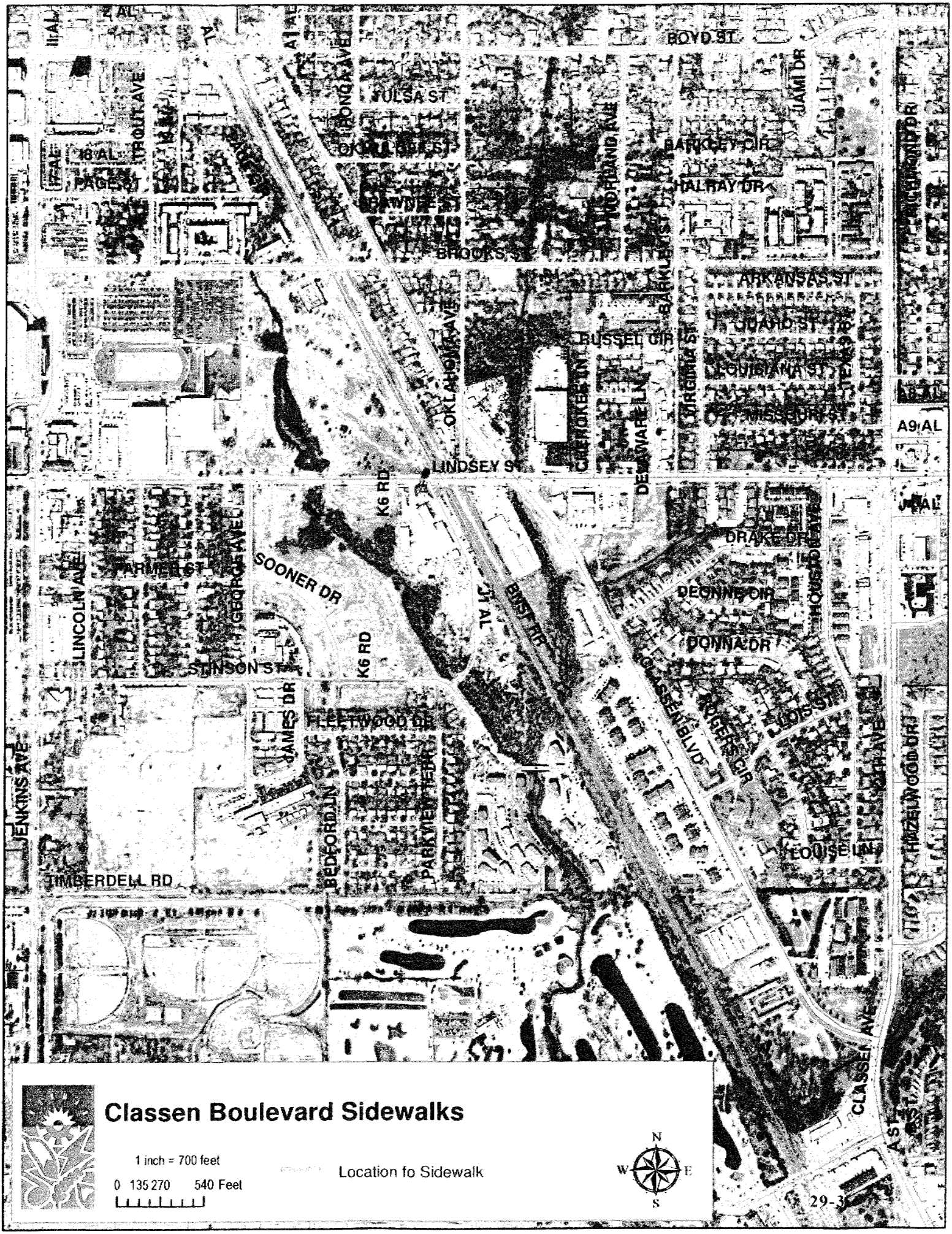
§ 9. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND ADOPTED THIS _____ day of _____, 2013.

_____
Mayor

ATTEST:

_____
City Clerk



Classen Boulevard Sidewalks

1 inch = 700 feet

0 135 270 540 Feet

Location fo Sidewalk

N W E S

City of Norman, OK

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

Master

File Number: R-1314-69

File ID:	R-1314-69	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 30	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	11/12/2013
File Name:	Pavement Markings (Phase 4)			**Final Action:**	

Title: RESOLUTION NO. R-1314-69: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF PAVEMENT MARKINGS AT VARIOUS LOCATIONS ALONG THE FEDERAL FUNCTIONALLY CLASSIFIED TRANSPORTATION SYSTEM IN NORMAN.

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-69.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 30

Attachments: R-1314-69 Pavement Markings (Phase 4)

Project Manager: Angelo Lombardo, Transportation Engineer

Entered by: michelle.rudder@NormanOK.gov **Effective Date:**

History of Legislative File

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

Text of Legislative File R-1314-69

Body

BACKGROUND: The 2012 - Moving Ahead for Progress in the 21st Century (MAP-21) federal transportation funding bill allocates approximately $21 Million in Federal funds per year for the implementation of eligible transportation improvements in the Oklahoma City metropolitan area. Ten percent of this appropriation is used to fund safety projects at 100% of their construction cost.

Every year, the Association of Central Oklahoma Governments (ACOG) coordinates a regional evaluation process that identifies transportation improvements eligible for federal funding. Individual projects are rated and compared to one another using a pre-established criterion. The process ends with the formulation of the region's transportation improvement program and the decision to use federal funds to pay for a significant portion of the cost of the higher priority projects.

DISCUSSION: On December 16, 2013, staff will submit twenty one (21) projects for consideration in the formulation of ACOG's Four-Year Transportation Improvement Program. One of the requirements for project consideration is that interested cities submit programming resolutions for each individual project. In years past, Council has adopted resolutions for twelve of the twenty one (21) projects. The nine projects that need

programming resolutions in order to be considered in the new plan are:

New traffic signal at the intersection of Rock Creek Road and Sequoyah Trail
New traffic signal at the intersection of Robinson Street and 48th Avenue NW
Robinson Street fiber optic traffic signal interconnection upgrade (from Peters Avenue to 12th Avenue SE)
Roadway widening and new traffic signal at the intersection of 24th Avenue NW and Tee Drive
Roadway widening and new traffic signal at the intersection of 36th Avenue NW and Havenbrook Drive
Traffic signal pedestrian push button upgrades at various intersections (100% Safety)
Traffic signal video detection upgrades (Phase 2) at various intersections (100% Safety)
New sidewalks along Classen Boulevard, between Shawnee Street and Enid Street (south side) and west of 12th Avenue SE (south side)
Pavement markings on various federal functionally classified roadways throughout the City (Phase 4) (100% Safety)

The specific projects by federal fiscal year are:

Federal Fiscal Year 2015 (Total Federal Funds Requested - $9,711,072)

Lindsey Street, from 24th Avenue SW to east of Berry Road (Bond Project)
This project widens Lindsey Street and provides a four-lane divided triple-canopy urban arterial roadway with curb and gutter, storm drainage collection system, sidewalks, bike lanes, new bridge over Imhoff Creek, streetscape amenities, modified traffic signals at the Lindsey Street intersections with 24th Avenue SW, McGee Drive and Berry Road, and possible new signals at the intersections of Lindsey Street with Murphy Drive and Wylie Road The estimated construction cost of $21,450,000 (including storm water drainage improvements) will be funded with federal funds (45%) and City funds (55%). Estimated Federal Funds - $9, 711,072

Federal Fiscal Year 2016 - (Total Federal Funds Requested - $9,150,491)

Franklin Road Bridge over Little River (Bond Project)
The project replaces the existing bridge structure over Little River and reconstructs approximately 1,000 feet of roadway on either side of the bridge. Estimated Federal Funds - $2,617,776

Main Street Bridge over Brookhaven Creek (Bond Project)
The project replaces the existing bridge structure over Brookhaven Creek, reconstructs approximately 1,000 feet of roadway on either side of the bridge and stabilizes 2,000 feet of downstream channel. Estimated Federal Funds - $3,116,240

Pavement Overlays on Lindsey Street (between Berry Road and Jenkins Avenue), Constitution Street (between Jenkins Avenue and Classen Boulevard), Imhoff Road (between Classen Boulevard and 24th Avenue SE) and Alameda Street (between 48th Avenue East and 60th Avenue East)
The project provides new pavement overlays and striping on four separate roadway segments eligible for federal funding. Estimated Federal Funds - $2,005,575

Traffic Signal Interconnect and Upgrades along Boyd Street, between Berry Road and Classen Boulevard (100% Safety)
The project provides a new fiber optic traffic signal interconnect system for the existing traffic signals along Boyd Street, between Berry Road and Classen Boulevard, and replaces the traffic signal at the University Boulevard intersection. Estimated Federal Funds - $570,000

New Traffic Signal at the intersection of Rock Creek Road and Sequoyah Trail (100% Safety)
The project provides a new traffic signal at the intersection of Rock Creek Road and Sequoyah Trail and interconnection of traffic signals on Rock Creek Road between Porter Avenue and 12th Avenue NE. Estimated Federal Funds - $250,000

New Traffic Signal at the intersection of Robinson Street and 48th Avenue NW (100% Safety)
The project provides a new traffic signal at the intersection of Robinson Street and 48th Avenue NW and provides interconnection to the Robinson Street system that begins at Brookhaven Boulevard. Estimated

Federal Funds - $250,000

Robinson Street fiber optic traffic signal interconnection upgrade (from Peters Avenue to 12th Avenue SE) (100% Safety)
The project replaces the existing interconnect copper wire with new fiber optic cable and adds the intersections of Robinson Street at Porter Avenue, Findlay Avenue and 12th Avenue NE to the City's Centracs Traffic Signal Management System. Estimated Federal Funds - $340,000

Federal Fiscal Year 2017 - (Total Federal Funds Requested - $9,598,886)

Alameda Street, from Ridge Lake Boulevard to 48th Avenue NW (Bond Project)
The project widens Alameda Street, between Ridge Lake Boulevard and 36th Avenue East, from the current two-lane roadway to a four-lane curb and gutter roadway, improves the intersection of Alameda Street and 36th Avenue East with the addition of dedicated turn lanes, and adds paved shoulders on Alameda Street, between 36th Avenue East and 48th Avenue East, along with an overlay of the pavement. Estimated Federal Funds - $3,641,000

12th Avenue SE, from Cedar Lane Road to State Highway 9 (Bond Project)
The project widens 12th Avenue SE, between Cedar Lane Road and State Highway 9, from the current two-lane roadway to a four-lane roadway with curb and gutter, storm drainage collection system, sidewalks, bike lanes, and capacity improvements at the 12th Avenue SE and State Highway 9 intersection. Estimated Federal Funds - $2,933,700

Roadway widening and new traffic signal at the intersection of 24th Avenue NW and Tee Drive
The project widens 24th Avenue NW to provide exclusive left turn lanes at the Tee Drive intersection and provides a new traffic signal. Estimated federal share - $1,000,000

Roadway widening and new traffic signal at the intersection of 36th Avenue NW and Havenbrook Drive
The project widens 36th Avenue NW to provide exclusive left turn lanes at the Havenbrook Drive intersection and provides a new traffic signal. Estimated federal share - $1,000,000

New Traffic Signal at the intersection of Alameda Street and Summit Lakes Boulevard (100% Safety)
The project provides a new traffic signal at the intersection of Alameda Street and Summit Lakes Boulevard and interconnects its operation to other signals along Alameda Street. Estimated Federal Funds - $250,686

Traffic Signal Upgrade (MUTCD Compliance) (100% Safety)
The project provides upgrades several intersections throughout the City for compliance with the adopted Manual on Uniform Traffic Control Devices. Estimated Federal Funds - $280,000

Emergency Vehicle Traffic Signal Pre-Emption (100% Safety)
The project upgrades the emergency vehicle detection system at several intersections throughout the City. Estimated Federal Funds - $493,500

New sidewalks along Classen Boulevard, between Shawnee Street and Enid Street (south side) and west of 12th Avenue SE (south side)
The project addresses two sidewalk gaps along Classen Boulevard. The first location is along the south side of the road between Shawnee Street and Enid Street. The second location is a 350-foot long segment of sidewalks along the south side of Classen Boulevard immediately west of 12th Avenue SE. Estimated Federal Funds - $160,000

Pavement markings along various federal functionally classified roadways throughout the City (Phase 4) (100% Safety)
The project provides center line, lane lines, stop bars, crosswalks, arrows and other markings on various roadways throughout the City. Estimated Federal Funds - $200,000

Federal Fiscal Year 2018 - (Total Federal Funds Requested - $9,710,120)

24th Avenue East, from Lindsey Street to Robinson Street (Bond Project)
The project widens 24th Avenue East, Lindsey Street and Robinson Street, from the current two-lane roadway to a four-lane roadway with curb and gutter, storm drainage collection system,
sidewalks, bike lanes, and a new traffic signal at the Meadowood Boulevard intersection. Estimated Federal Funds - $7,540,000

Roadway widening and new traffic signal at the intersections of Rock Creek Road with 12th Avenue NW and Trailwoods Drive
The project widens the intersections of Rock Creek Road with 12th Avenue NW and Trailwoods Drive to provide exclusive left turn lanes and provides new traffic signals and interconnection. Estimated federal share - $1,416,120

Traffic Signal Upgrade (Pedestrian Push Buttons) (100% Safety)
The project provides ADA compliant pedestrian push buttons for the visually impaired at various locations throughout the City. Estimated Federal Funds - $300,000

Traffic Signal Video Detection Upgrade Phase 2) (100% Safety)
The project provides vehicle video detection systems at various signalized intersections throughout the City. Estimated Federal Funds - $454,000

Seven of the projects in the Federal Fiscal Year 2015-2018 list have not been programmed by the Oklahoma Department of Transportation. In order for this to happen and for these projects to be considered for funding, City Council needs to adopt the corresponding programming resolutions. In the resolutions, the City agrees to the terms and conditions of a federally funded project by stating its willingness to assume the responsibility for the preparation of engineering plans, the purchase of any additional right-of-way, the relocation of public utilities and funding of the 20% local share of the construction cost.

STAFF RECOMMENDATION: Staff recommends approval of this resolution, a federally funded project.

Resolution

R-1314-69

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, PROGRAMMING FEDERAL SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA-SAFETY) FUNDS FOR THE INSTALLATION OF PAVEMENT MARKINGS AT VARIOUS LOCATIONS ALONG THE FEDERAL FUNCTIONALLY CLASSIFIED TRANSPORTATION SYSTEM IN NORMAN

§ 1. WHEREAS, Federal STP/UZA funds have been made available for the construction of eligible urban projects; and

§ 2. WHEREAS, the Council of the City of Norman has selected a roadway improvement project described as follows:

1. **Installation of Pavement Markings at various locations along the Federal Functionally Classified Transportation System in Norman (Phase 4)**

§ 3. WHEREAS, the engineer's preliminary estimate of total construction cost is $200,000 and Federal participation under the terms of the 2012 – Moving Ahead for Progress in the 21st Century (MAP-21), relating to STP/UZA - Safety funds is hereby requested in the amount of $200,000 or 100% of the construction cost.

§ 4. WHEREAS, the City of Norman will arrange for a qualified engineer to furnish engineering services for the preparation of detailed plans, specifications. and estimates; and

§ 5. WHEREAS, the City of Norman agrees to provide satisfactory maintenance after completion; and

§ 6. WHEREAS, the City of Norman agrees to provide, at its sole cost, all required right-of-way necessary and to relocate any utilities required/affected by this project; and

§ 7. WHEREAS, the City of Norman agrees, as a condition to receiving any Federal financial assistance from the Oklahoma Department of Transportation, that it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42. U.S.C. 2000d et seq., and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination of Federally-Assisted Programs of the Oklahoma Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964"; and

§ 8. WHEREAS, the City of Norman agrees to become jointly responsible, with the Oklahoma Department of Transportation and the contractor as co-applicants, for meeting all Environmental Protection Agency (E.P.A.) requirements for storm water runoff from this project. Further, if required, the City agrees to file jointly with the Department and the contractor, the general National Pollutant Discharge Elimination System (N.P.D.E.S.) permit with the E.P.A. which authorizes the storm water discharges associated with activity from the construction site identified in this resolution; and

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

§ 9. That the State Transportation Commission is hereby requested to concur in the selection of this project for construction and to submit same to the Federal Highway Administration for their approval.

PASSED AND 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-1314-70

File ID:	R-1314-70	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 31	**In Control:**	City Council
Department:	Police Department	**Cost:**	$506,000.00	**File Created:**	11/08/2013
File Name:	PSST Appropriation for the City of Norman Investigations Center			**Final Action:**	

Title: RESOLUTION NO. R-1314-70: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $506,000 FROM THE PUBLIC SAFETY SALES TAX FUND BALANCE TO PAY COSTS FOR PHYSICAL EVIDENCE STORAGE SOLUTION AND THE TRANSFER OF EXISTING EVIDENCE STORAGE EQUIPMENT AND TO PURCHASE LABORATORY PROCESSING EQUIPMENT, FURNITURE, COPIER/PRINTER, INFORMATION TECHNOLOGY HARDWARE, AND DIGITAL EVIDENCE MANAGEMENT FOR THE INTERVIEW AND INTERROGRATION ROOMS OF THE CITY OF NORMAN INVESTIGATIONS CENTER.

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-70.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 31

Attachments: Text File R-1314-70.pdf, R-1314-70.pdf

Project Manager: Major JD Younger

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 R-1314-70

Body

BACKGROUND: The fiscal year 2012-2013 (FYE 2013) Public Safety Sales Tax Fund budget included funding to renovate the City of Norman Investigations Center (formerly referred to as the Joe Smalley Center) for City of Norman use as the Police/Fire Investigations Facility. In April 2006 the City of Norman was notified that the Joe A. Smalley Army Reserve Center had been identified for closure by the Base Realignment and Closure Commission (BRAC) and the City established a Local Redevelopment Authority (LRA) to develop a reuse plan for the facility. The final recommendation of the LRA was to request that the facility be transferred to the City of Norman, and that the land and building be used for virtually all aspects of the City of Norman police and fire investigation activity, including administration, supervisors, investigators, the laboratory, property custody, and specialties for police and fire investigations, and eventually a patrol substation, training area, and special events facility. After a seven and a half year process, the building was acquired from the federal government with a deed transfer in September 2012. On July 9, 2013, City Council approved a contract with Downey Contracting, LLC in the amount of $1,325,500 for the renovation of the Norman Investigations Center, and the project is

nearing completion.

DISCUSSION: The Police Department is requesting an appropriation to pay costs for a physical evidence storage solution and transfer of existing evidence storage equipment, and for the purchase of laboratory processing equipment, furniture, copier/printer, information technology hardware, and digital evidence management for interview and interrogation rooms in the City of Norman Investigations Center. The funding needed for these items is not available in FYE14 accounts. Additional agenda items to complete these purchases will be submitted to Council as required but this budget transfer will address the funding needs.

STAFF RECOMMENDATION: It is recommended that $506,000 be appropriated from the PSST Fund Balance (account 015-0000-253.20-00) and allocated as follows:

$29,000 to PSST Lab Equipment (015-6121-421-5122);
$215,000 to PSST Office Furniture (015-6121-421-5201);
$150,000 to PSST Digital Evidence Management (015-6121-421-5304),
$86,000 to PSST Property Custody (015-6121-421-3101),
$26,000 to PSST Personal Computer Misc. Equipment (015-6121-421-5302).

Resolution

R-1314-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING $506,000 FROM THE PUBLIC SAFETY SALES TAX FUND BALANCE TO PAY COSTS FOR A PHYSICAL EVIDENCE STORAGE SOLUTION AND THE TRANSFER OF EXISTING EVIDENCE STORAGE EQUIPMENT AND TO PURCHASE LABORATORY PROCESSING EQUIPMENT, FURNITURE, COPIER/PRINTER, INFORMATION TECHNOLOGY HARDWARE AND DIGITAL EVIDENCE MANAGEMENT FOR THE INTERVIEW AND INTERROGATION ROOMS OF THE CITY OF NORMAN INVESTIGATIONS CENTER.

§ 1. WHEREAS, the City of Norman Investigations Center is nearing completion and the center will be used by the Police and Fire Departments; and

2. WHEREAS, funding for equipment and furnishings for the new building was not included in the FYE 2014 Budget; and

§ 3. WHEREAS, it is necessary to appropriate funding to pay costs for a physical evidence storage solution and transfer of existing evidence storage equipment and the purchase of laboratory processing equipment, furniture, copier/printer, information technology hardware, and digital evidence management for interview and interrogation rooms.

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

§ 4. That the following appropriations be made for the reasons stated above:

Account Name	Losing Account	Gaining Account	Amount
Plant & Operating Equip/Lab Equip	015-0000-253-20-00	015-6121-421.51-22	$ 29,000
Office Furniture/Equipment Furniture & Fixtures	015-0000-253-20-00	015-6121-421.52-01	$215,000
Telecomm. Equip/Computer Hardware Hardware	015-0000-253-20-00	015-6121-421.53-04	$150,000
Office Supplies/Materials Laboratory	015-0000-253-20-00	015-6121-421.31-01	$ 86,000
Telecomm Equip/Personal Computer	025-0000-253.20-00	025-6035-421.53-02	$ 26,000

PASSED AND ADOPTED this 26th day of November, 2013.

ATTEST: _____ Mayor

_____
City Clerk

City of Norman, OK

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

Master

File Number: R-1314-71

File ID:	R-1314-71	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 32	**In Control:**	City Council
Department:	City Manager Department	**Cost:**		**File Created:**	11/18/2013
File Name:	Resolution allowing temporary dwellings for vounteers			**Final Action:**	

Title: RESOLUTION NO. R-1314-71: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA ESTABLISHING POLICIES FOR ALLOWING VOLUNTEER ORGANIZATIONS TO OCCUPY TEMPORARY DWELLINGS LOCATED ON PROPERTIES ZONED A-2, RURAL AGRICULTURAL ZONING DISTRICT, WHILE ASSISTING IN PROPERTY REBUILDING EFFORTS AS A MEANS OF DISASTER RELIEF FROM THE MAY 19TH TORNADO.

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-71.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 32

Attachments: Text File R-1314-71.pdf, R-1314-71.pdf

Project Manager: Terry Floyd, Development Coordinator

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1314-71

Body

BACKGROUND: Beginning on May 19, 2013, the City of Norman and surrounding jurisdictions began to experience a series of damaging tornadoes. As a result of these tornadoes, over 30 structures in the City of Norman have sustained damage. In light of the severity of the damage and the impact on the citizens of the City of Norman, the attached Resolution has been proposed as a means of helping assist the ongoing rebuilding efforts.

Recently, staff has received a request from Christian Aid Ministries and the Little Axe Baptist Church to allow six travel trailers to be located on the church's property at 3350 168th Ave. NE. The trailers will be utilized to house volunteers from the organization while those volunteers are assisting with residential rebuilding as a result of the May 19th tornado. The organization plans to utilize 10-15 volunteers who will live in travel trailers on the church property until April 2014. The volunteers will be assisting property owners rebuilding in east Norman, Pecan Valley and other nearby unincorporated county areas. The organization's efforts are anticipated to be completed in April 2014.

DISCUSSION: Currently, the City of Norman Zoning Ordinance does not allow multiple recreational vehicles and/or travel trailers to be located on properties in any zoning district for these specific circumstances. The only option available to both the organization and the church to allow these type of services would be to pursue a Special Use zoning for a temporary recreational camp on the property. In an effort to pursue a process that could accommodate this request, staff is bringing forth the following Resolution for Council consideration.

This proposed Resolution would allow recreational vehicles and/or travel trailers to be placed solely on A-2 zoned properties for the housing and services of volunteers assisting in rebuilding efforts following the May 19, 2013 tornado, upon approval by the City Manager and/or the Planning and Community Development Director. This Resolution will be similar to Resolutions that the Council has recently passed following the 2012 wildfires and May 2013 tornado that allows property owners affected by a disaster to place a temporary structure on their individual properties during residential rebuilding efforts (Resolutions R-1213-31 and R-1213-144). These Resolutions, however, do not allow multiple temporary structures and require the temporary structures to be inhabited by affected individual property owners.

The proposed Resolution directs the City Manager (or his designee) to allow volunteer organizations to place and occupy recreational vehicles and travel trailers on A-2 zoned properties for volunteer organizations actively engaged in rebuilding efforts as a result of May 19th tornado when the following criteria are met:

1. Volunteers, or corresponding organizations must notify the City of Norman Planning and Community Development Director in writing of their intent to utilize a property for volunteer efforts
2. Temporary dwelling units are limited to: recreational vehicles, travel trailers or similar vehicles intended for temporary housing
3. Dwellings units may not be located within ten feet of property lines, within sight triangles, or over utility easements
4. Volunteer organizations must obtain appropriate building and trade permits to provide code-compliant structural safety, electrical, and plumbing accommodations
5. Volunteers, or corresponding organizations, shall remove any temporary dwelling within 10 days following the conclusion of volunteer efforts
6. Organizations must comply with all lighting, noise and public health regulations outlined in the City Code

The proposed Resolution also outlines that violations of the proposed regulations set forth in City Ordinances could result in the revocation of the right for the organization to place the travel trailers and/or recreational vehicles on the property.

Additionally, this Resolution will require that organizations provide information in writing to the City Manager or Planning and Community Development Director outlining the nature of their volunteer efforts, anticipated geographic areas of volunteer efforts, information about their organization, the anticipated duration of their volunteer efforts and associated stay on the property. Following completion of an organization's approved timeline, the recreational vehicles and/or travel trailers will be required to be removed from the property within 10 days. In the event additional time for volunteer efforts may be needed, the organization can request approval for an extension from the City Manager and/or the Planning and Community Development Director.

RECOMMENDATION: The attached Resolution allows the placement and habitation of recreational vehicles and/or travel trailers on A-2 zoned properties by volunteers actively engaged in rebuilding efforts as a result of the May 19th tornado. In addition, it creates standards for such occupations in order to protect the health and safety of those citizens and surrounding property owners. If City Council wishes to allow the habitation of temporary structures as a means of assisting volunteers engaged in rebuilding efforts, Staff recommends the adoption of the attached Resolution R-1314-71.

Resolution

R- 1314-71

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ESTABLISHING POLICIES FOR ALLOWING VOLUNTEER ORGANIZATIONS TO OCCUPY TEMPORARY DWELLINGS LOCATED ON PROPERTIES ZONED A-2, RURAL AGRICULTURAL DISTRICT, WHILE ASSISTING IN PROPERTY REBUILDING EFFORTS AS A MEANS OF DISASTER RELIEF FROM THE MAY 19TH TORNADO.

§ 1. WHEREAS, the City of Norman, and many neighboring jurisdictions, have recently been affected by serious and widespread tornadoes that have caused significant damage to homes located in Norman; and

§ 2. WHEREAS, the City of Norman City Council desires to provide disaster relief by allowing volunteer organizations assisting with rebuilding efforts to occupy and utilize temporary dwellings, such as travel trailers and recreational vehicles, when located on lots located solely in the A-2, Rural Agricultural Zoning District; and

§ 3. WHEREAS, allowing volunteers to occupy travel trailers and recreational vehicles while assisting in rebuilding efforts will be a benefit to the Norman community and affected residents because it will speed rebuilding efforts and provide needed relief; and

§ 4. WHEREAS, the City of Norman currently does not have regulations in place to permit temporary dwellings for these volunteer efforts.

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

§ 5. That the City of Norman Director of Planning and Community Development is directed to allow recreational vehicles and travel trailers on A-2 zoned properties when housing volunteers actively engaged in rebuilding efforts as a result of weather-related disasters or catastrophic events.

§ 6. That volunteers, or corresponding organizations, who will be residing in temporary dwelling units, must notify the City of Norman Planning and Community Development Director in writing of their intent to utilize a property for volunteer efforts.

§ 7. That these notifications should include information about the organization; intended duration of their volunteer efforts; anticipated geographic extent of volunteer efforts; address of property where temporary dwellings will be located; and confirmation of the property owner's consent to allow the use of the property.

§ 8. That the temporary dwelling units are limited to recreational vehicles, travel trailers or similar vehicles intended for temporary housing.

§ 9. That these temporary dwellings may only be located in A-2 zoning districts and must obtain any associated permit required for their placement including, but not limited to plumbing and electrical permits and water and wastewater disposal prior to habitation by volunteers.

§ 10. That these temporary dwellings units may not be located within ten feet of property lines, within sight triangles, or over utility easements.

§ 11. That failure to comply with this Resolution and all other applicable City Codes may result in revocation of the right of the volunteers, or corresponding organizations, to place and inhabit temporary dwellings.

§ 12. That volunteers, or corresponding organizations, shall remove any temporary dwelling within 10 days following the conclusion of volunteer efforts.

§ 13. That the City Manager (or his designee) is authorized to promulgate additional procedures for implementation of this Resolution in furtherance of the intent of the Resolution.

PASSED AND 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-1314-72

File ID:	R-1314-72	**Type:**	Resolution WCC	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 33	**In Control:**	City Council
Department:	Legal Department	**Cost:**		**File Created:**	11/19/2013
File Name:	WCC Settlement Marvin Barton			**Final Action:**	

Title: RESOLUTION NO. R-1314-72: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN OKLAHOMA, AUTHORIZING COMPROMISE SETTLEMENT OF CLAIMS FILED BY MARVIN BARTON UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASES OF MARVIN BARTON V. THE CITY OF NORMAN, WORKERS' COMPENSATION CASE NO. WCC-2012-12945 A AND WCC 2013-07113 A; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORERKS' 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.

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-72; and, if adopted, direct payment of claims in the amount of $102,188.94 which will constitute judgment against the City of Norman.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 33

Attachments: Text File Barton WCC.pdf, R-1314-72.pdf, Settlement Schedule, PR

Project Manager: Jeanne Snider, Assistant City Attorney

Entered by: denise.johnson@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1314-72

body

BACKGROUND: Marvin Barton, a Maintenance Worker for Sewer Line Maintenance in the Utilities Department, assigned to a Line Camera Truck. He filed Workers' Compensation Cases No. WCC 2012-12945 A on November 15, 2012 and WCC 2013-07113 A (hearing loss) on July 5, 2013. Mr. Barton alleged a single occurrence incident involving his heart while working for the City of Norman on November 2, 2012. The case proceeded through the normal litigation process and, prior to a scheduled trial on November 5, 2013, Mr. Barton offered to settle his cases for $99,500. This matter was discussed in Executive Session on November 12, 2013. The settlement offer is being presented to City Council at this time. It is recommended that this

settlement be accepted.

DISCUSSION: Mr. Barton is a nearly 22 year employee of the City of Norman. He began his service with the City of Norman on January 10, 1992 as a Maintenance Worker for Line Maintenance in the Utilities Department. In September of 1996, he was assigned to the Line Camera trucks. He filed two Workers' Compensation claims: one on November 15, 2012 (heart) and one on July 5, 2013 (hearing).

WCC 2012-12945 (Heart)

Nature of Claim.

Mr. Barton filed this Workers' Compensation claim alleging heart attack while on-the-job performing his job duties.

Issues for Trial. Although it was conceded Mr. Barton suffered a heart attack while at work, the City disputed that Mr. Barton's heart attack was a job related injury. A primary issue before the Workers' Compensation Court at a trial of this case would be whether Mr. Barton suffered an OJI to his heart. The medical documentation in this case confirms that Mr. Barton suffered a myocardial infarction (heart attack) while at work for the City of Norman on November 2, 2012. As discussed with Council previously in closed session, because of Mr. Barton's prior medical history relating to his heart, and because Mr. Barton's job assignments are not normally strenuous in nature, a plausible argument could be made a trial that the heart attack, although occurring while at work, was not related to his City employment. The probability of whether the City would prevail at trial on this issue was discussed in closed session.

If the heart attack is determined by the Court to be related to City employment, then the other issues for trial would be the nature of the disability, whether permanent or not, and then the extent of the disability, whether partial disability or total disability. These issues are factual determinations made by the Workers' Compensation Court Trial Judge based on the testimony and evidence presented trial and the doctors' opinions regarding the extent of impairment.

Medical Evaluations. Mr. Barton was evaluated by Drs. Hugh G. McClure and M. Stephen Wilson. Dr. McClure opined 39% (49% less 10% pre-existing) PPD to the heart and Dr. Wilson opined 25% psychological overlay. These opinions equate to $62,985 and $40,375, respectively, for a total of $103,360, the City's maximum exposure. The City had Mr. Barton evaluated Dr. Hensley who opined Mr. Barton has 15% (30% less 15% pre-existing) PPD to his heart and 0% for psychological overlay. This opinion equates to $24,225. The Worker's Compensation Court Trial Judge is free to make a ruling within the range of the medical evidence presented at the time of trial.

Permanent Partial Disability. The maximum exposure for PPD in the heart case is $103,360. The minimum exposure, if determined to be job related, is $24,225. If PPD is awarded, Mr. Barton would be entitled to weekly payments of $323 (pursuant to the State average weekly wage and maximums), until paid in full.

Permanent Total Disability. Mr. Barton also alleges permanent "total" disability (PTD) as an alternative to permanent partial disability (PPD). PTD is an option, if awarded, whereby a claimant is paid 70% of his average weekly wages, in this case $659.05, until such time as the employee reaches the age of maximum Social Security retirement benefits or for a period of 15 years, whichever is longer. In this instance, the City's liability would be $659.05/weekly for 15 years, or $514,059.

WCC 2013-07113 A (Binaural Hearing)

Mr. Barton filed this Workers' Compensation claim alleging cumulative bilateral hearing loss on July 5, 2013.

Issues for Trial. The issues before the Workers' Compensation Court at a trial of this case would be the nature and extent of hearing loss in each ear. These issues are also factual determinations made by the Workers' Compensation Court Trial Judge based on the testimony and evidence presented trial and the doctors' opinions regarding the extent of impairment.

Medical Evaluations. Mr. Barton was evaluated by Dr. McClure who opined 18.8% (no pre-existing) in addition to recommending provision of hearing aids, which equates $20,038.92 plus $7,500, the City's maximum exposure. The City had Mr. Barton evaluated by Dr. Hensley who opined 6.1% (12.2% less 6.1% pre-existing)

which equates to $6,501.99. This evaluation did not recommend hearing aids. Again, the Worker's Compensation Court Trial Judge is free to make a ruling within the range of the medical evidence presented at the time of trial.

Settlement. Mr. Barton, through his attorney, has proposed settlement of both cases on a Compromise Settlement basis for a lump sum payment of $99,500 which represents: 40% PPD to the heart (32% heart and 8% psychological overlay) which equates to $64,600; $18,044 for future Medicare set aside; and 13% PPD (binaural hearing) which equates to $13,856 plus hearing aids in the amount of $3,000 ($16,856 total).

This Compromise Settlement is beneficial to the City in that it is a full, final and complete settlement of any and all claims in these Workers' Compensation cases. Moreover, the hearing loss settlement offer is in keeping with or lower than what the City has been ordered to pay in past years in similar cases by the Workers' Compensation Court. Furthermore, the heart settlement is in keeping with a similar permanent total disability case previously settled.

Should these cases proceed to trial, it is reasonably possible that the City could be ordered to pay more than the settlement offer due to Mr. Barton's length of service, the nature and extent of his injuries and subsequent continued medical maintenance. This settlement is beneficial to Mr. Barton in that it provides certainty for an award. It is also beneficial to him because the entire settlement amount is being paid in a lump sum rather than at a weekly rate over a period of time.

If this settlement offer is approved, payment to Mr. Barton and his attorney would be paid in a lump sum of $99,500. In addition, costs and fees for both cases total $2,688.94, bringing the total to $102,188.94. (*See* attached Settlement Schedule.)

RECOMMENDATION: For the reasons outlined above, it is believed this compromise settlement offer is fair, reasonable, and in the best interest of the City. Acceptance of the Compromise Settlement would require the payments as outlined above. If approved, the settlement amount would be paid to Mr. Barton and his attorney in a lump sum. The Compromise Settlement would be certified to the Cleveland County District Court to be placed on the property tax rolls for collection over the next three years in accordance with 85 O.S. § 313, 51 O.S. § 159, and 62 O.S. § 361, *et seq.* Certifying the order to the property tax rolls would, in effect, reimburse the City's Workers' Compensation Fund over the next three years.

Resolution

R-1314-72

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING COMPROMISE SETTLEMENT OF THE CLAIMS FILED BY MARVIN BARTON UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASE OF *MARVIN BARTON V. THE CITY OF NORMAN,* WORKERS' COMPENSATION CASE NOS. WCC 2012-12945 A AND WCC 2013-07113 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.

§1. WHEREAS, MARVIN BARTON is a Sewer Line Maintenance in the Utilities Department who alleged single incident and cumulative injuries on November 2, 2012; and

§2. WHEREAS, the City of Norman has negotiated settlement for the claims of MARVIN BARTON against the City of Norman, under the Workers' Compensation Statutes for $99,500, to be paid in a lump sum settlement to Mr. Barton, and such settlement is believed to be fair and reasonable; and

§3. WHEREAS, the City shall incur additional costs for the settlement for payments to the Workers' Compensation Administration Fund in the amount of $1,569.12; the Special Occupational Health and Safety Fund in the amount of $588.42; for filing fees in the Workers' Compensation Court in the amount of $280.00; and filing fees in the Cleveland County District Court in the amount of $251.40; and

§4. WHEREAS, the Risk Management Insurance Fund of the City of Norman has heretofore appropriated funds for the payment of Workers' Compensation settlements covering injuries to qualified persons employed by the City of Norman; and

§5. WHEREAS, the judgments and awards should be transmitted and certified to the Workers' Compensation Court, Oklahoma City, Oklahoma, which when filed will constitute judgment against the City of Norman, which it is entitled to purchase with funds out of the Risk Management Insurance Fund pursuant to Okla. Stat. tit. 85 § 313, Okla. Stat. tit. 51 § 159, and Okla. Stat. tit. 62 § 361, *et seq.*; and

§6. WHEREAS, the City Council finds it will be in the best interest of the City if the funds of the Risk Management Insurance Fund are invested in said judgment; and

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

§7. That the Legal Department is authorized to enter into settlement with one MARVIN BARTON for not more than $99,500 for any and all claims that he has or may have against the City of Norman under the Workers' Compensation Statutes for any and all injuries known or unknown which occurred while working for the City of Norman; and

§8. That the Legal Department is directed to hereinafter file such settlement in the Workers' Compensation Court, Oklahoma City, Oklahoma, along with all attendant costs therefore, as provided by law; and

§9. That the Finance Director is authorized and directed to purchase such judgments of the Workers' Compensation Court, Oklahoma City, Oklahoma, out of funds of the Risk Management Insurance Fund of the City of Norman.

PASSED AND ADOPTED this _____ day of November, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

SETTLEMENT SCHEDULE

Marvin Barton
WCC 2012-12945 A
(Heart)

DESCRIPTION	AMOUNT
PPD (21%	$51,680.00
	12,920.00
Total PPD	$64,600.00
Future Medicare Set Aside	18,044.00
Settlement Amount	$82,644.00
Costs and Fees:	
Workers' Compensation Admin Fund Tax	$1,292.00
Special Occupational Health & Safety Fund Tax	484.50
Filing Fee (Workers' Comp Court)	140.00
Filing Fee (Cleveland County District Court)	$ 125.70
Total costs & fees to the City of Norman	$2,042.20
Total Settlement	$84,686.20

Marvin Barton
WCC 2013-07113 A
(Bilateral Hearing)

DESCRIPTION	AMOUNT
PPD (13%) (Total PPD)	$13,856.00
Hearing Aids	3,000.00
Settlement Amount	$16,856.00
Costs and Fees:	
Workers' Compensation Admin Fund Tax	$ 277.12
Special Occupational Health & Safety Fund Tax	103.92
Filing Fee (Workers' Comp Court)	140.00
Filing Fee (Cleveland County District Court)	$ 125.70
Total costs & fees to the City of Norman	$ 646.74
Total Settlement	$17,502.24

Total Lump Sum Settlement to Claimant and Attorney	$ 99,500.00
Totals Costs and Fees	$ 2,688.94
TOTAL SETTLEMENT AND COSTS	$102,188.94

PURCHASE REQUISITION NBR: 0000226234

STATUS: DIVISION APPROVAL

REQUISITION BY: DJOHNSON
REASON: WORKERS COMP SETTLEMENT
DATE: 11/14/13

SHIP TO LOCATION: LEGAL DEPARTMENT
SUGGESTED VENDOR: MARVIN BARTON & WOODSON &
DELIVER BY DATE: 11/27/13

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	WORKERS COMP SETTLEMENT BARTON V. CON; WC 2012-12945A (HEART)WORKERS COMP SETTLEMENT; CONTINGENT ON COUNCIL APPROVAL ON 11-26-13; MAKE CHECK PAYABLE TO MARVIN BARTON AND WOODSON & GOODWIN IN THE AMOUNT OF $82,644. SEPARATE CHECK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	82644.0000	82644.00	

REQUISITION TOTAL: 82644.00

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024152131	Other Salary Orders/Settlements		100.00	82644.00
					82644.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL. MAKE CHECK PAYABLE TO MARVIN BARTON AND WOODSON & GOODWIN.

PURCHASE REQUISITION NBR: 0000226260

STATUS: DIVISION APPROVAL

REQUISITION BY: DJOHNSON
REASON: WORKERS COMP ADMIN FUND
DATE: 11/14/13

SHIP TO LOCATION: LEGAL DEPARTMENT
SUGGESTED VENDOR: 2267 WORKMANS COMPENSATION
DELIVER BY DATE: 11/27/13

1	WORKERS COMP ADMIN FUND BARTON V. CON; WC 2012-12945A (HEART) CONTINGENT U PON COUNCIL APPROVAL ON 11-26-13; SEPARATE CHECK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	1292.0000	1292.00	2267

REQUISITION TOTAL: 1292.00

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

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024152133	Other Salary Administration Fund		100.00	1292.00
					1292.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000226262

STATUS: DIVISION APPROVAL

REQUISITION BY: DJOHNSON REASON: WORKERS COMP OCCUP & HEALTH DATE: 11/14/13

SHIP TO LOCATION: LEGAL DEPARTMENT SUGGESTED VENDOR: 1950 SPECIAL OCCUPATIONAL HEALTH AN DELIVER BY DATE: 11/27/13

1	WORKERS COMP OCCUP & HEALTH FUND BARTON V. CON; WC 2012-12945A (HEART) CONTINGENT O N COUNCIL APPROVAL ON 11-26-13; SEPARATE CHECK; RE TURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	434.5000	484.50	1950

REQUISITION TOTAL: 484.50

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024152135	Other Salary Spec Occ Health & Safety		100.00	484.50
					484.50

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000226278

REQUISITION BY: DJOHNSON

STATUS: DIVISION APPROVAL
REASON: WORKERS COMP FILING FEE

DATE: 11/14/13

SHIP TO LOCATION: LEGAL DEPARTMENT

SUGGESTED VENDOR: 2268 WORKERS' COMPENSATION COURT

DELIVER BY DATE: 11/27/13

1	WORKERS COMP FILING FEE BARTON V. CON; WC 2012-12945A (HEART) CONTINGENT O N COUNCIL APPROVAL ON 11-26-13; SEPARATE CHECK; RE TURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	140.0000	140.00	2268

REQUISITION TOTAL: 140.00

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024154704	Miscellaneous Services Other Filing Fees		100.00	140.00
					140.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000226279

STATUS: DIVISION APPROVAL

REQUISITION BY: DJOHNSON
REASON: CLEVELAND COUNTY FILING FEE
DATE: 11/14/13

SHIP TO LOCATION: LEGAL DEPARTMENT
SUGGESTED VENDOR: 434 CLEVELAND COUNTY COURT CLERK
DELIVER BY DATE: 11/27/13

1	CLEVELAND COUNTY FILING FEE BARTIN V. CON; WC 2012-12945A (HEART) CONTINGENT O N COUNCIL APPROVAL ON 11-26-13; SEPARATE CHECK; RE TURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	125.7000	125.70	434

REQUISITION TOTAL: 125.70

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024154703	Miscellaneous Services District Court Filing Fee		100.00	125.70
					125.70

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000226280

REQUISITION BY: DJOHNSON

STATUS: DIVISION APPROVAL
REASON: WORKERS COMP SETTLEMENT

DATE: 11/14/13

SHIP TO LOCATION: LEGAL DEPARTMENT

SUGGESTED VENDOR: MARVIN BARTON AND WOODSON &

DELIVER BY DATE: 11/27/13

1	WORKERS COMP SETTLEMENT BARTON V. CCN; WC 2013-07113A (HEARING) CONTINGENT ON COUNCIL APPROVAL ON 11-26-13; CONTINGENT ON COUNCIL APPROVAL ON 11-26-13; MAKE CHECK PAYABLE TO MARVIN BARTON AND WOODSON & GOODWIN; SEPARATE CHECK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00 EA	16856.0000	16856.00

REQUISITION TOTAL: 16856.00

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024152131	Other Salary Orders/Settlements		100.00	16856.00
					16856.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

MAKE CHECK PAYABLE TO: MARVIN BARTON AND WOODSON
& GOODWIN; SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000226281

STATUS: DIVISION APPROVAL

REQUISITION BY: DJOHNSON REASON: WORKERS COMP ADMIN FUND DATE: 11/14/13

SHIP TO LOCATION: LEGAL DEPARTMENT SUGGESTED VENDOR: 2267 WORKMANS COMPENSATION DELIVER BY DATE: 11/27/13

1	WORKERS COMP ADMIN FUND BARTON V. CON; WC 2013-07113A (HEARING) CONTINGENT ON COUNCIL APPROVAL ON 11-26-13; SEPARATE CHECK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	277.1200	277.12	2267

REQUISITION TOTAL: 277.12

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024152133	Other Salary Administration Fund		100.00	277.12
					277.12

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000226285

STATUS: DIVISION APPROVAL

REQUISITION BY: DJOHNSON REASON: WORKERS COMP OCCUP & HEALTH FUND DATE: 11/14/13

SHIP TO LOCATION: LEGAL DEPARTMENT SUGGESTED VENDOR: 1950 SPECIAL OCCUPATIONAL HEALTH AN DELIVER BY DATE: 11/27/13

1	WORKERS COMP OCCUP & HEALTH FUND BARTON V. CON; WC 2013-07113A (HEARING) CONTINGENT ON COUNCIL APPROVAL ON 11-26-13; SEPARATE CHECK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	103.9200	103.92	1950

REQUISITION TOTAL: 103.92

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024152135	Other Salary Spec Occ Health & Safety		100.00	103.92
					103.92

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000216286

STATUS: DIVISION APPROVAL

REQUISITION BY: DJOHNSON
REASON: WORKERS COMP FILING FEE
DATE: 11/14/13

SHIP TO LOCATION: LEGAL DEPARTMENT
SUGGESTED VENDOR: 2268 WORKERS' COMPENSATION COURT
DELIVER BY DATE: 11/27/13

1	WORKERS COMP FILING FEE BARTON V. CON; WC 2013-07113A (HEARING) CONTINGENT ON COUNCIL APPROVAL ON 11-26-13; SEPARATE CHECK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	140.0000	140.00	2268

REQUISITION TOTAL: 140.00

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024154704	Miscellaneous Services Other Filing Fees		100.00	140.00
					140.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000226287

STATUS: DIVISION APPROVAL

REQUISITION BY: DJOHNSON
REASON: WORKERS COMP CLEVELAND COUNTY FILING FEE
DATE: 11/14/13

SHIP TO LOCATION: LEGAL DEPARTMENT
SUGGESTED VENDOR: 434 CLEVELAND COUNTY COURT CLERK
DELIVER BY DATE: 11/27/13

1	WORKERS COMP CLEVELAND COUNTY FILING FEE BARTON V CON; WC 2013-07113A (HEARING) CONTINGENT ON COUNCIL APPROVAL ON 11-26-13; SEPARATE CHECK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	125.7000	125.70	434

REQUISITION TOTAL: 125.70

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024154703	Miscellaneous Services District Court Filing Fee		100.00	125.70
					125.70

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

City of Norman, OK

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

Master

File Number: R-1314-73

File ID:	R-1314-73	**Type:**	Resolution	**Status:**	Consent Item
Version:	1	**Reference:**	Item No. 34	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**		**File Created:**	11/19/2013
File Name:	Cancelling December 24th City Council Meeting			**Final Action:**	

Title: RESOLUTION NO. R-1314-73: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DECLARING THAT THE CITY COUNCIL, NORMAN UTILITIES AUTHORITY, NORMAN MUNICIPAL AUTHORITY, AND NORMAN TAX INCREMENT FINANCE AUTHORITY MEETING SCHEDULED FOR DECEMBER 24, 2013, SHALL BE CANCELLED.

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-73.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 34

Attachments: Text File Cancelling Meeting.pdf, R-1314-73.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 R-1314-73

Resolution

R-1314-73

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, DECLARING THAT THE CITY COUNCIL, NORMAN MUNICIPAL AUTHORITY, NORMAN UTILITIES AUTHORITY AND NORMAN TAX INCREMENT FINANCE AUTHORITY MEETING SCHEDULED FOR DECEMBER 24, 2013, SHALL BE CANCELLED.

§ 1. WHEREAS, Section 2-104 of the Code of the City of Norman, Oklahoma, states "The City Council shall meet in regular session the second and fourth Tuesday of each month at 6:30 p.m. unless otherwise announced or delegated by the Council"; and

§ 2. WHEREAS, the City Council is hereby cancelling the meeting scheduled for December 24, 2013.

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

§ 3. That the regular City Council meeting of December 24, 2013, shall not be held on that date.

PASSED AND ADOPTED this 26th 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: R-1314-74

File ID:	R-1314-74	**Type:**	Resolution WCC	**Status:**	Consent Item
Version:	2	**Reference:**	Item No. 35	**In Control:**	City Council
Department:	Legal Department	**Cost:**		**File Created:**	10/21/2013
File Name:	WCC Settlement Hamman			**Final Action:**	

Title: RESOLUTION NO. R-1314-74: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN OKLAHOMA, AUTHORIZING COMPROMISE SETTLEMENT OF CLAIMS FILED BY KENNETH HAMMAN UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASES OF KENNETH HAMMAN V. THE CITY OF NORMAN, WORKERS' COMPENSATION CASE NOS. WCC-2011-06613 L AND WCC-2011-05712 Q; DIRECTING THE LEGAL DEPARTMENT TO THEN FILE SUCH SETTLEMENT AND ALL ATTENDANT COSTS IN THE WORERKS' 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.

Notes: ACTION NEEDED: Motion to approve or reject the City Attorney's recommendation; and if approved, authorize compliance with the Workers' Compensation Order and direct payment of claims in the amount of $66,765.39 which will constitute judgment against the City of Norman.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 35

Attachments: Text File Hamman WCC.pdf, Resolution R-1314-74, Settlement Schedule, Court Orders, PR

Project Manager: Jeanne Snider, Assistant City Attorney

Entered by: denise.johnson@normanok.gov

Effective Date:

History of Legislative File

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

Text of Legislative File R-1314-74

body

BACKGROUND: Kenneth Hamman was a Maintenance Worker I with Water Line Maintenance of the Utilities Department who filed workers' Compensation Case Nos. WCC 2011-06613 L on June 11, 2011 and WCC 2011-05712 Q on June 1, 2011 alleging injuries to his right shoulder and head, respectively.

The cases have proceeded through the normal litigation process. A trial was held on October 11, 2013 in case WCC 2011-06613 L and the Court awarded $33,915 PPD for the right shoulder. Although the Court ordered an

award, the City Attorney's office continued settlement negotiations for not only this case but Case WCC 2011-05712 Q. A settlement offer in both cases has been made that should be considered by City Council at this time.

DISCUSSION: Mr. Hamman was hired by the City on August 4, 2008 as a Maintenance Worker I in the Water Line Division of Utilities. He will not be returning to his job with the City.

WCC 2011-06613 L (Right Shoulder)
Nature of Claim. Mr. Hamman filed a Workers' Compensation claim alleging injury to his right shoulder from repetitive movements with a date of last occurrence in February, 2011.

The case was tried on the issue of compensability and the Court found this claim compensable on September 28, 2012. Thereafter, Mr. Hamman was evaluated and treated by Dr. David W. Bobb. An MRI of the right shoulder was obtained. Arthroscopic surgery was performed on November 2, 2012 on the right shoulder. After a prescribed period of physical therapy, Mr. Hamman reached maximum medical improvement on May 30, 2013.

Issues for Trial. Since the Court determined that Mr. Hamman's injury arose out of and in the course of his employment with the City, the only issues before the Workers' Compensation Court in this case were the nature and extent of Mr. Hamman's injury. These issues are determined by the trial judge based on the claimant's testimony and expert medical evidence. The Workers' Compensation Court Judge is free to accept either doctors' opinion or find anywhere within the range of competent medical evidence presented.

On May 14, 2013, Mr. Hamman was evaluated by Dr. Andrew C. John who opined 39% impairment to the right shoulder to the body as a whole. Dr. John's rating equates to $62,985. However, it should be noted that Dr. John was not aware of a pre-existing condition and, therefore, did not apportion a percentage for the pre-existing condition. The City had Mr. Hamman evaluated on July 9, 2013 by Dr. Kent Hensley who opined 12% PPD to the right shoulder. Dr. Hensley apportioned 6% to the pre-existing condition leaving 6% PPD apportioned to this injury. Dr. Hensley's rating equates to $9,690. The Workers' Compensation Court trial judge may make a ruling within the range of the medical evidence presented at the time of trial. Therefore, the City's maximum exposure to compensate Mr. Hamman for his injury is 39% PPD or $62,985. The City's minimum exposure for this injury is 6% or $9,690.

Court Award. This case was heard by the Workers' Compensation Court on October 11, 2013. After hearing the claimant's testimony and considering the medical testimony, the Court awarded 21% PPD ($33,915) to the right shoulder in addition to setting out the usual costs and fee. Prior to moving forward to comply with this Court Order settlement negotiations ensued that considered a second case that was pending. The second case is outlined below.

WCC 2011-05712 Q (Head)
Nature of Claim. Mr. Hamman filed this claim on June 1, 2011 alleging head and brain injury on March 25, 2011 when a boomer pipe slipped, and the pipe hit him in the head.

Mr. Hamman was evaluated by his physician, Dr. Andrew C. John on July 18, 2013 who opined 51% PPD impairment to the body as a whole for injury to the head and brain, psychological overlay and headaches. He further felt that he had some degree of disfigurement from the scar on the right frontal part of his face. This percentage equates to $82,365, the City's maximum exposure.

Mr. Hamman was evaluated by the City's physician, Dr. Kent Hensley on July 9, 2013. Dr. Hensley opined 0% regarding his head and central nervous system and 0% for psychological overlay. He also opined that Mr. Hamman had minor disfigurement of his forehead at the site of the laceration. This case has not been set for trial.

MEDIATION
A mediation to settle the referenced cases was held on Monday, November 18, 2013. The settlement figures are delineated on the attached Mediation Statement. The negotiated settlement includes an additional sum of $2,500 for future medical expense for the right shoulder, over and above the 21% PPD Court Award, bringing

the final negotiated settlement to $36,415. The negotiated settlement amount for the head injury is 20% PPD ($32,300), disfigurement ($1,000) and vocational rehabilitation ($3,000), for a total settlement amount of $36,300. Deducted from this amount is overpayment of TTD in the amount of $8,301.92, bringing the final negotiated settlement in the head case to $27,998.08. The combined settlement amount for both cases, after credit for TTD overpayment,is $64,413.08.

This Compromise Settlement is beneficial to the City in that it is a full, final and complete settlement of any and all claims in these Workers' Compensation cases. Should the remaining case proceed to trial, it is reasonably possible that the City could be ordered to pay more than the settlement offer due to the nature and extent of his injuries and subsequent continued medical maintenance. This settlement is beneficial to Mr. Hamman in that it provides certainty for an award. It is also beneficial to him because the entire settlement amount is being paid in a lump sum rather than at a weekly rate over a period of time.

In addition, costs and fees are payable in the total amount of $2,352.31. (*See* Mediation Statement.)

RECOMMENDATION: The issues tried regarding the right shoulder on October 11, 2013, was nature and extent of permanent disability. The Award was within the medical evidence submitted in that the PPD award is one-half the difference between the medical evaluations. It is not anticipated a more favorable ruling for the City could be achieved by further litigation. Further, if the head injury case were to go to trial, it is anticipated that, due to the nature of Mr. Hamman's medical issues, the Court could perhaps award a greater PPD percentage than what is offered in the settlement package. It is recommended that the Council move forward with settlement of these two cases.

Acceptance of the settlement would require a lump sum payment to Mr. Hamman and his attorney in addition to the costs and fees set out on the Mediation Schedule. The settlements would be certified to the Cleveland County District Court to be placed on the property tax rolls for collection over the next three years in accordance with 85 O.S. § 313, 51 O.S. § 159, and 62 O.S. § 361, *et seq.* Certifying the Order to the property tax rolls would, in effect, reimburse the City's Workers' Compensation Fund over the next three years.

Resolution

R-1314-74

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING COMPROMISE SETTLEMENT OF THE CLAIMS FILED BY KENNETH HAMMAN UNDER THE PROVISIONS OF THE WORKERS' COMPENSATION STATUTES OF THE STATE OF OKLAHOMA IN THE CASES OF *KENNETH HAMMAN V. THE CITY OF NORMAN,* WORKERS' COMPENSATION CASE NOS. WCC 2011-06613 L AND WCC 2011-05712 Q; 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.

§1. WHEREAS, KENNETH HAMMAN, was a Maintenance Worker I with Water Line Maintenance of the Utilities Department who single incident and cumulative injuries on March 25, 2011 and in February 2011; and

§2. WHEREAS, the City of Norman has negotiated settlement for the claims of KENNETH HAMMAN against the City of Norman, under the Workers' Compensation Statutes for $64,413.08, to be paid in a lump sum settlement to Mr. Hamman, and such settlement is believed to be fair and reasonable; and

§3. WHEREAS, the City shall incur additional costs for the settlement for payments to the Workers' Compensation Administration Fund in the amount of $1,324.30; the Special Occupational Health and Safety Fund in the amount of $484.50; for filing fees in the Workers' Compensation Court in the amount of $280.00; and filing fees in the Cleveland County District Court in the amount of $251.40; and

§4. WHEREAS, the Risk Management Insurance Fund of the City of Norman has heretofore appropriated funds for the payment of Workers' Compensation settlements covering injuries to qualified persons employed by the City of Norman; and

§5. WHEREAS, the judgments and awards should be transmitted and certified to the Workers' Compensation Court, Oklahoma City, Oklahoma, which when filed will constitute judgment against the City of Norman, which it is entitled to purchase with funds out of the Risk Management Insurance Fund pursuant to Okla. Stat. tit. 85 § 313, Okla. Stat. tit. 51 § 159, and Okla. Stat. tit. 62 § 361, *et seq.*; and

§6. WHEREAS, the City Council finds it will be in the best interest of the City if the funds of the Risk Management Insurance Fund are invested in said judgment; and

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

§7. That the Legal Department is authorized to enter into settlement with one KENNETH HAMMAN for not more than $64,413.08 for any and all claims that he has or may have against the City of Norman under the Workers' Compensation Statutes for any and all injuries known or unknown which occurred while working for the City of Norman; and

§8. That the Legal Department is directed to hereinafter file such settlement in the Workers' Compensation Court, Oklahoma City, Oklahoma, along with all attendant costs therefore, as provided by law; and

§9. That the Finance Director is authorized and directed to purchase such judgments of the Workers' Compensation Court, Oklahoma City, Oklahoma, out of funds of the Risk Management Insurance Fund of the City of Norman.

PASSED AND ADOPTED this _____ day of November, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

BEFORE THE WORKERS' COMPENSATION COURT OF THE STATE OF OKLAHOMA

FILED
WORKERS' COMPENSATION COURT
STATE OF OKLAHOMA
October 18, 2013
Joyce Sanders
COURT CLERK

In re claim of:

KENNETH HAMMAN
Claimant

CITY OF NORMAN
Respondent

CITY OF NORMAN (OWN RISK #10970)
Ins. Carrier

Court Number: 2011-06613L

Claimant's Social Security Number: xxx-xx-1893

ORDER DETERMINING COMPENSABILITY AND AWARDING PERMANENT PARTIAL DISABILITY BENEFITS

Now on this 11th day of OCTOBER, 2013, this cause came on for consideration pursuant to regular assignment and hearing on SEPTEMBER 19, 2013, before JUDGE MICHAEL W MCGIVERN, at Oklahoma City, Oklahoma, at which time claimant appeared in person and by counsel, SHILOH RENES and respondent and insurance carrier appeared by counsel, JEANNE SNIDER.

The Court having considered the evidence and records on file, and being well and fully advised in the premises FINDS AND ORDERS AS FOLLOWS:

- 1 -

THAT claimant was employed by the above named respondent and such employment was subject to and covered by the provisions of the Workers' Compensation Act of the State of Oklahoma; and on FEBRUARY 1, 2011, claimant became aware he/she had sustained accidental personal injury as a result of cumulative trauma to the and RIGHT SHOULDER arising out of and in the course of claimant's employment. Claimant's last injurious exposure to said trauma was on MARCH 24, 2011.

- 2 -

THAT at time of injury, claimant's wages were sufficient to establish the rates of compensation at $377.36 per week for temporary total disability and $323.00 per week for permanent partial disability.

-3 -

THAT as a result of said injury, claimant sustained 21 percent permanent partial disability to the RIGHT SHOULDER (surgery - mini open rotator cuff repair, open biceps tenodesis, arthroscopic acromioplasty, distal clavicle resection, extensive debridement, reduced range of motion, weakness, loss of strength), over and above pre-existing 3%, for which claimant is entitled to compensation for 105 weeks at $323.00 per week, or the total amount of $33,915.00 of which 19 weeks have accrued and shall be paid in a lump sum of $6,137.00.

- 4 -

THAT respondent and/or insurance carrier shall pay all reasonable and necessary medical expenses incurred by claimant as a result of said injury.

- 5 -

THAT respondent or insurance carrier shall pay claimant the accrued portion of the award herein in lump sum of $6,137.00 and pay the balance of said award at the rate of $323.00 per week until the total award of $33,915.00 (less attorney fee) has been paid to claimant.

- 6 -

THAT respondent or insurance carrier shall pay court costs; Special Occupational Health and Safety Fund Tax shall be paid in the sum of $254.36, representing three-fourths of one percent (0.75%). Respondent, if Own Risk, shall pay $678.30 to the Workers' Compensation Administration Fund, representing two percent (2%) of the permanent disability award herein.

- 7 -

THAT pursuant to Title 85 O.S. Section 368, a final award fee of one hundred forty dollars ($140.00) is taxed as a cost in this matter, and shall be paid by respondent to the Court Administrator.

- 8 -

THAT the sum of $6,783.00 shall be deducted from the award herein and paid in lump sum to claimant's attorney as a fair and reasonable attorney fee; within twenty (20) days from the date of filing of this order, respondent or insurance carrier shall comply herewith.

BY ORDER OF:

/s/ Michael W McGivern

MICHAEL W MCGIVERN, JUDGE

pj/BWhite

A copy of the above and foregoing Court Order was mailed, by regular or Certified United States Mail, on this filed stamped date to:

Claimant's Attorney: JOHN C FORBES
PO BOX 50067
MIDWEST CITY, OK 73140-

Respondent's Attorney: R BLAINE NICE
PO BOX 370
NORMAN, OK 73070-

I do hereby certify that the above and foregoing is a true and correct copy of the original order signed by the Judge herein. Witness by my hand and the official seal of this court on this date.

WORKERS' COMPENSATION COURT OF OKLAHOMA OFFICIAL SEAL

Joyce Sanders

Court Clerk
October 18, 2013

BEFORE THE WORKERS' COMPENSATION COURT OF THE STATE OF OKLAHOMA

FILED
WORKERS' COMPENSATION COURT
STATE OF OKLAHOMA
September 28, 2012
Joyce Sanders
COURT CLERK

In re claim of:

KENNETH HAMMAN)
Claimant)
)
CITY OF NORMAN)
Respondent)
)
CITY OF NORMAN (OWN RISK #10970))
Ins. Carrier)

Court Number: 2011-06613L

Claimant's Social Security Number: xxx-xx-1893

ORDER AUTHORIZING MEDICAL TREATMENT

Now on this 25th day of SEPTEMBER, 2012, this cause came on for consideration pursuant to regular assignment and hearing on SEPTEMBER 24, 2012, before JUDGE MICHAEL W MCGIVERN, at Oklahoma City, Oklahoma, at which time claimant appeared in person and by counsel, H THOMAS LEONARD and respondent and insurance carrier appeared by counsel, JEANNIE SNIDER.

The Court having considered the evidence and records on file, and being well and fully advised in the premises FINDS AND ORDERS AS FOLLOWS:

- 1 -

THAT claimant was employed by the above named respondent and such employment was subject to and covered by the provisions of the Workers' Compensation Act of the State of Oklahoma; and IN FEBRUARY, 2011, claimant became aware he had sustained accidental personal injury as a result of cumulative trauma to the RIGHT SHOULDER (aggravation of a pre-existing condition) arising out of and in the course of claimant's employment. Claimant's last injurious exposure to said trauma was on MARCH 24, 2011.

- 2 -

THAT the Court finds claimant's job is physical in nature. Respondent's witness testified to same. The Court believes claimant's work has aggravated a pre-existing condition resulting in the need for current medical care.

- 3 -

THAT respondent is directed to provide medical care with a doctor of their choice. Said appointment to be made within thirty(30) days of the date of this order.

BY ORDER OF:

/S/ Michael W McGivern

MICHAEL W MCGIVERN, JUDGE

pj/KAmos

A copy of the above and foregoing Court Order was mailed, by regular or Certified United States Mail, on this filed stamped date to:

Claimant's Attorney: JOHN C FORBES
PO BOX 50067
MIDWEST CITY, OK 73140-

Respondent's Attorney: R BLAINE NICE
PO BOX 370
NORMAN, OK 73070-

I do hereby certify that the above and foregoing is a true and correct copy of the original order signed by the Judge herein. Witness by my hand and the official seal of this court on this date.

WORKERS' COMPENSATION COURT OFFICIAL SEAL OF OKLAHOMA

Court Clerk
September 28, 2012

SETTLEMENT SCHEDULE

Kenneth Hamman
WCC 2011-066131 L
(Heart)

DESCRIPTION	AMOUNT
PPD (21%)	$33,915.00
Future medical	2,500.00
Total Settlement	$36,415.00
Costs and Fees:	
Workers' Compensation Admin Fund Tax	$ 678.30
Special Occupational Health & Safety Fund Tax	254.36
Filing Fee (Workers' Comp Court)	140.00
Filing Fee (Cleveland County District Court)	$ 125.70
Total costs & fees to the City of Norman	$ 1,198.36
Total Settlement with costs and fees:	$37,613.36

Kenneth Hamman
WCC 2011-05712 Q
(Head)

DESCRIPTION	AMOUNT
PPD (20%)	$32,300.00
Disfigurement	1,000.00
Vocational Rehab	3,000.00
Total Settlement	$36,300.00
Less Overpayment of TTD	-8,301.92
	$27,998.08
Costs and Fees:	
Workers' Compensation Admin Fund Tax	$ 646.00
Special Occupational Health & Safety Fund Tax	242.25
Filing Fee (Workers' Comp Court)	140.00
Filing Fee (Cleveland County District Court)	$ 125.70
Total costs & fees to the City of Norman	$ 1,153.95
Total Settlement	$29,152.03
Total Lump Sum Settlement to Claimant and Attorney	$64,413.08
Totals Costs and Fees	2,352.31
TOTAL SETTLEMENT AND COSTS	$66,765.39

PURCHASE REQUISITION NBR: 0000226234

STATUS: DIVISION APPROVAL
REQUISITION BY: DJOHNSON REASON: WORKERS COMP SETTLEMENT DATE: 11/14/13

SHIP TO LOCATION: LEGAL DEPARTMENT SUGGESTED VENDOR: MARVIN BARTON & WOODSON & DELIVER BY DATE: 11/27/13

LINE NBR	DESCRIPTION	QUANTITY	UOM	UNIT COST	EXTEND COST	VENDOR PART NUMBER
1	WORKERS COMP SETTLEMENT BARTON V. CON; WC 2012-12945A (HEART)WORKERS COMP SETTLEMENT; CONTINGENT ON COUNCIL APPROVAL ON 11-26-13; MAKE CHECK PAYABLE TO MARVIN BARTON AND WOODSON & GOODWIN IN THE AMOUNT OF $82,644. SEPARATE CHECK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	82644.0000	82644.00	

REQUISITION TOTAL: 82644.00

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024152131	Other Salary Orders/Settlements		100.00	82644.00
					82644.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL. MAKE CHECK PAYABLE TO MARVIN BARTON AND WOODSON & GOODWIN.

PURCHASE REQUISITION NBR: 0000226260

STATUS: DIVISION APPROVAL

REQUISITION BY: DJOHNSON
REASON: WORKERS COMP ADMIN FUND
DATE: 11/14/13

SHIP TO LOCATION: LEGAL DEPARTMENT
SUGGESTED VENDOR: 2267 WORKMANS COMPENSATION
DELIVER BY DATE: 11/27/13

1	WORKERS COMP ADMIN FUND BARTON V. CON; WC 2012-12945A (HEART) CONTINGENT U PON COUNCIL APPROVAL ON 11-26-13; SEPARATE CHECK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	1292.0000	1292.00	2267

REQUISITION TOTAL: 1292.00

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024152133	Other Salary Administration Fund		100.00	1292.00
					1292.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000226262

STATUS: DIVISION APPROVAL

REQUISITION BY: DJOHNSON
REASON: WORKERS COMP OCCUP & HEALTH
DATE: 11/14/13

SHIP TO LOCATION: LEGAL DEPARTMENT
SUGGESTED VENDOR: 1950 SPECIAL OCCUPATIONAL HEALTH AN
DELIVER BY DATE: 11/27/13

1	WORKERS COMP OCCUP & HEALTH FUND BARTON V. CON; WC 2012-12945A (HEART) CONTINGENT O N COUNCIL APPROVAL ON 11-26-13; SEPARATE CHECK; RE TURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	484.5000	484.50	1950

REQUISITION TOTAL: 484.50

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024152135	Other Salary Spec Occ Health & Safety		100.00	484.50
					484.50

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000226278

STATUS: DIVISION APPROVAL

REQUISITION BY: DJOHNSON
REASON: WORKERS COMP FILING FEE
DATE: 11/14/13

SHIP TO LOCATION: LEGAL DEPARTMENT
SUGGESTED VENDOR: 2268 WORKERS' COMPENSATION COURT
DELIVER BY DATE: 11/27/13

1	WORKERS COMP FILING FEE BARTON V. CON; WC 2012-12945A (HEART) CONTINGENT O N COUNCIL APPROVAL ON 11-26-13; SEPARATE CHECK; RE TURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	140.0000	140.00	2268

REQUISITION TOTAL: 140.00

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024154704	Miscellaneous Services Other Filing Fees		100.00	140.00
					140.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000220279

STATUS: DIVISION APPROVAL

REQUISITION BY: DJOHNSON
REASON: CLEVELAND COUNTY FILING FEE
DATE: 11/14/13

SHIP TO LOCATION: LEGAL DEPARTMENT
SUGGESTED VENDOR: 434 CLEVELAND COUNTY COURT CLERK
DELIVER BY DATE: 11/27/13

1	CLEVELAND COUNTY FILING FEE BARTIN V. CON; WC 2012-12945A (HEART) CONTINGENT O N COUNCIL APPROVAL ON 11-26-13; SEPARATE CHECK; RE TURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	125.7000	125.70	434

REQUISITION TOTAL: 125.70

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024154703	Miscellaneous Services District Court Filing Fee		100.00	125.70
					125.70

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000226280

STATUS: DIVISION APPROVAL

REQUISITION BY: DJOHNSON
REASON: WORKERS COMP SETTLEMENT
DATE: 11/14/13

SHIP TO LOCATION: LEGAL DEPARTMENT
SUGGESTED VENDOR: MARVIN BARTON AND WOODSON &
DELIVER BY DATE: 11/27/13

1	WORKERS COMP SETTLEMENT BARTON V. CCN; WC 2013-07113A (HEARING) CONTINGENT ON COUNCIL APPROVAL ON 11-26-13; CONTINGENT ON COUNCIL APPROVAL ON 11-26-13; MAKE CHECK PAYABLE TO MARVIN BARTON AND WOODSON & GOODWIN; SEPARATE CHECK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	16856.0000	16856.00

REQUISITION TOTAL: 16856.00

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024152131	Other Salary Orders/Settlements		100.00	16856.00
					16856.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

MAKE CHECK PAYABLE TO: MARVIN BARTON AND WOODSON
& GOODWIN; SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000226281

STATUS: DIVISION APPROVAL

REQUISITION BY: DJOHNSON
REASON: WORKERS COMP ADMIN FUND
DATE: 11/14/13

SHIP TO LOCATION: LEGAL DEPARTMENT
SUGGESTED VENDOR: 2267 WORKMANS COMPENSATION
DELIVER BY DATE: 11/27/13

1	WORKERS COMP ADMIN FUND BARTON V. CON; WC 2013-07113A (HEARING) CONTINGENT ON COUNCIL APPROVAL ON 11-26-13; SEPARATE CHECK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	277.1200	277.12	2267

REQUISITION TOTAL: 277.12

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024152133	Other Salary Administration Fund		100.00	277.12
					277.12

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000226285

STATUS: DIVISION APPROVAL

REQUISITION BY: DJOHNSON
REASON: WORKERS COMP OCCUP & HEALTH FUND
DATE: 11/14/13

SHIP TO LOCATION: LEGAL DEPARTMENT
SUGGESTED VENDOR: 1950 SPECIAL OCCUPATIONAL HEALTH AN
DELIVER BY DATE: 11/27/13

1	WORKERS COMP OCCUP & HEALTH FUND BARTON V. CON; WC 2013-07113A (HEARING) CONTINGENT ON COUNCIL APPROVAL ON 11-26-13; SEPARATE CHECK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	103.9200	103.92	1950

REQUISITION TOTAL: 103.92

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024152135	Other Salary Spec Occ Health & Safety		100.00	103.92
					103.92

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000236286

STATUS: DIVISION APPROVAL

REQUISITION BY: DJOHNSON
REASON: WORKERS COMP FILING FEE
DATE: 11/14/13

SHIP TO LOCATION: LEGAL DEPARTMENT
SUGGESTED VENDOR: 2268 WORKERS' COMPENSATION COURT
DELIVER BY DATE: 11/27/13

1	WORKERS COMP FILING FEE BARTON V. CON; WC 2013-07113A (HEARING) CONTINGENT ON COUNCIL APPROVAL ON 11-26-13; SEPARATE CHECK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	140.0000	140.00	2268

REQUISITION TOTAL: 140.00

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024154704	Miscellaneous Services Other Filing Fees		100.00	140.00
					140.00

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

PURCHASE REQUISITION NBR: 0000226287

STATUS: DIVISION APPROVAL

REQUISITION BY: DJOHNSON
REASON: WORKERS COMP CLEVELAND COUNTY FILING FEE
DATE: 11/14/13

SHIP TO LOCATION: LEGAL DEPARTMENT
SUGGESTED VENDOR: 434 CLEVELAND COUNTY COURT CLERK
DELIVER BY DATE: 11/27/13

1	WORKERS COMP CLEVELAND COUNTY FILING FEE BARTON V CON; WC 2013-07113A (HEARING) CONTINGENT ON COUNCIL APPROVAL ON 11-26-13; SEPARATE CHECK; RETURN CHECK TO LEGAL. COMMODITY: INSURANCE, ALL TYPES SUBCOMMOD: WORKER'S COMPENSATION	1.00	EA	125.7000	125.70	434

REQUISITION TOTAL: 125.70

ACCOUNT INFORMATION

LINE #	ACCOUNT		PROJECT	%	AMOUNT
1	04330024154703	Miscellaneous Services District Court Filing Fee		100.00	125.70
					125.70

REQUISITION IS IN THE CURRENT FISCAL YEAR.

REQUISITION COMMENTS:

SEPARATE CHECK; RETURN CHECK TO LEGAL.

City of Norman, OK

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

Master

File Number: R-1314-15

File ID:	R-1314-15	**Type:**	Resolution	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 36	**In Control:**	City Council
Department:	Public Works Department	**Cost:**		**File Created:**	07/25/2013
File Name:	Final Cost-Rock Creek Rd Recoupment Project			**Final Action:**	

Title: RESOLUTION NO. R-1314-15: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING AND CONFIRMING FINAL COSTS ASSOCIATED WITH IMPROVEMENTS ON ROCK CREEK ROAD, AN ARTERIAL ROAD, FROM BETWEEN PORTER AVENUE TO ONE-HALF MILE EAST OF 12TH AVENUE N.E., AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO RELEASE PROPERTIES AS ASSESSMENTS ARE PAID.

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-15.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 36

Attachments: Text File Recoupment.pdf, R-1314-15.pdf, Rock Creek Recoupment List (11-19-13).pdf, Rock Creek Recoupment Map (11-09-2006).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 R-1314-15

body

BACKGROUND: On November 14, 2006, Council adopted Resolution No. R-0607-40 declaring a Recoupment District for the Rock Creek Road Widening Project. Then, on September 22, 2009, City Council adopted Resolution No. R-0910-51 and approved Contract No. K-0910-70 for the construction of the Rock Creek Road Widening Project. Construction began on the Rock Creek Road Widening Project in January 2010 and it was completed in January 2011. City Council adopted the Recoupment Ordinance on February 11, 1997.

The project provided for the widening of Rock Creek Road from two lanes to four lanes between Porter Avenue and Queenston Avenue. A grant of federal transportation funds provided by the Oklahoma Department of Transportation (ODOT) and the Association of Central Oklahoma Governments (ACOG) paid for 80 percent of the construction costs on the project. The City's share of the project paid for land acquisition, utility relocation, design services and 20 percent of the construction costs.

DISCUSSION: Rock Creek Road Widening Project was one of the 2005 Bond Projects. The project was completed using only Bond Funds. The Rock Creek Road Recoupment District included ten unplatted parcels. Seven property owners donated the necessary right-of-way while three of the property owners chose to accept funds for the right-of-way. Under the Recoupment Ordinance, Ordinance No. 0-9697-31, if a construction project is funded by General Obligation Bond funds, only right-of-way costs can be recouped and charged back specifically to the property attributable to the cost. See Attachment A.

Since the actual cost cannot be known until the project has been completed, the process requires two (2) resolutions. The first resolution, R-0607-40, put the property owners and the title companies on notice that a recoupment against the property may be made. The second resolution establishes the beginning amount of the recoupment, which is the actual cost less any non-recoupable expenses plus a 2% administration fee. An inflation/deflation adjustment is also applied. The yearly inflation adjustment percentage calculated per Section 16-603 (d) (3) of the City Ordinance for this recoupment project is 4.13% and will be applied to the cost until funds are paid back or the obligation expires. The obligation will continue for twenty years. If the property is not developed after the 15th year the obligation is reduced by 20%; reduced an additional 20% after the 16th year; reduced an additional 20% after the 17th year; reduced an additional 20% after the 18th year; and finally reduced an additional 20% after the 19th year.

The right-of-way acquisition and utility relocation activities are complete. On January 2, 2012, the City paid the final construction invoice from the Oklahoma Department of Transportation (ODOT) so the final recoupment costs can now be determined. The affected property owners are not required to pay their recoupment amount until they proceed with the development of their property. Since the application of the inflation factor depends on when the property owner pays their recoupment cost, this cost is calculated when they plat their property. The cost specific to each parcel is shown in Attachment A.

RECOMMENDATION: Staff recommends approval of Resolution No R-1314-15.

Resolution

R-1314-15

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, ADOPTING AND CONFIRMING FINAL COSTS ASSOCIATED WITH IMPROVEMENTS TO ROCK CREEK ROAD, AN ARTERIAL ROAD, BETWEEN PORTER AVENUE TO ONE-HALF MILE EAST OF 12TH AVENUE N.E. AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO RELEASE PROPERTIES AS ASSESSMENTS ARE PAID.

§ 1. WHEREAS, the City Council of the City of Norman, Oklahoma, adopted Resolution No. R-0607-40 on November 14, 2006, declaring a recoupment project for costs associated with improvements to Rock Creek Road, an arterial road; and

§ 2. WHEREAS, Sections 16-601 through 16-603 of Article VI. Chapter 16, of the Code of the City of Norman, provide for public improvements to streets, curbs, driveways and intersections, and

§ 3. WHEREAS, such improvements have been made and final costs for this project have been prepared.

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

§ 4. That a final cost associated with improvements to Rock Creek Road, an arterial road, between Porter Avenue to one-half mile east of 12th Avenue N.E., declared a recoupment project in Resolution No. R-0607-40, as more particularly described and defined in Exhibits "A" and "B" is attached hereto and made a part thereof.

§ 5. Further, that the City has delineated the boundaries and scope of the project as shown in Exhibit "A", the list, and Exhibit "B", the ,map, prepared and made a part of this declaration, which together show all abutting properties subject to recoupment, be filed of record in the office of the City Clerk and in the office of County Clerk of Cleveland County giving notice of this recoupment project, all pursuant to Sections 16-601 through 16-603 of Article VI, Chapter 16, of the Code of the City of Norman.

§ 6. Further, that the Director of Public Works, or his designee, be authorized to release and remove from the recoupment project under this resolution and the original Resolution No. R-0607-40 adopted by the City Council on November 14, 2006, those properties as their obligations have been fulfilled.

PASSED AND ADOPTED THIS_____ day of _____, 2013.

_____
Mayor

ATTEST:

_____
City Clerk

Attachment A

Parcel	Owner	Legal Description	Recoupment Amount
Parcel 2	Thomas J. Rose 478 Oak Street Taylors Falls, MN 55084	The West Half (W/2) of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of Section Twenty (20), Township Nine (9) North, Range Two (2) West of the Indian Meridian, Cleveland County, Oklahoma.	$23,900.00
Parcel 3	~~Sutton Creek Development LLC~~ ~~1800 N. Interstate Drive #300~~ ~~Norman, OK 73072~~ Condemned 10/15/08 City of Norman PO Box 370 Norman, OK 73070	A tract of land lying in the NW/4 of Section 20, Township 9 North, Range 2 West, Norman, Cleveland County, Oklahoma, being more particularly described as follows: Commencing at a found iron pin at the Northeast Corner of the NW/4 of 20-9N-2W; Thence South 89'42'54" West, a distance of 658.14 feet to the point of beginning; Thence South 00'40'00" East a distance of 663.05 feet; Thence North 89'40'41" East a distance of 658.03 feet to a point on the East line of said NW/4; Thence South 00'39'25" East along said East line a distance of 1571.87 feet; Thence South 89'34'04" West a distance of 1240.00 feet; Thence North 00'21'10" West a distance of 2237.64 feet to a point on the North line of said NW/4 Thence North 89'42'54" East along said North line a distance of 570.00 feet to the point of beginning	$0
Parcel 4	The Cleatus R. Waller Revocable Trust 636 E. Rock Creek Road Norman, OK 73071	Part of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter of Section Twenty, Township Nine North, Range Two West of the Indian Meridian, described as follows: Beginning at the Southeast Corner of said Northeast Quarter of the Northeast Quarter of the Northwest Quarter, thence West 165 feet, thence North 660 feet, thence East 165 feet, thence South 660 feet to the point of beginning.	$8,850.00

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Attachment A

Parcel	Owner	Legal Description	Recoupment Amount
Parcel 6	Sassan K. Moghadam 221 48th Ave NW Norman, OK 73072	Part of the Southeast Quarter (SE1/4) of Section Seventeen (17), Township Nine (9) North, Range Two (2) West of the Indian Meridian, Cleveland County, Norman, Oklahoma, more particularly described as follows: COMMENCING at the Southeast corner of said Southeast Quarter (SE/4). THENCE N 00°18'23" W a distance of 538.51 feet, THENCE S 89°41'37" W a distance of 100.00 feet, THENCE N 61°22'47' W a distance of 429 61 feet, THENCE South a distance of 742 58 feet to the South line of said Southeast Quarter (SE/4). THENCE S 89°51'34' E a distance of 480 00 feet to the point or place of beginning, LESS AND EXCEPT 'A strip, piece or parcel of land lying In part of the SE/4, SE/4 of Section 17, Township 9 North, Range 2 West of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as: BEGINNING at the SE corner of said SE/4, SE/4, THENCE North along the East line of said SE/4, SE/4 a distance of 556 00 feet, THENCE West a distance of 55.53 feet, THENCE Southeasterly on a curve to the left having a radius of 21,560.92 feet. A distance of 59.58 feet, THENCE S 10°56'54" W a distance of 103 47 feet. THENCE Southeasterly on a curve to the left having a radius of 21,585.92 feet. A distance of 52.65 feet, THENCE Southeasterly on a curve to the right having a radius of 10,642.96 feet. A distance of 294.82 feet, THENCE S 73°13'08' W a distance of 51.79 feet, THENCE S 01°33'26' E a distance of 33 00 feet to a point on the South line of said SE/4, SE/4, THENCE East along said South line a distance of 108.01 feet to the point of beginning FAT&T #103021 AND LESS AND EXCEPT: Windstone Addition to the City of Norman	$0
Parcel 7	Bobby J. Howard and Jamie B. Howard 612 Rock Creek Road Norman, OK 73071-7047	The West Half (W/2) of the East Half (E/2) of the Northeast Quarter (NE/4) of the Northeast Quarter (NE/4) of the Northwest Quarter (NW/4) of Section Twenty (20), Township Nine (9) North, Range Two (2) West of the Indian Meridian, Cleveland County, Oklahoma.	$8,000.00

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Attachment A

Parcel	Owner	Legal Description	Recoupment Amount
Parcel 8	~~Vicki Jansing, Successor Trustee, Alois J. Loeffelholz, Jr. And Josephine Anna Miller, as Trustees, and Josephine Anna Miller and Frank G. Miller, Wife and Husband 401 Quail Ridge Road Norman, OK 73072~~ Property split up to: Park Place Developers LLC 1400 Imhoff Road Norman, OK 73071 Josephine Anna Miller 2102 Morgan Dr Norman, OK 73069 Alois J Loeffelholz 401 Quail Ridge Rd Norman, OK 73072	The NW/4 of Section 21-T9N-R2W of the Indian Meridian. LESS AND EXCEPT the following property described as follows: A tract of land lying in the NW/4 of Section 21-T9N-R2W of the Indian Meridian, Cleveland County, Oklahoma, being more particularly described as follows: Commencing at the NW/C of said NW/4; thence North 89°36'3 1" East, along the North line of said NW/4, a distance of 1557.76 feet to the Point of Beginning; thence continuing North 89°36'31" East, along said North line, a distance of 1065.31 feet; thence South 00°45'01" East a distance of 620.00 feet; thence South 89°36'3 1" West a distance of 912.02 feet to a point on a curve; thence around a curve to the left having a radius of 272.01 feet (said curve subtended by a chord which bears North 19°45'10 West a distance of 71.30 feet) with an arc length of 71.50 feet; thence North 27°16'55" West a distance of 163.17 feet to a point of curvature; thence around a curve to the right having a radius of 454.23 feet (said curve subtended by a chord which bears North 15°36'49" West a distance of 178.02 feet; thence North 00°20' 19" West a distance of 50.00 feet to the Point of Beginning. And: A tract of land lying in the NW/4 of Section 21-T9N-R2W of the Indian Meridian, beginning at the SE/C of said NW/4, thence North 1146.32 feet, thence West 1330 feet, thence South 1146.32 feet, thence East 1330 feet to the Point of Beginning. Containing 35 acres mol. And: Platted areas in the NW/4 of Section 21-T9N-R2W known as **Park Place Addition** to the City of Norman, Sections 1-5 And the following tracts designated as Park Land for Park Place Addition to the City of Norman: A part of the NW/4 of Section 21-T9N-R2W. I.M., Norman, Cleveland County, Oklahoma, more particularly described as follows: Commencing at the SW/C of said NW/4; thence South 89°53'44" east and along the South line of said NW/4 a distance of 1192.13 feet; thence North 22°42'13" West a distance of 150 feet to the Point of Beginning. Thence, continuing North 22°42'13" West a distance of 55.53 feet; Thence North 89°14'59" East a distance of 171.06 feet; Thence South 00°45'01" East a distance of 51.15 feet; Thence South 89°14'59" West a distance of 150.30 feet to the Point of Beginning. Containing 0.19 acres mol. And: Commencing at the SW/C of said NW/4; thence South 89°53'44" East along the south line of said NW/4 a distance of 1192.13 feet; thence North 22°42'13" West a distance of 205.53 feet; thence North 89°14'59" East a distance of 26.95 feet to the Point of Beginning; Thence North 22°42'13" West a distance of 46.20 feet; Thence North 89°14'59" East a distance of 161.38 feet' Thence South 00°45'01" East a distance of 42.85 feet; Thence South 89°14'59" West a distance of 144.11 feet to the Point of Beginning. Containing 0.15 acres, mol.	$0

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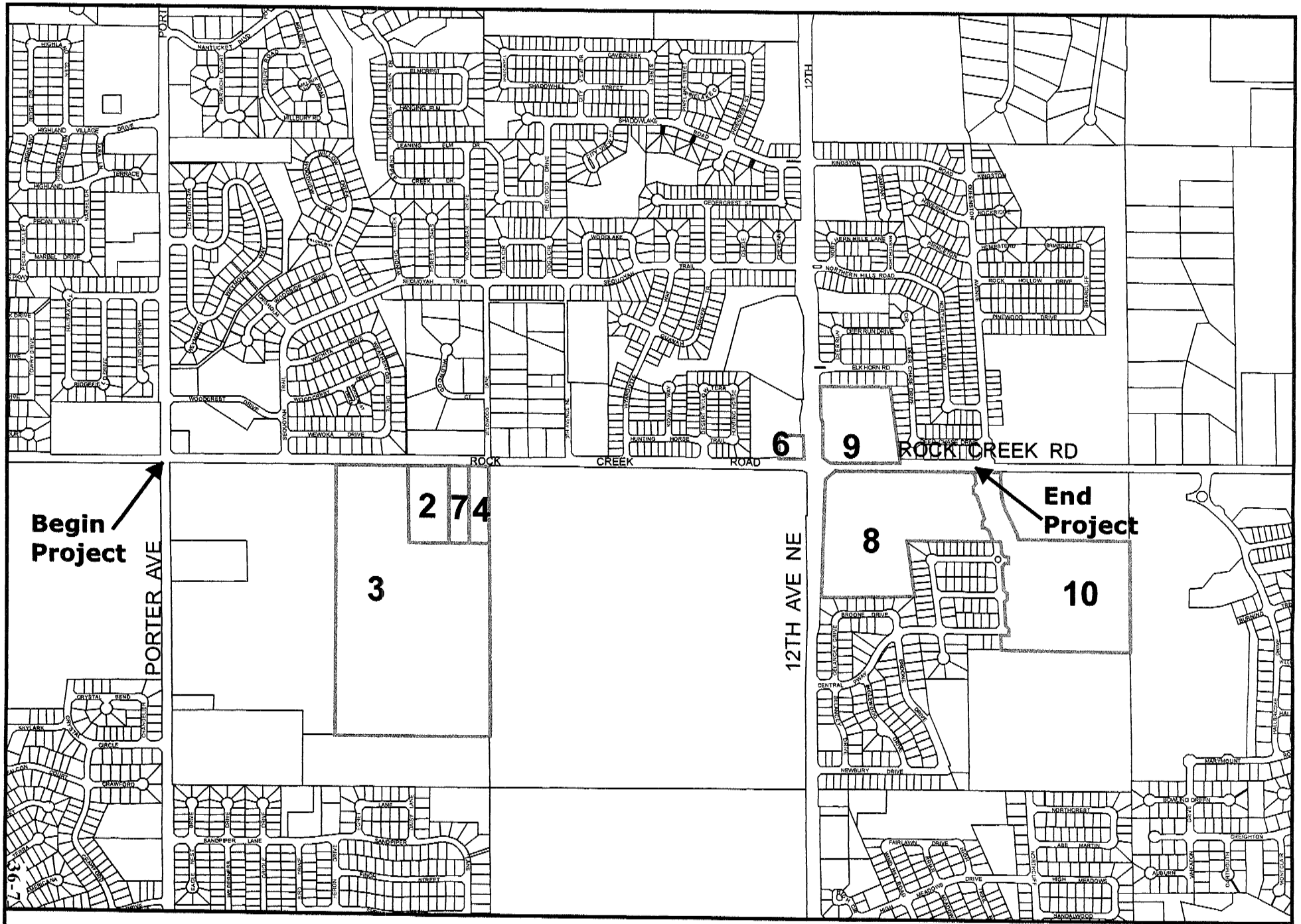
Attachment A

Parcel	Owner	Legal Description	Recoupment Amount
Parcel 9	~~Queenston Heights, Inc.~~ ~~3217 Walnut Rd~~ ~~Norman, OK 73072~~ Walgreen Co. PO Box 1159 Deerfield, IL 60015	The SW/4 of Section 16-T9N-R2W of the I.M. **LESS AND EXCEPT** the following described property; A part of the SW/4 of Section 16-T9N-R2W of the I.M., described as follows: Beginning at the NW/C of said SW/4; thence along the North line of said SW/4, S 89°41'08" E, 1335.02'; thence S 3°20'30" E, 1100.52'; thence S 86°39'30W, 149.52'; thence N 63°53'03"W 475.38'; thence N 7°27'31" W, 263.76'; thence N 89°41'08"W, 788.81 ' to the West line of said SW/4; thence North 639.58' to the point and place of beginning, containing 25.0 acres, more or less, less and except all of the oil, gas and other mineral interests in and to said property and subject to all rights-of-way now of record. **AND** Less the following described property: **A tract of land located in the Southwest Quarter (SW/4) of Section Sixteen (16), Township Nine (9) North, Range Two (2) West of the Indian Meridian, Norman, Cleveland County, Oklahoma, described as follows: Beginning at the Southeast Corner of said SW/4; thence N. 89°56'34" W. on the South line of said SW/4 for a distance of 1877.23 feet; thence N. 07°28'55" W for a distance of 656.33 feet; thence S. 90°00'00" W. for a distance of 568.62 feet to a point on the East Right-of-Way line of 12th Avenue N.E.; thence Northwesterly on said Right-of-Way on a curve to the right having a radius of 21,410.92 feet, a chord bearing of N. 01°10'51" W. on said Right-of-Way for a curve distance of 749.67 feet; thence N. 14°07'15" W. on said Right-of-Way for a distance of 102.86 feet; thence N. 00°00'57" E. on said Right-of-Way for a distance of 494.66 feet; thence S. 89°41'08" E. for a distance of 738.96 feet to a point on the West line of Queenston Heights Addition to Norman, Cleveland County, Oklahoma; thence S. 07°27'31" E. on said West line for a distance of 263.95 feet; thence S. 63°53'03" E. on the South line of said Queenston Heights Addition for a distance of 475.38 feet; thence N. 86°39'30" E. on the South line for a distance of 89.52 feet to a point on the West line of Queenston Heights Section 2 Addition to Norman, Cleveland County, Oklahoma; thence S. 03°20'30" E on the said West for a distance of 448.16 feet; thence S. 89°58'07" E. on the South line of said Queenston Heights Section 2 Addition for a distance of 1067.08 feet; thence N. 00°41'20" W. on the East line of Queenston Heights Section 2 Addition for a distance of 870.12 feet; thence S. 90°00'00" W. on the North line of Queenston Heights Section 2 Addition for a distance of 576.84 feet; thence S. 85°55'20" W. on said North line for a distance of 100.25 feet; thence N. 00°00'00" W. on the East line of said Queenston Heights Section 2 Addition for a distance of 140.23 feet; thence N. 26°21'37" W. on said East line for a distance of 609.60 feet to a point on the North line of said SW/4; thence S. 89°41'08" E. on said North line for a distance of 1119.47 feet to the Northeast Corner of said SW/4; thence S. 00°36'12" E. on the East line of said SW/4 said line being the West line of Twin Acres Addition to Norman, Cleveland County, Oklahoma, for a distance of 2622.08 feet to the point of beginning, containing 94.25 acres more or less.** And less the following platted property in said SW/4 according to the recorded plats thereof: **Kingston Hills** Addition to the City of Norman Sections 1, 2, & 3 **Queenston Heights** Addition to the City of Norman Sections 1 & 2 **Deerfield** 1,2,3,4,& 5 Additions to the City of Norman **Northern Hills** Addition to the City of Norman And less the following property described as: Beginning at the SE/C of the SW/4 of Section 16, Township 9N, Range 2W, Cleveland County, Thence N89°56'34"W ON THE South Line of said SW/4 a distance of 350.03 feet; Thence N00°36'12"W a distance of 450.03 feet; Thence S89°56'34"E a distance of 350.03 feet to a point on the East Line of said SW/4 a distance of 450.03 feet to the POB, containing 3.62 acres, more or less.	$0

Attachment A

Parcel	Owner	Legal Description	Recoupment Amount
Parcel 10	Sonoma Park Estates, LTD 111 N. Peters Ave. Norman, OK 73069-7235	A tract of land located in the Southwest Quarter (SW/4) of Section Sixteen (16), Township Nine (9) North, Range Two (2) West of the Indian Meridian, Norman, Cleveland County, Oklahoma, described as follows: Beginning at the Southeast Corner of said SW/4; thence N. 89°56'34" W. on the South line of said SW/4 for a distance of 1877.23 feet; thence N. 07°28'55" W for a distance of 656.33 feet; thence S. 90°00'00" W. for a distance of 568.62 feet to a point on the East Right-of-Way line of 12th Avenue N.E.; thence Northwesterly on said Right-of-Way on a curve to the right having a radius of 21,410.92 feet, a chord bearing of N. 01°10'51" W. on said Right-of-Way for a curve distance of 749.67 feet; thence N. 14°07'15" W. on said Right-of-Way for a distance of 102.86 feet; thence N. 00°00'57" E. on said Right-of-Way for a distance of 494.66 feet; thence S. 89°41'08" E. for a distance of 738.96 feet to a point on the West line of Queenston Heights Addition to Norman, Cleveland County, Oklahoma; thence S. 07°27'31" E. on said West line for a distance of 263.95 feet; thence S. 63°53'03" E. on the South line of said Queenston Heights Addition for a distance of 475.38 feet; thence N. 86°39'30" E. on the South line for a distance of 89.52 feet to a point on the West line of Queenston Heights Section 2 Addition to Norman, Cleveland County, Oklahoma; thence S. 03°20'30" E on the said West for a distance of 448.16 feet; thence S. 89°58'07" E. on the South line of said Queenston Heights Section 2 Addition for a distance of 1067.08 feet; thence N. 00°41'20" W. on the East line of Queenston Heights Section 2 Addition for a distance of 870.12 feet; thence S. 90°00'00" W. on the North line of Queenston Heights Section 2 Addition for a distance of 576.84 feet; thence S. 85°55'20" W. on said North line for a distance of 100.25 feet; thence N. 00°00'00" W. on the East line of said Queenston Heights Section 2 Addition for a distance of 140.23 feet; thence N. 26°21'37" W. on said East line for a distance of 609.60 feet to a point on the North line of said SW/4; thence S. 89°41'08" E. on said North line for a distance of 1119.47 feet to the Northeast Corner of said SW/4; thence S. 00°36'12" E. on the East line of said SW/4 said line being the West line of Twin Acres Addition to Norman, Cleveland County, Oklahoma, for a distance of 2622.08 feet to the point of beginning, containing 94.25 acres more or less.	$0

36-6



Map Produced by the City of Norman
Geographic Information System
(405) 366-5436
The City of Norman assumes no responsibility for errors or omissions in the information presented.

Rock Creek Road Recoupment Project
From Porter Ave to 1300ft. East of 12th Ave. NE

Scale: 1" = 1000'

N W E S

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:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 37	**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: CONSIDERATION OF ORDINANCE NO. O-1314-16 UPON SECOND AND FINAL READING: 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 adopt or reject Ordinance No. O-1314-16 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-16 upon Final Reading as a whole.

ACTOIN TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 37

Attachments: Text File O-1314-16.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

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 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:		
1	City Council	11/12/2013	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-1314-16

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.

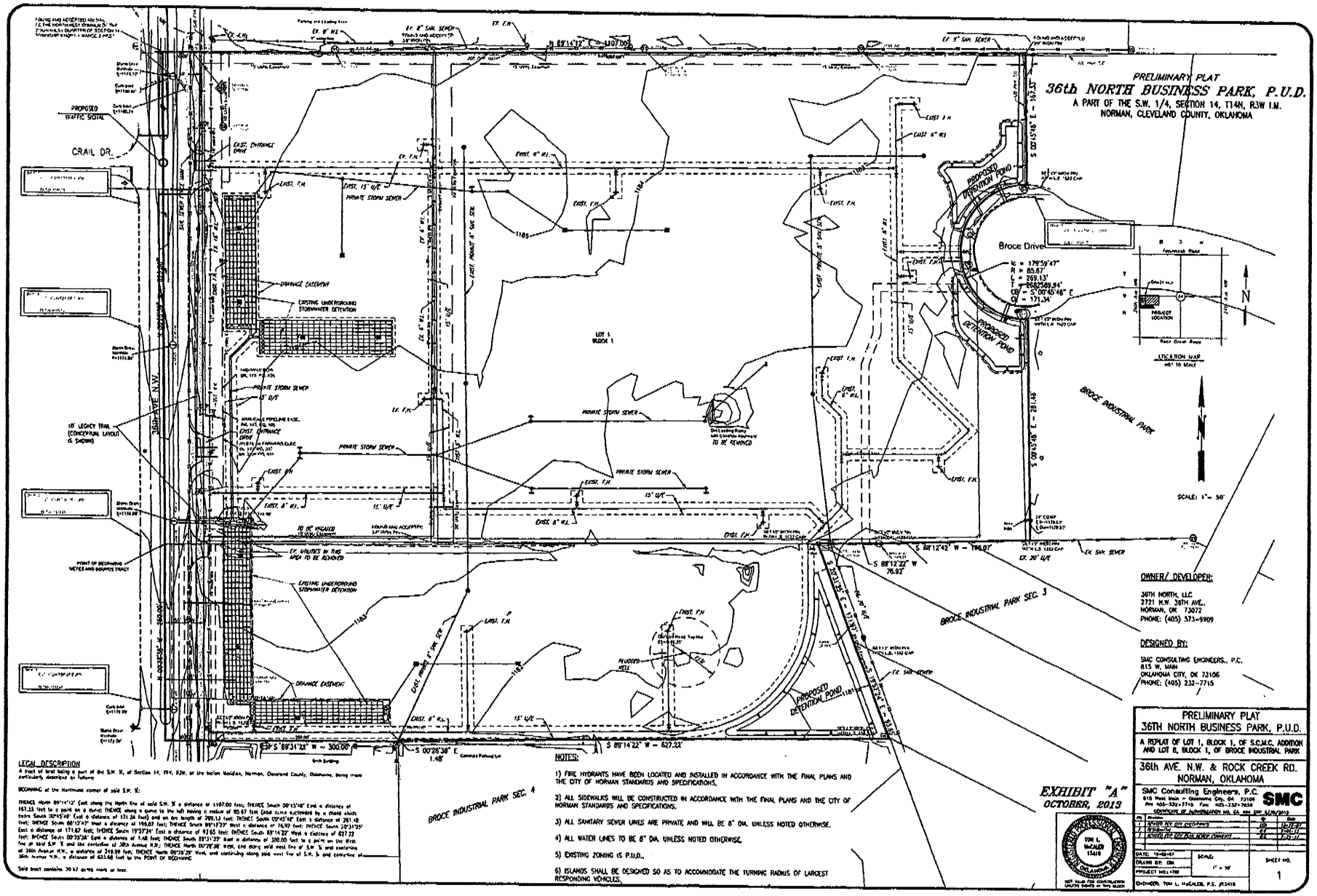
SIGNS: Joint Identification Ground Signs: Signs may be installed along 36th Avenue NW, at the four locations shown on the Site Development Plan. Wall signs may be installed within the development at locations authorized under the Norman Sign Code (Chapter 18) and permitted as C-1 uses. Each sign must 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)
SMC Consulting Engineers, P.C.
815 West Main Street
Oklahoma City OK 73106
405-232-7715
FAX 405-232-7859
www.smcokc.com



LEGAL DESCRIPTION

A tract of land being a part of the S.W. ¼, of Section 14, T14N, R3W, 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°15'48" 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 (cold 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 00°31'25" East a distance of 171.67 feet; THENCE South 19°37'24" 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°28'38" 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.

NOTES:

1) FIRE HYDRANTS HAVE BEEN LOCATED AND INSTALLED IN ACCORDANCE WITH THE FINAL PLANS AND THE CITY OF NORMAN STANDARDS AND SPECIFICATIONS.

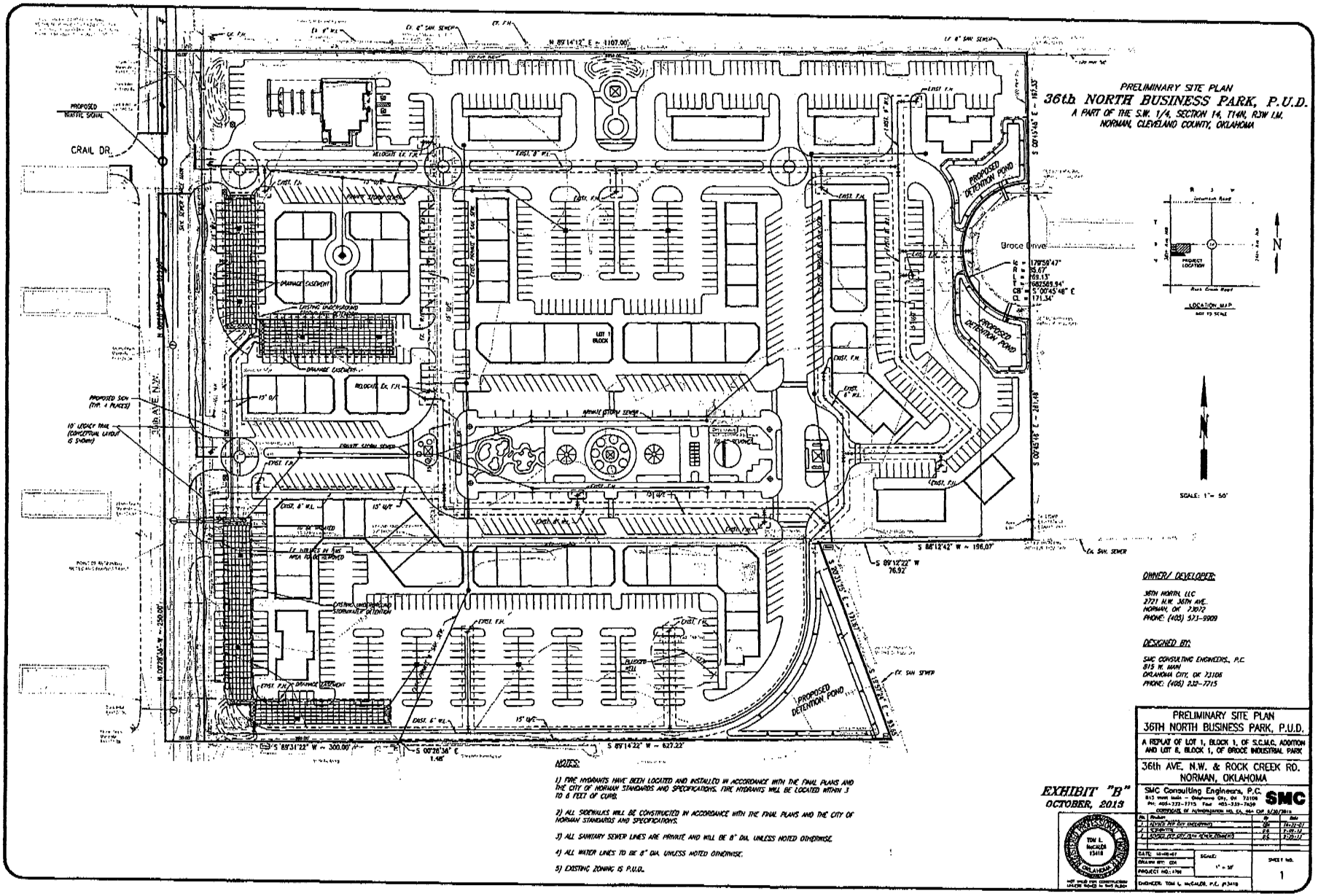
2) ALL SIDEWALKS WILL BE CONSTRUCTED IN ACCORDANCE WITH THE FINAL PLANS AND THE CITY OF NORMAN STANDARDS AND SPECIFICATIONS.

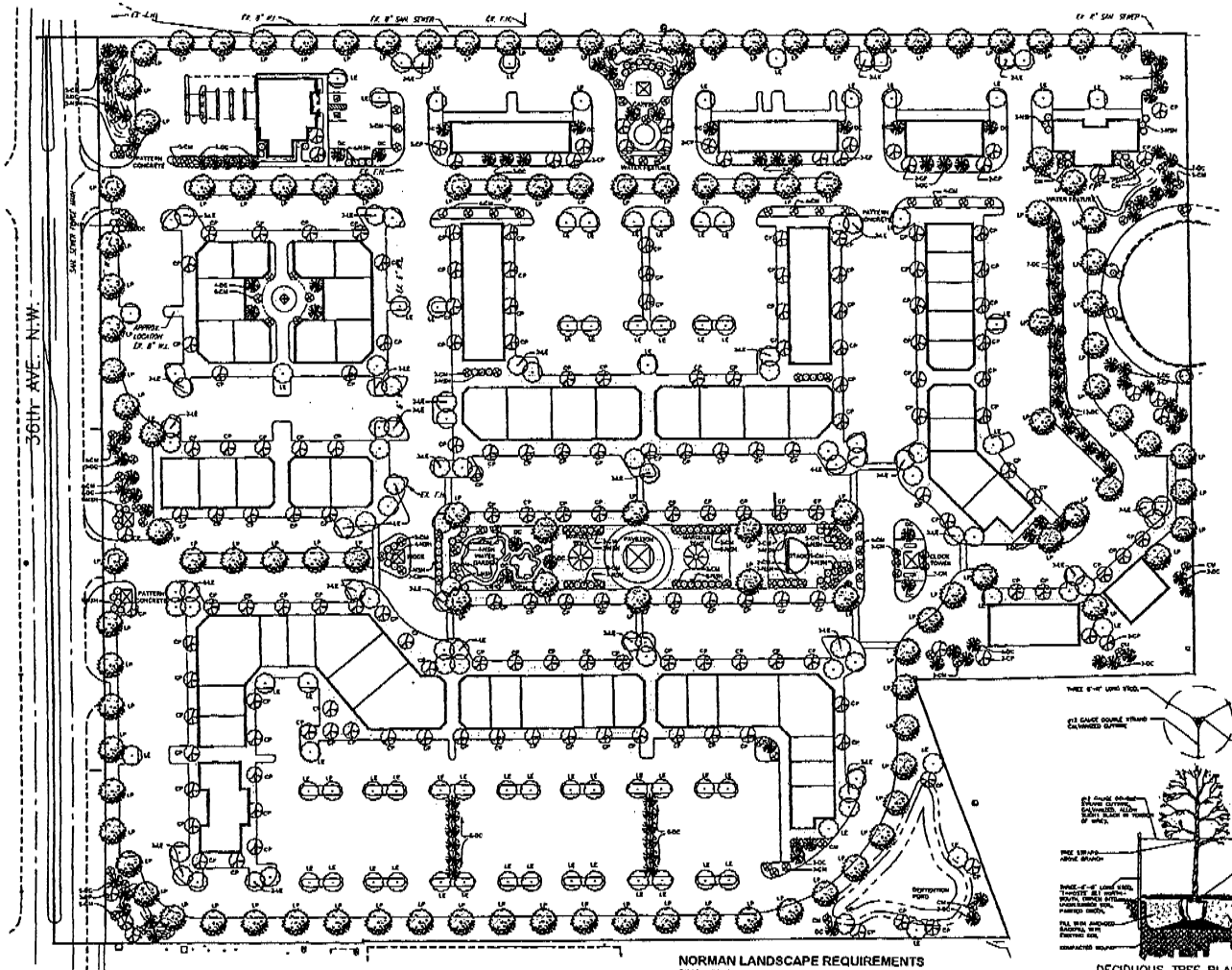
3) ALL SANITARY SEWER LINES ARE PRIVATE AND WILL BE 8" DIA. UNLESS NOTED OTHERWISE.

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.


PRELIMINARY SITE PLAN
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
PROPOSED DETENTION POND
Groce Drive
LOCATION MAP
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
PRELIMINARY SITE PLAN
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 GROCE INDUSTRIAL PARK
36th AVE. N.W. & ROCK CREEK RD.
NORMAN, OKLAHOMA
SMC Consulting Engineers, P.C.
SMC
EXHIBIT "B"
OCTOBER, 2013
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.
SHEET NO.
1



LANDSCAPE INSTRUCTIONS:

PLANT MATERIAL INSTALLATIONS:

SOD:

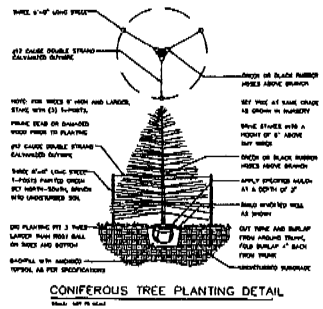
A. SOD IS TO BE LAID SMOOTHLY, CLOSE TO CURB AND WITH STAGGERED JOINTS. PRESS FIRMLY INTO CONTACT WITH SOD DEV BY TAMPING OR ROLLING. SOD ALL DISTURBED AREAS.
B. SOD IS TO BE WATERED IMMEDIATELY AFTER BEING INSTALLED. ALL SODDED AREAS ARE TO BE WATERED UNTIL GRASS IS ESTABLISHED. BARE AREAS ARE TO BE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

TREES AND SHRUBS:

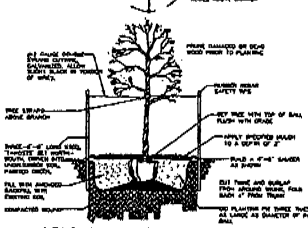
A. PLANT PITS ARE TO BE STAKED PRIOR TO EXCAVATION.
B. PLANT PITS ARE TO BE BACKFILLED WITH A SOIL MIXTURE OF 2/3 CLEAN, EXCAVATED SOIL AND 1/3 BACK-FILL-EARTH BY VOLUME WITH 3 LBS. FERTILIZER FOR EACH TREE AND 6 OZ. FERTILIZER FOR EACH SHRUB. BACKFILLING IS TO BE EXECUTED IN 6" LAYERS, EACH CAREFULLY 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. ORIENTATE 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, 2'-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 LARGE BRANCH(S).
G. REMOVE ALL DEAD WOOD, SUCKERS, BROKEN OR BADLY DAMAGED BRANCHES. PRUNE APPROXIMATELY 1/3 OF LAST SEASON'S GROWTH BY REMOVING OR SHORTENING BRANCHES.
H. MULCH SHALL BE SHREDDED BARK. PINE, HARDWOOD OR OTHER PRODUCT APPROVED BY THE ARCHITECT.
I. TREES THAT NEED TO BE "LIMBED UP" SHALL BE OF SATISFACTORY 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 HERBICIDE, INSECTICIDE OR OTHER HARMFUL MATERIALS.

WARRANTY:

A. CONTRACTOR SHALL MAINTAIN UNTIL SUBSTANTIAL COMPLETION IS ISSUED ALL LANDSCAPING (GRASSES, TREES, SHRUBS, ETC.) INCLUDING WATERING, MOWING, SPRAYING, 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 THE WARRANTIES 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	6'-9' ht	Strong central leader, full to ground.
CP	183	Chinese Pistache	Pistachia chinensis	3" cal	Straight trunk, balanced branching.
LE	159	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	Shaped 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 x	12300	/ 100	= 123	Trees
	TOTAL TREES REQUIRED:			326	Trees

EXHIBIT "C"
OCTOBER, 2013

Mark H. Myers
Landscape Architect
3717 Ashdale Road
Edmond, OK 73013

LANDSCAPE SITE PLAN

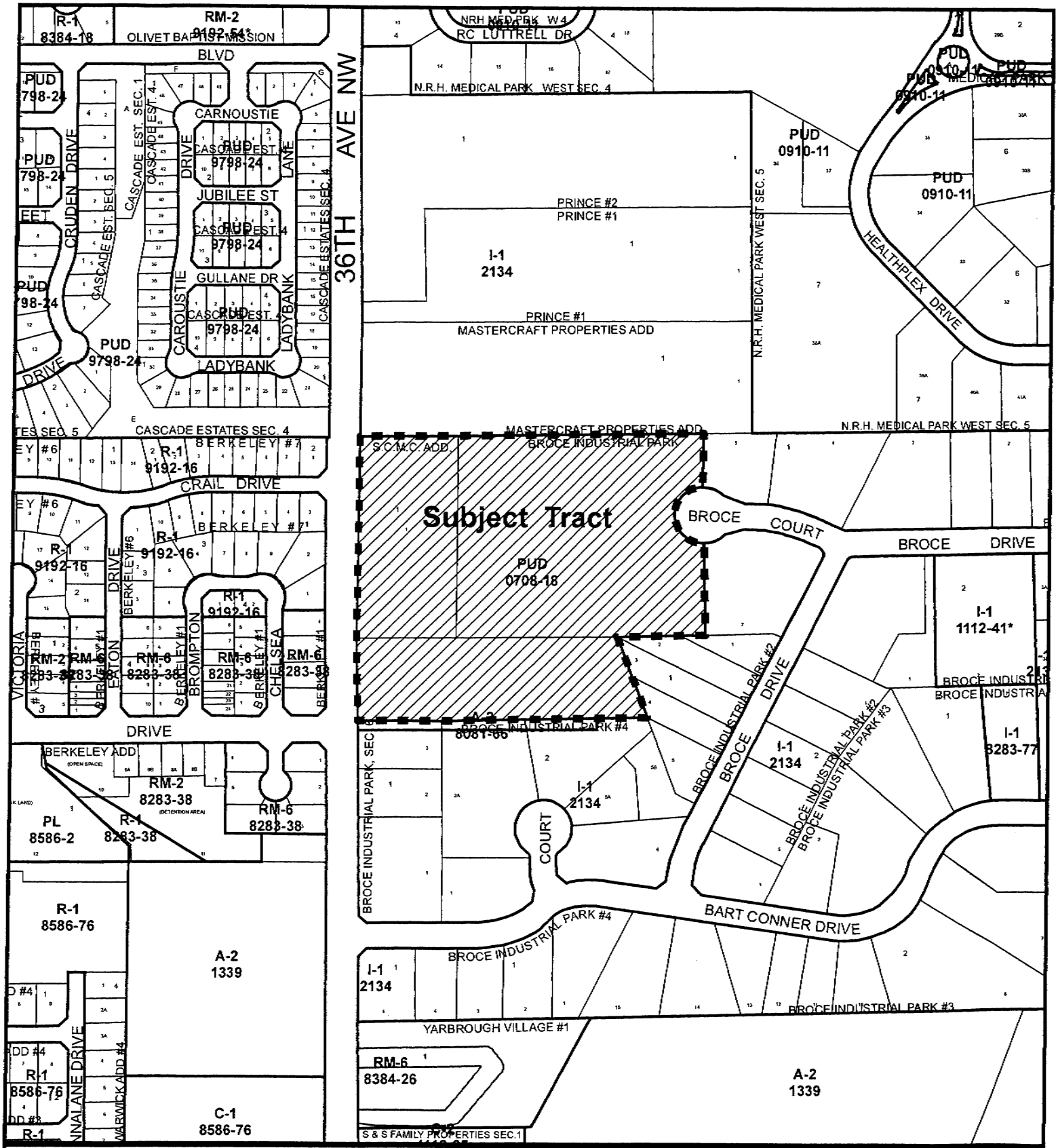
36th NORTH BUSINESS PARK, P.U.D.

36th AVE. N.W. & ROCK CREEK RD.

SMC Consulting Engineers, P.C.
815 West Main • Oklahoma City, OK 73102
Ph: 405-232-7715 Fax: 405-232-7736

No.	Revision	By	Date

DATE: 10-01-07
SCALE: 1" = 50'
DRAWN BY: MM
PROJECT NO.: 4768
SHEET NO: L-1
CHECKED:



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 37-12

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:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 38	**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 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 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 adopt or reject Ordinance No. O-1314-17 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-17 upon Final Reading as a whole.

ACTOIN TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 38

Attachments: Text file O-1314-17.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:				
1	City Council	11/12/2013	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-1314-17

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)

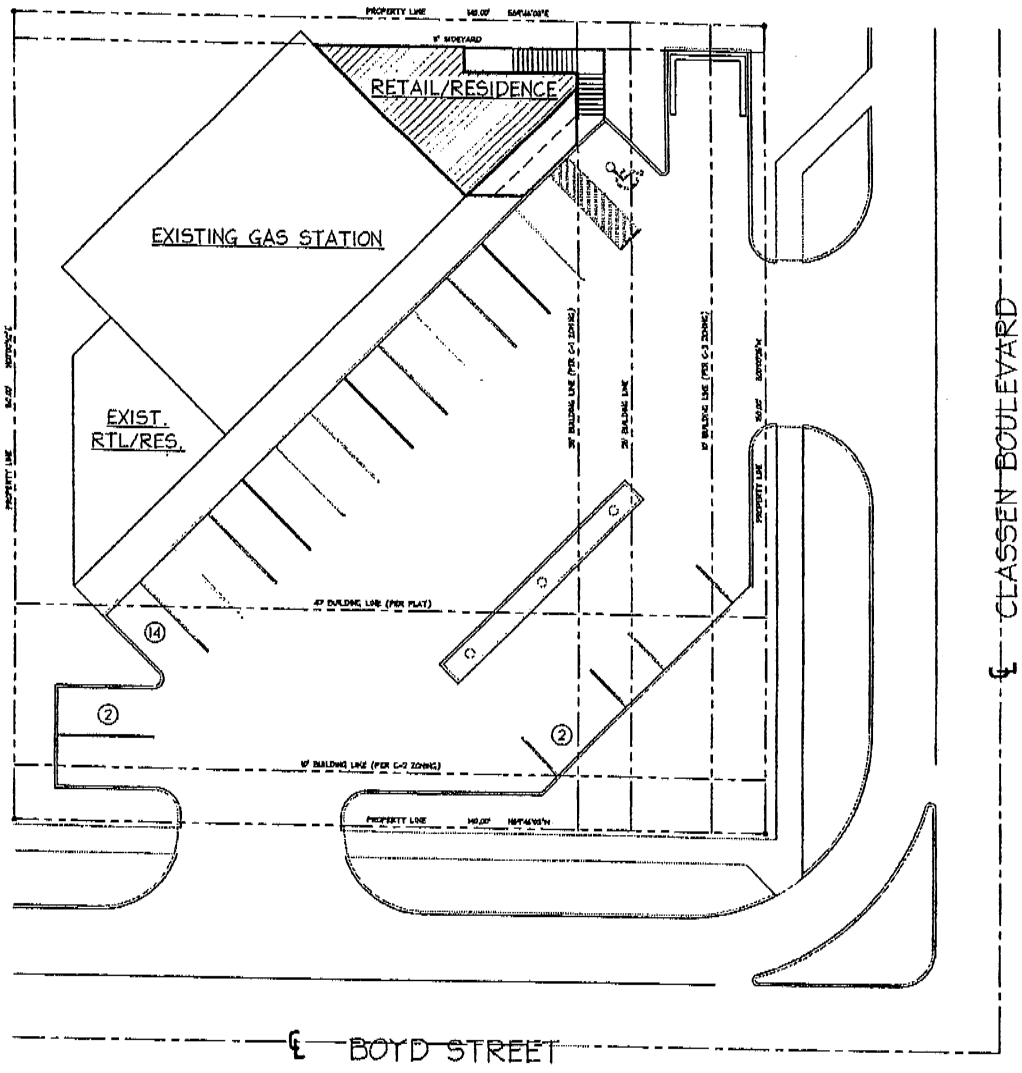
NOT ADOPTED this _____day of

_____, 2013.

_____
(Mayor)

ATTEST:

_____
(City Clerk)



1 SITE PLAN

KRITTENBRINK
Architecture LLC
ARCHITECTURE
PLANNING
INTERIORS

ZAIN FUEL
ADDITION

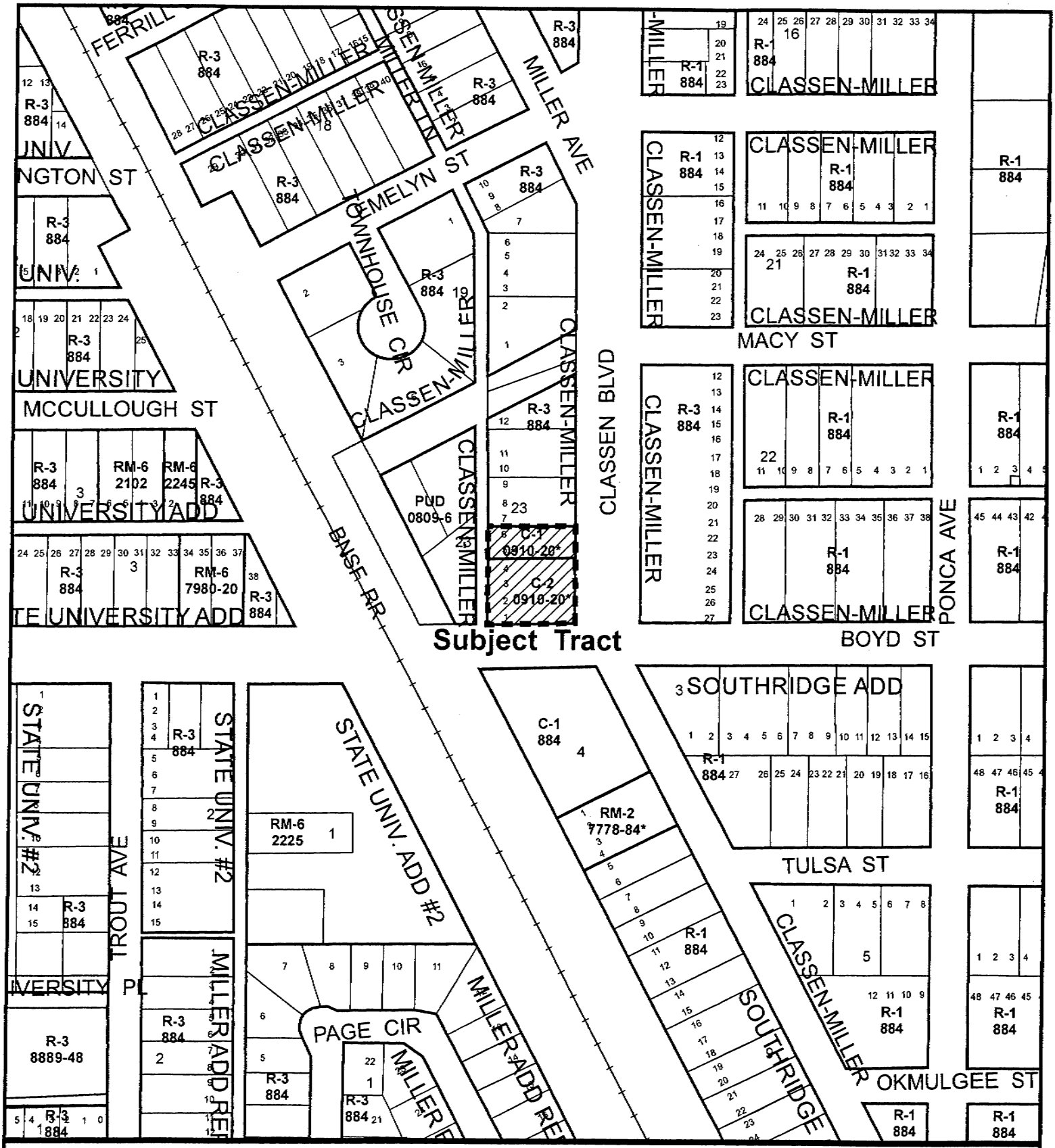
MARK	DATE	DESCRIPTION
REVISIONS		

PRIMARY ISSUE		
MARK	DATE	DESCRIPTION
1	10-09-09	PERMIT ISSUE
2	09-09-09	BID ISSUE
3	09-10-13	CONST. ISSUE

09.09.13

SITE PLAN

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

38-4

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.

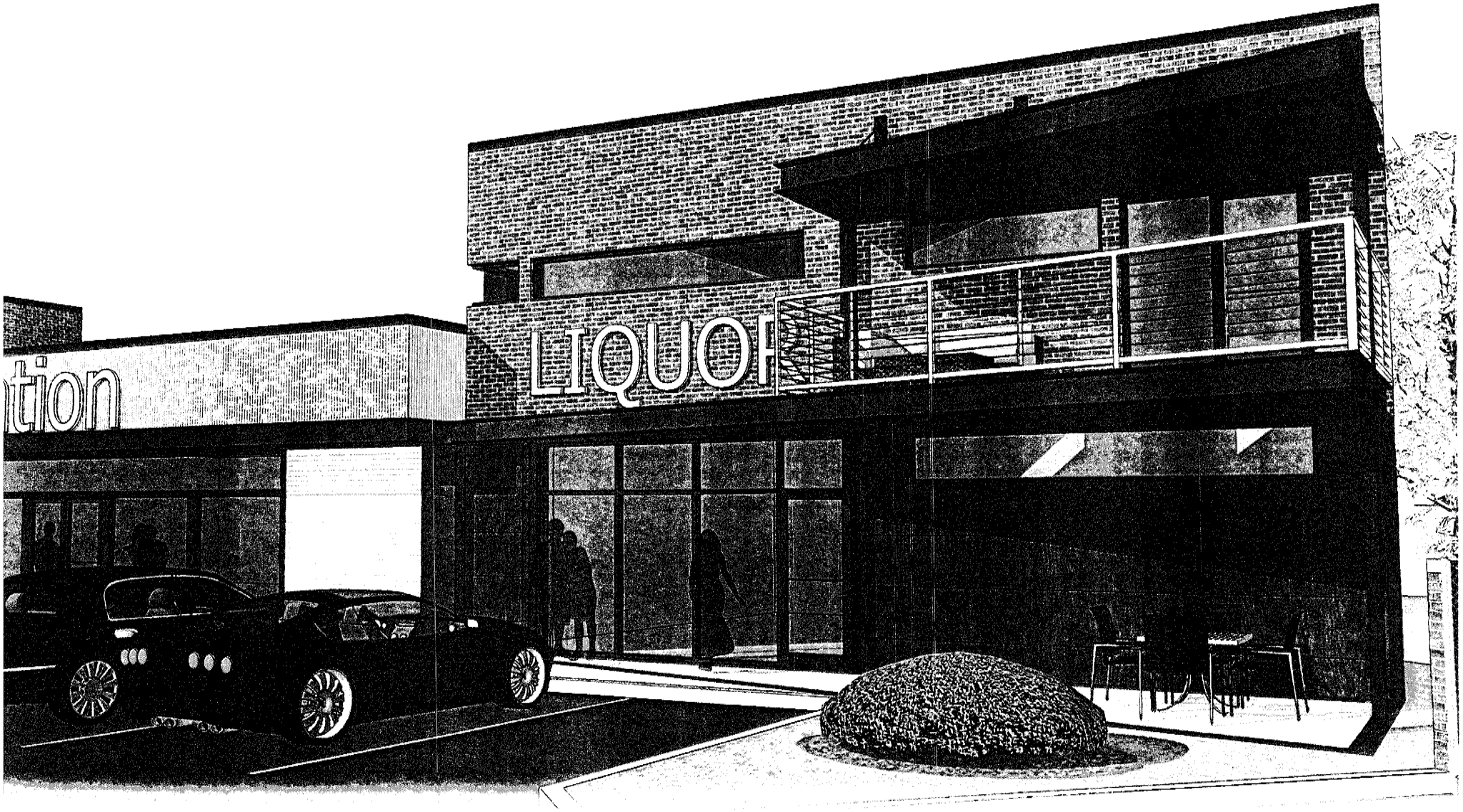
ANALYSIS: The applicant is requesting a rezoning from C-1 to C-2 with a Special Use for a Mixed Building; this will permit the entire property to possess the same zoning and special use to allow retail on the lower level and residential above on the northeast side of the convenience store. There will 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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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: PP-1314-6

File ID: PP-1314-6 **Type:** Preliminary Plat **Status:** Non-Consent Items

Version: 1 **Reference:** Item No. 39 **In Control:** City Council

Department: Public Works Department **Cost:** **File Created:** 09/11/2013

File Name: 36th North Busines Park, PUD Prelim Plat **Final Action:**

Title: CONSIDERATION OF A PRELIMINARY PLAT FOR 36TH NORTH BUSINESS PARK, A PLANNED UNIT DEVELOPMENT, A REPLAT OF LOT 1, BLOCK 1, S.C.M.C. ADDITION AND LOT 6, BLOCK 1, BROCE INDUSTRIAL PARK ADDITION. (GENERALLY LOCATED ON THE EAST SIDE OF 36TH AVENUE N.W. ONE-HALF MILE NORTH OF WEST ROCK CREEK ROAD).

Notes: ACTION NEEDED: Motion to approve or reject the preliminary plat for 36th North Business Park, a Planned Unit Development, a replat of Lot 1, Block 1, S.C.M.C. Addition, and Lot 6, Block 1, Broce Industrial Park Addition.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 39

Attachments: Tet File Prelim.pdf, Attachment A.pdf, Location Map, Preliminary Plat 36th North Business.pdf, Staff Report, Preliminary Site Plan 36th North.pdf, Transportation Impacts, Pre-Development Summary, Greenbelt Commission Comments, 10-10-13 PC Minutes

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	10/10/2013	Recommended for Adoption at a subsequent City Council Meeting	City Council	11/26/2013		Pass

Action Text: A motion was made by Commissioner Gasaway, 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 11/26/2013. The motion carried by the following vote:

Text of Legislative File PP-1314-6

body

BACKGROUND: This item is a preliminary plat for 36th North Business Park Addition, a Planned Unit Development, a Replat of Lot 1, Block 1, S.C.M.C. Addition and Lot 6, Block 1, Broce Industrial Park Addition,

and is generally located on the east side of 36th Avenue N.W. approximately one-half mile north of West Rock Creek Road. The preliminary plat consists of 20.5 acres and one lot and block. The owner proposes to develop a multiple-use upscale development. There are two proposed access points to 36th Avenue N.W. The north approach is in alignment with Crail Drive. As the development builds out, there is a proposed traffic signal at this intersection which the developer is responsible for a proportional share of the improvements.

City Council, at its meeting of January 8, 2008 approved the amending of the NORMAN 2025 Land Use and Transportation Plan from Industrial Designation to Mixed Use Designation and approval of Ordinance No. O-0708-18, placing this property in the Planned Unit Development District. Planning Commission, at its meeting of October 10, 2013, recommended approval of the request to amend the Planned Unit Development adopted by Ordinance No. O-0708-18 to allow expansion of the commercial component to the entire development. Planning Commission recommended approval of Ordinance No. O-1314-16. Also, at this same meeting, Planning Commission recommended approval of the preliminary plat for 36th North Business Park Addition.

DISCUSSION: The commercial/general office and drive-in bank uses in this addition are expected to generate approximately 3,038 trips per day and 732 PM peak hour trips. The traffic capacity on 36th Avenue NW exceeds the demand for existing and proposed trips as a result of this project. No negative traffic impacts are anticipated. See Attachment A.

Because of its size and traffic generation potential, the applicant was required to prepare and submit a Traffic Impact Analysis for the development. The study was a more in-depth analysis that evaluated future peak hour traffic conditions. The findings showed that the 36th Avenue NW and Crail Drive intersection will need to be widened and signalized in the future.

In order to fund the design and construction of the new traffic signal and intersection improvements, the applicant will be required to pay $149,600. This amount is the proportional share, attributable to this development, of the $440,000 total cost ($400,000 for construction and $40,000 for design) based upon the projected peak hour traffic volumes. The City of Norman will fund the rest based on their corresponding proportional share of the traffic. Traffic signal impact fees will be collected from the developer prior to the filing of any final plat. The amount will be calculated on the basis of peak hour trips generated by the final plat at a rate of $204.37 per PM peak hour trip.

Public improvements for this property consist of the following:

Fire Hydrants. Fire hydrants have been installed in accordance with approved plans and City standards. However, they will be accepted with the submittal of a final plat.

Drainage. Storm water will be conveyed to existing and proposed privately maintained detention facilities. The underground storage detention ponds have been constructed. Additional improvements will need to be completed for the detention facilities in the northeast and southeast portions of the property.

Sanitary Sewers. Sanitary sewer mains are existing.

Sidewalks. Sidewalks will be constructed adjacent to 36th Avenue N.W. A ten-foot wide sidewalk is to be constructed.

Streets. Thirty-Sixth Avenue N.W. is existing. However, additional improvements at the intersection of 36th Avenue N.W. and Crail Drive, as identified in the Traffic Impact Study, will be required. These improvements consist of a new traffic signal and the widening of 36th Avenue N.W. to provide a southbound left turn lane. The applicant will be required to fund a portion of the implementation cost based on the proportional share of the additional traffic generated by the development. $149,600 is the proportional share, attributable to this development.

Water Mains. There is an existing sixteen-inch (16") water main adjacent to 36th Avenue N.W. Water mains have been installed in accordance with approved plans and City and Department of Environmental Quality standards to serve fire hydrants and provide a looped system. However, the improvements will be accepted with the submittal of a final plat.

Public Dedications. All rights-of-way and easements will be dedicated to the City with final platting.

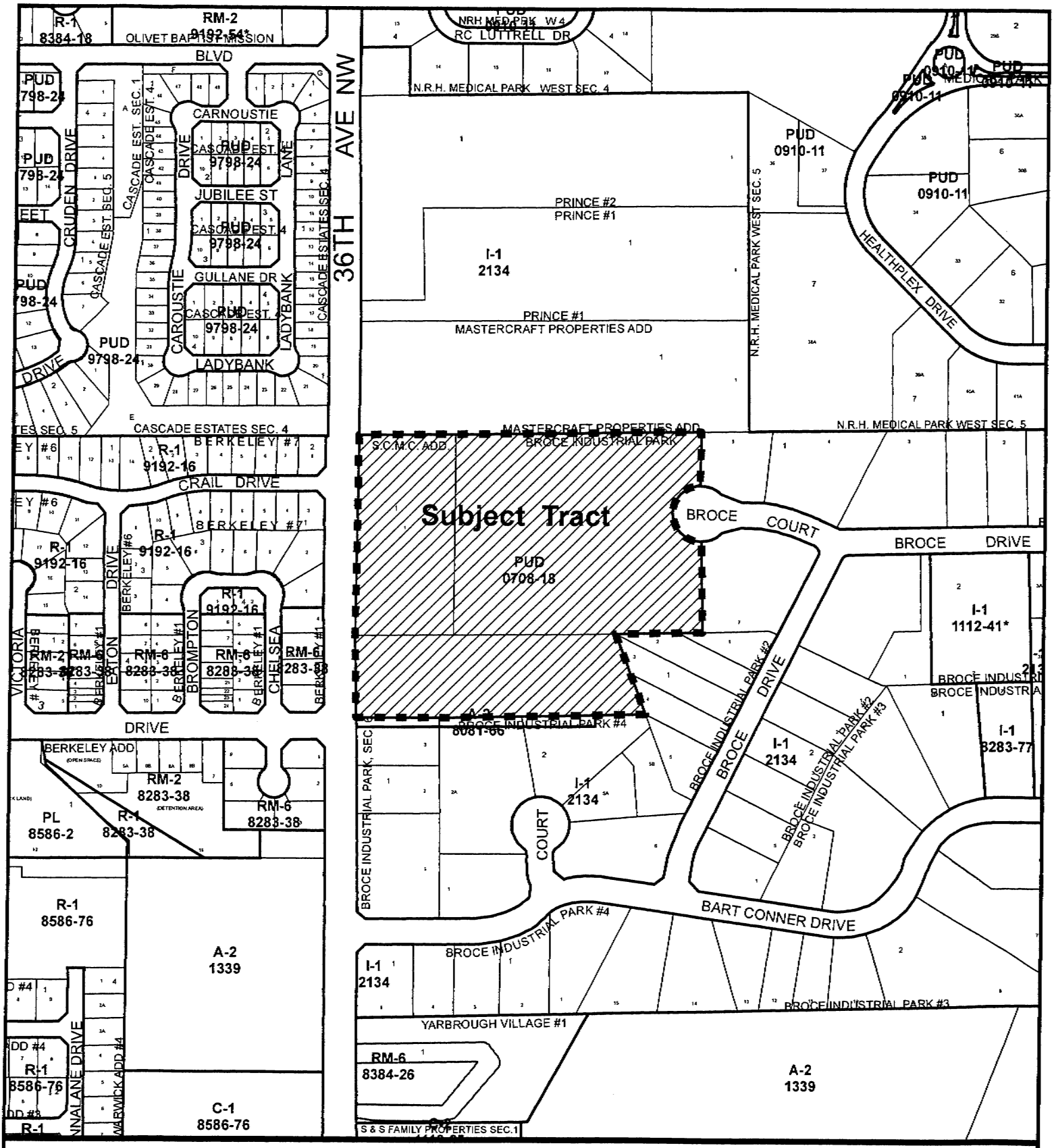
STAFF RECOMMENDATIONS: Based upon the above information, Staff recommends approval of the preliminary plat for 36th Business Park Addition, a Replat of Lot 1, Block 1, S.C.M.C. Addition and Lot 6, Block 1, Broce Industrial Park Addition.

ATTACHMENT A

Preliminary Plat

36th North Business Park

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)
36th Avenue NW	5	3,038	13,853	16,891	36,000	38.49	46.92



Location Map

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

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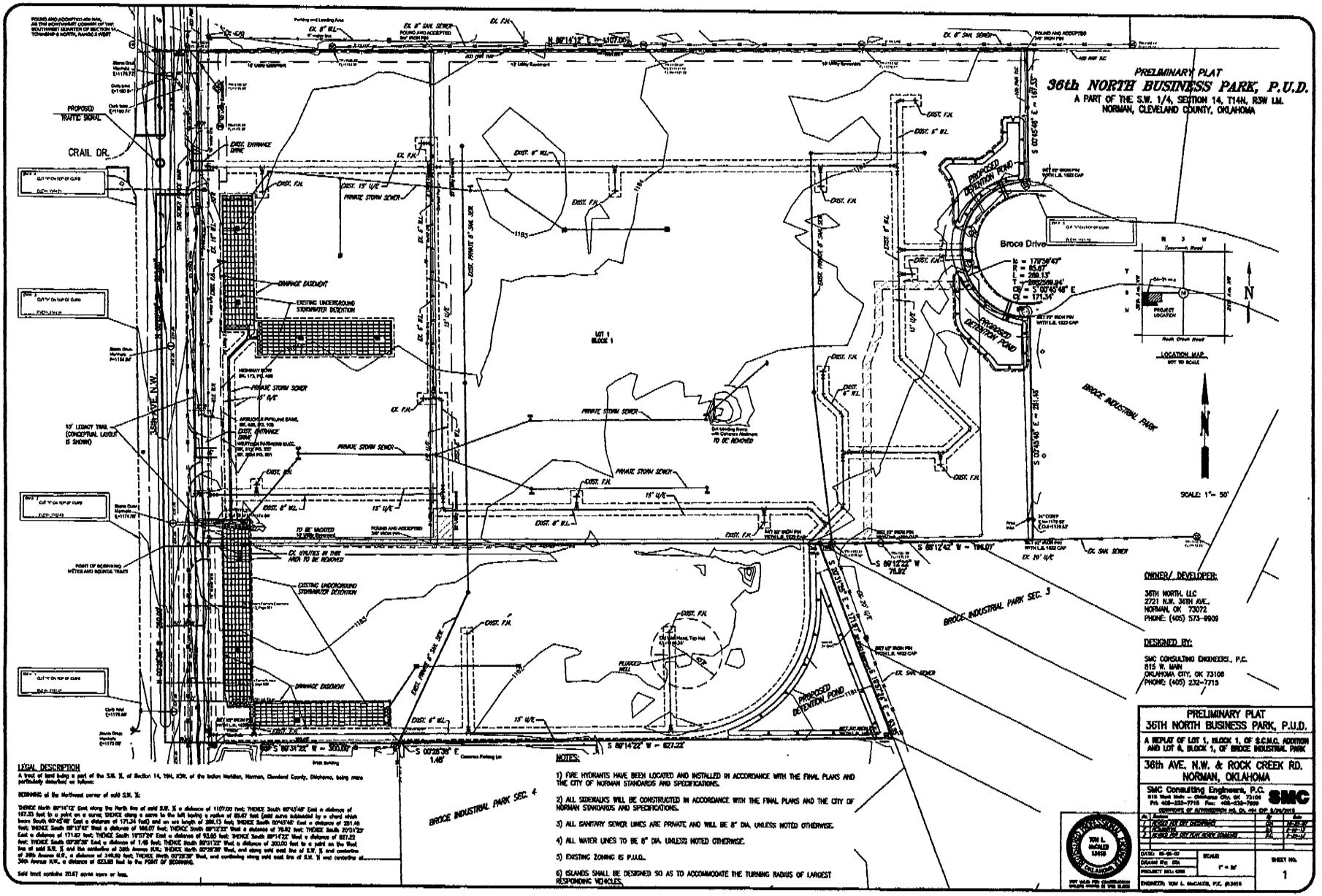
August 6, 2013

0 200 400 Ft.

Subject Tract

Zoning


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
PROPOSED TRAFFIC SIGNAL
CRAIL DR.
36th AVE. N.W.
Broce Drive
PROPOSED DETENTION POND
BROCE INDUSTRIAL PARK
BROCE INDUSTRIAL PARK SEC. 4
BROCE INDUSTRIAL PARK SEC. 3
DRAINAGE EASEMENT
EXISTING UNDERGROUND STORMWATER DETENTION
PRIVATE STORM SEWER
10' LEGACY TRAIL (CONCEPTUAL LAYOUT IS SHOWN)
POINT OF BEGINNING METES AND BOUNDS TRACT
LOT 1 BLOCK 1
PROJECT LOCATION
LOCATION MAP
NOT TO SCALE
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.
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

PRELIMINARY PLAT ITEM NO. 3b

PP-1314-6

STAFF REPORT

ITEM: Consideration of a Preliminary Plat for 36TH NORTH BUSINESS PARK ADDITION, A PLANNED UNIT DEVELOPMENT.

LOCATION: Generally located on the east side of 36th Avenue NW approximately one-half mile north of West Rock Creek Road.

INFORMATION:

1. Owner. 36 NORTH, LLC.
2. Developer. 36 NORTH, LLC
3. Engineer. SMC Consulting Engineers, P.C.

HISTORY:

1. December 12, 1968. Planning Commission, on a vote of 8-0-1, recommended to City Council that this property be placed in I-1, Light Industrial District and removed from A-2, Rural Agricultural District.
2. January 21, 1969. City Council adopted Ordinance No. 2134 placing this property in I-1, Light Industrial District and removing it from A-2, Rural Agricultural District.
3. April 12, 1973. Planning Commission, on a vote of 8-0, approved the preliminary plat for Broce Industrial Park Addition.
4. October 11, 1973. Planning Commission, on a vote of 7-0, tabled the final plat for Broce Industrial Park Addition, Section 1.
5. November 8, 1973. Planning Commission, on a vote of 8-0, recommended to City Council that the final plat for Broce Industrial Park Addition, Section 1, be approved.
6. January 15, 1974. City Council approved the final plat for Broce Industrial Park Addition, Section 1.

7. August 14, 1974. The final plat for Broce Industrial Park Addition, Section 1, was filed of record with the Cleveland County Clerk.

8. June 11, 1981. Planning Commission recommended a portion of this property be placed in A-2, Rural Agricultural District for the purposes of drilling an oil well.

9. June 30, 1981. City Council adopted Ordinance No. O-8081-66 placing a portion of this property in A-2, Rural Agricultural District and remove it from I-1, Light Industrial District.

10. July 14, 1999. Planning Commission, on a vote of 8-0, approved the request to waive alley requirements and the preliminary plat for SCMC Addition.

11. July 14, 1999. Planning Commission, on a vote of 8-0, recommended to City Council that the final plat for SCMC Addition be approved.

12. January 25, 2000. City Council approved the final plat for SCMC Addition.

13. January 29, 2000. The final plat for SCMC Addition was filed of record with the Cleveland County Clerk.

14. November 8, 2007. Planning Commission, on a vote of 8-0, recommended to City Council that the NORMAN 2025 Land Use and Transportation Plan be amended from Industrial Designation to Mixed Use Designation.

15. November 8, 2007. Planning Commission, on a vote of 8-0, recommended to City Council to place this property in the Planned Unit Development (PUD) and remove it from A-2, Rural Agricultural District and I-1, Light Industrial District.

16. November 8, 2007. Planning Commission, on a vote of 8-0, recommended to City Council to approve a request to close portions of easements in SCMC Addition and Lot 6, Block 1, Broce Industrial Park Addition, Section 1.

17. November 8, 2007. Planning Commission, on a vote of 8-0, recommended to City Council that the preliminary plat for 36th North Business Park Addition, be approved with alley waiver.

18. January 8, 2008. City Council amended the NORMAN 2025 Land Use and Transportation Plan to place this property in Mixed Use Designation and removing it from Industrial Designation.

19. January 8, 2008. City Council adopted Ordinance No. O-0708-19 placing this property in the Planned Unit Development (PUD) and removing it from A-2, Rural Agricultural District, and I-1, Light Industrial District.

20. January 8, 2008. City Council adopted Ordinance No. O-0708-19, closing portions of described easements in SCMC Addition and Lot 6, Block 1, Broce Industrial Park Addition.

21. January 8, 2008. City Council approved the preliminary plat for 36th North Business Park Addition, a Planned Unit Development with alley waiver.

22. March 6, 2008. The Norman Board of Parks Commissioners recommended fee in lieu of park land if any of the proposed residential development occurs.

23. March 13, 2008. Planning Commission, on a vote of 8-0, approved the final plat for 36th North Business Park Addition, a Planned Unit Development.

24. January 8, 2011. The preliminary plat for 36th North Business Park Addition, a Planned Unit Development, became null and void.

25. March 13, 2011. The final plat for 36th North Business Park Addition, a Planned Unit Development, became null and void.

26. October 10, 2013. The applicant has made a request to amend the Planned Unit Development adopted by Ordinance No. O-0708-18 to allow an expansion of the commercial component to the entire development.

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

3. Sanitary Sewers. Interior sanitary sewer lines will be private. Existing sewer mains with manholes are located on the south boundary of the property. The owner will contribute his share for the Northwest Sanitary Sewer Solution prior to filing the final plat.

4. Sidewalks. A ten-foot (10') Legacy Trail sidewalk will be installed adjacent to 36th Avenue NW.

5. Drainage. Stormwater will be conveyed to proposed detention facilities. Two of the underground detention facilities have been installed. The above ground detention facilities will need to be completed.

6. Streets. Thirty Sixth Avenue NW is existing. The traffic impact analysis indicates a traffic light at the intersection of 36th Avenue NW and Crail Drive. Turning lanes would be included with these improvements.

7. Water Mains. Water mains have been installed to serve fire hydrants in accordance with approved plans and City and Department of Environmental Quality standards. These improvements have not been accepted. There is a sixteen-inch (16') water main adjacent to 36th Avenue N.W.

PUBLIC DEDICATIONS:

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

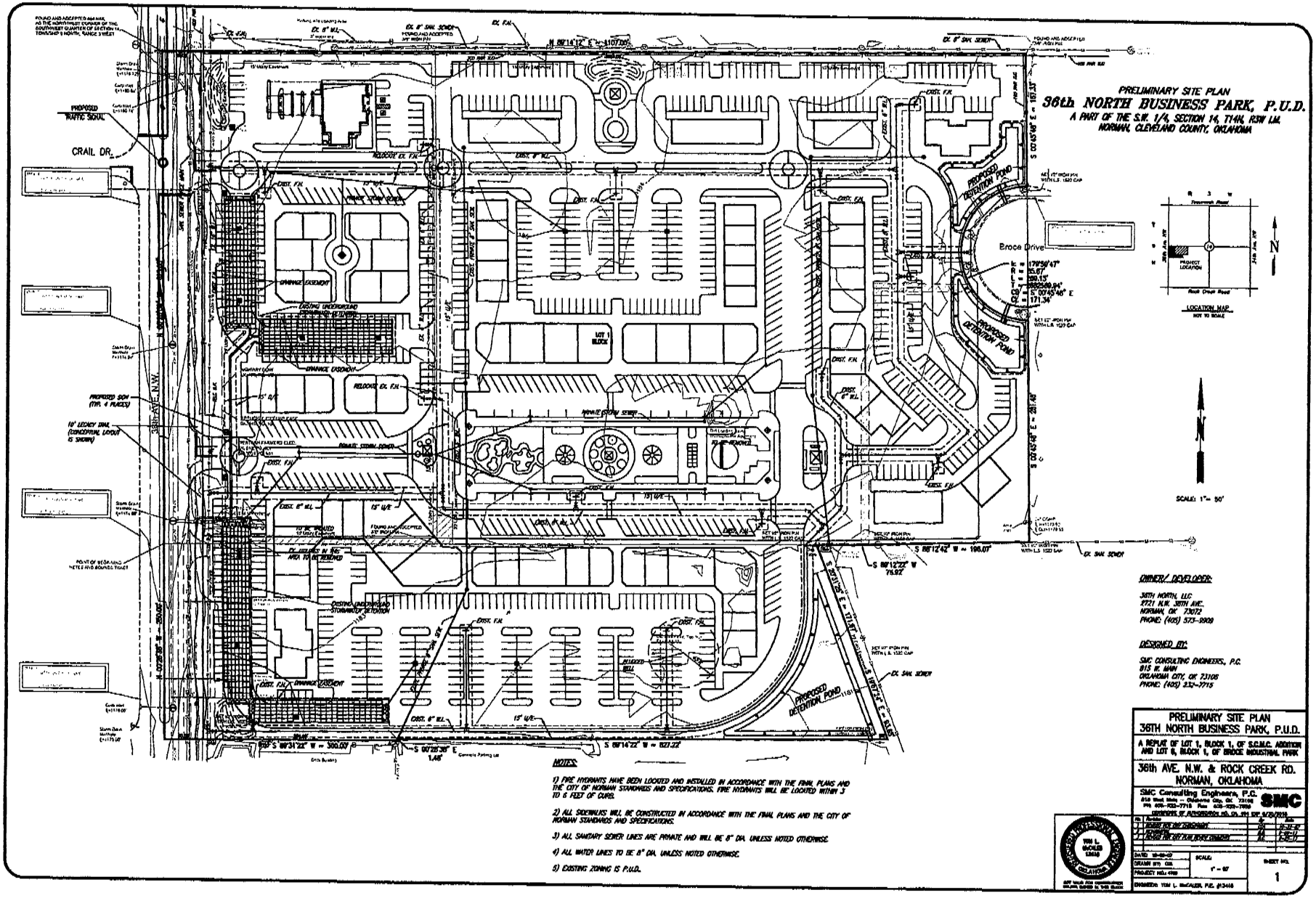
2. Right-of-Way. Thirty-Sixth Avenue N.W. right-of-way has been donated.

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 preliminary plat consist of 20.5 acres and one lot and block. The owner proposes to develop a multiple use upscale development. There are two proposed access points to 36th Avenue N.W. The north approach is in alignment with Crail Drive. As the development builds out, there is a proposed traffic signal at this intersection which the developer is responsible for a proportional share of the improvements. Staff recommends approval of the preliminary plat for 36th North Business Park Addition, a Planned Unit Development.

ACTION NEEDED: Recommend approval or disapproval of the preliminary plat for 36th North Business Park Addition, a Planned Unit Development, to City Council.

ACTION TAKEN:_____


PRELIMINARY SITE PLAN
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
LOT 1 BLOCK
LOCATION MAP
NOT TO SCALE
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
PRELIMINARY SITE PLAN
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 BRIDGE INDUSTRIAL PARK
36th AVE. N.W. & ROCK CREEK RD.
NORMAN, OKLAHOMA
SMC Consulting Engineers, P.C.
SMC
SCALE: 1" = 50'
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.

CITY OF NORMAN
Development Review Form
Transportation Impacts

DATE: September 11, 2013 **STAFF REVIEW BY:** David R. Riesland, P.E.
City Traffic Engineer

PROJECT NAME: 36th North Business Park **PROJECT TYPE:** Commercial/Office
Owner: 36th North, LLC
Developer's Engineer: SMC
Developer's Traffic Engineer: TEC

SURROUNDING ENVIRONMENT (Streets, Developments)
Industrial uses surround the site on the east side of 36th Avenue NW with some commercial, office and high density residential located closer to Tecumseh Road and some commercial at the intersection of 36th Avenue NW and Rock Creek Road to the south. Low density residential exists across 36th Avenue NW from the site. 36th Avenue NW is the main north/south roadway. East/west roadways are Rock Creek Road (less than one-half mile to the south) and Tecumseh Road (slightly more than one-half mile to the north).

ALLOWABLE ACCESS:
Proposed access complies with Section 4018 of the City's Engineering Design Criteria.

EXISTING STREET CHARACTERISTICS (Lanes, Speed Limits, Sight Distance, Medians)
36th Avenue NW: 4 lanes (existing and future). Speed Limit - 40 mph. No sight distance problems. No medians.

ACCESS MANAGEMENT CODE COMPLIANCE: **YES** ■ **NO** ☐
Proposed number and location of access points for the development will comply with Section 4018 of the City's Engineering Design Criteria.

TRIP GENERATION

Time Period	Total	In	Out
Weekday	3,038	1,519	1,519
A.M. Peak Hour	396	310	86
P.M. Peak Hour	732	278	454

TRANSPORTATION IMPACT STUDY REQUIRED? **YES** ■ **NO** ☐

Traffic Impact Study prepared by Traffic Engineering Consultants, Inc. of Oklahoma City, Oklahoma, with the original submittal in 2007.

RECOMMENDATION: **APPROVAL** ■ **DENIAL** ☐ **N/A** ☐ **STIPULATIONS** ☐

Recommendations for Approval refer only to the transportation impact and do not constitute an endorsement from City Staff.

Because of its size and traffic generation potential, the applicant was required to prepare and submit a Traffic Impact Analysis for the development. The study was a more in-depth analysis that evaluated future peak hour traffic conditions. The findings showed that the 36th Avenue NW and Crail Drive intersection will need to be widened and signalized in the future. A project to improve this portion of 36th Avenue NW is in the City's Capital Improvements Plan. The schedule for its implementation will be dictated by the pace of development in this area. It also established the proportional share of the cost of these improvements for this particular development.

In order to fund the design and construction of the new traffic signals and intersection improvements, the applicant will be required to pay $149,600. This amount is the proportional share, attributable to this development, of the $440,000 total cost ($400,000 for construction and $40,000 for design) based upon the projected peak hour traffic volumes. The City of Norman will fund the rest based on their corresponding proportional share of the traffic. Traffic signal impact fees will be collected from the developer prior to the filing of any final plat. The amount will be calculated on the basis of peak hour trips generated by the final plat at a rate of $204.37 per PM peak hour trip.

City of Norman Predevelopment **August 22, 2013**

Applicant	36th North LLC
Location	36th Avenue NW at Quail Drive
Case Number	PD 13-20
Time	6:30 PM

Attendee	Stakeholder	Address	email	phone
Sassan Moghadam	applicant	Precision Builders		
Tom McCaleb	Applicant's engineer	SMC 715 W Main St OKC		232-7715
Dixie Chahin	neighbor	2708 Chelsea Ct		
Sheri Vera	neighbor	2831 Chelsea Dr		
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 applicant is seeking a Preliminary Plat for a 20.67-acre parcel in west Norman and to revise an existing PUD for the parcel to include residential uses. The parcel is currently zoned PUD for office and commercial uses. The *Norman 2025 Land Use Plan* designation is Mixed Use.

Applicant's Opportunity. The existing PUD zoning was approved in 2007 but never developed. The parcel is planned to be developed with 2-story, 3-story and 4-story buildings, with 36th frontages limited to 2-story buildings. Previous plan was for commercial uses on ground floor with office uses above. The applicant is seeking to amend the current PUD to include development of residential uses above offices and/or commercial uses if there proves to be market demand for that. If the demand is not there, the applicant will simply develop the parcel as commercial with office as was previously planned. The applicant sees nearby Brookhaven Village as a model for the scale and feel of future development on this site.

Neighbors' Questions/Comments.

Traffic. Neighbor commented that turning left from the subdivision to the west is already difficult with existing traffic. She was concerned that this development, in addition to traffic generated by the newly-opened grocery store to the north would make that more difficult.

> **Applicant's Response**. Applicant stated that a traffic signal was planned and that the project had already been assessed for the partial cost of that installation. He did not have further information about when the City planned to install that traffic signal.

Lighting. The neighbor also expressed concern about lighting associated with the project.

> **Applicant's Response.** Applicant stated that the project would be required to adhere to all aspects of the City of Norman commercial lighting ordinance.

GBC 13-22

Applicant: 13th North, LLC (36th Business Park)
Location: East side of 36th Avenue NW approximately ½ mile north of Rock Creek Road at Crail Drive.
Proposal: Preliminary Plat

Greenbelt Commission Final Comments - GBC 13-22
Meeting of August 19, 2013

The Greenbelt Commission sends the application forward with the following comments:

The Greenways Master Plan identifies a high priority trail along 36th Avenue. Implementation of the trail system is an incremental process, through individual projects, both public and private.

1. The Commission recommends the sidewalk be extended to the Greenways Master Plan width of 10 feet.
2. The Commission recommends that City Council extend the sidewalks the Legacy Trail width, with public funds, an equal distance to the north and south.

The first recommendation is not contingent upon the second recommendation.

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: R-1314-45

File ID:	R-1314-45	**Type:**	Resolution	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 40	**In Control:**	City Council
Department:	Planning and Community Development Department	**Cost:**		**File Created:**	09/11/2013
File Name:	1418 George Ave 2025			**Final Action:**	

Title: RESOLUTION NO. R-1314-45: 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 41 AND 42, BLOCK 5, HARDIE RUCKER ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE MEDIUM DENSITY RESIDENTIAL DESIGNATION AND REMOVE THE SAME FROM THE LOW DENSITY RESIDENTIAL DESIGNATION. (1418 GEORGE AVENUE)

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-45; and, if adopted, amend the NORMAN 2025 Land Use and Transportation Plan according thereto

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 40

Attachments: Text File R-1314-45.pdf, R-1314-45.pdf, 2025 Map, Staff Report, Predevelopment George.pdf, 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	11/26/2013		Pass

Action Text: A motion was made by Commissioner Boeck, seconded by Commissioner Sherrer, that this Resolution be Recommended for Adoption at a subsequent City Council Meeting to the City Council , due back on 11/26/2013. The motion carried by the following vote:

Text of Legislative File R-1314-45

Body

SUMMARY OF REQUEST: The property owner is proposing to construct a single-story addition on the west side of the existing home to create a duplex on this lot. The new unit will be located in the area currently

designated as the back yard of the existing home. The new unit will have a separate driveway entrance on the south side of the lot and utilize a cross access agreement to allow a shared driveway between this lot and the lot to the south. The cross access agreement has already been filed with the County.

STAFF ANALYSIS: The 2025 Plan identifies two criteria that must be examined before a land use change is approved.

There has been a change in circumstances resulting from development of properties in the general vicinity that suggest that the proposed change will not be contrary to the public interest.
This site is owned by the same property owner that owns the adjoining corner lot directly to the south of this lot. The vacant site to the south was recently rezoned to R-2, Two Family Dwelling District and is planned for a single-story duplex. Therefore, a change in circumstances has occurred within the immediate vicinity that suggests this land use change will not be an impact to the public interest. Furthermore, this property is across from multi-family dwelling units on the southeast corner of George Avenue and Stinson Street. In addition, directly east is an existing commercial business and more duplexes. Recently, several major infrastructure changes in this neighborhood have occurred that include: widening of Lindsey Street two blocks north, a new traffic control signal at Stinson Street and Jenkins Avenue, and a new student housing facility that is on the opposite corner of the neighborhood at Lindsey Street and Jenkins Avenue.

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.
This proposal is consistent with current land uses within the vicinity and will not create an adverse traffic impact to any of the surrounding properties. One additional dwelling unit for the property can be supported. The new unit will share a drive with the proposed duplex to the south, thus avoiding additional curb cuts along George Avenue. The change in land use is compatible to surrounding land uses.

STAFF RECOMMENDATION: The possible impacts on adjacent properties have been evaluated and one additional unit should not have a negative impact on the adjacent properties in the neighborhood. Staff recommends approval of Resolution No. R-1314-45.

At their meeting of October 10, 2013, the Planning Commission recommended adoption of Resolution No. R-1314-45 by a vote of 6-0.

Resolution

R-1314-45

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 41 AND 42, BLOCK 5, HARDIE RUCKER ADDITION, NORMAN, CLEVELAND COUNTY, OKLAHOMA, IN THE MEDIUM DENSITY RESIDENTIAL DESIGNATION AND REMOVE THE SAME FROM THE LOW DENSITY RESIDENTIAL DESIGNATION. (1418 George Avenue)

§ 1. WHEREAS, the Council of the City of Norman recognizes citizens' concerns about the future development of Norman; and

§ 2. WHEREAS, the City Council at its meeting of 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, Bill Woods has requested that the following described property be moved from the Low Density Residential Designation and placed in the Medium Density Residential Designation for the hereinafter described property, to wit:

Lots 41 and 42, Block 5, HARDIE RUCKER ADDITION, Norman, Cleveland County, Oklahoma.

Said tract contains 0.159 acres, more or less.

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

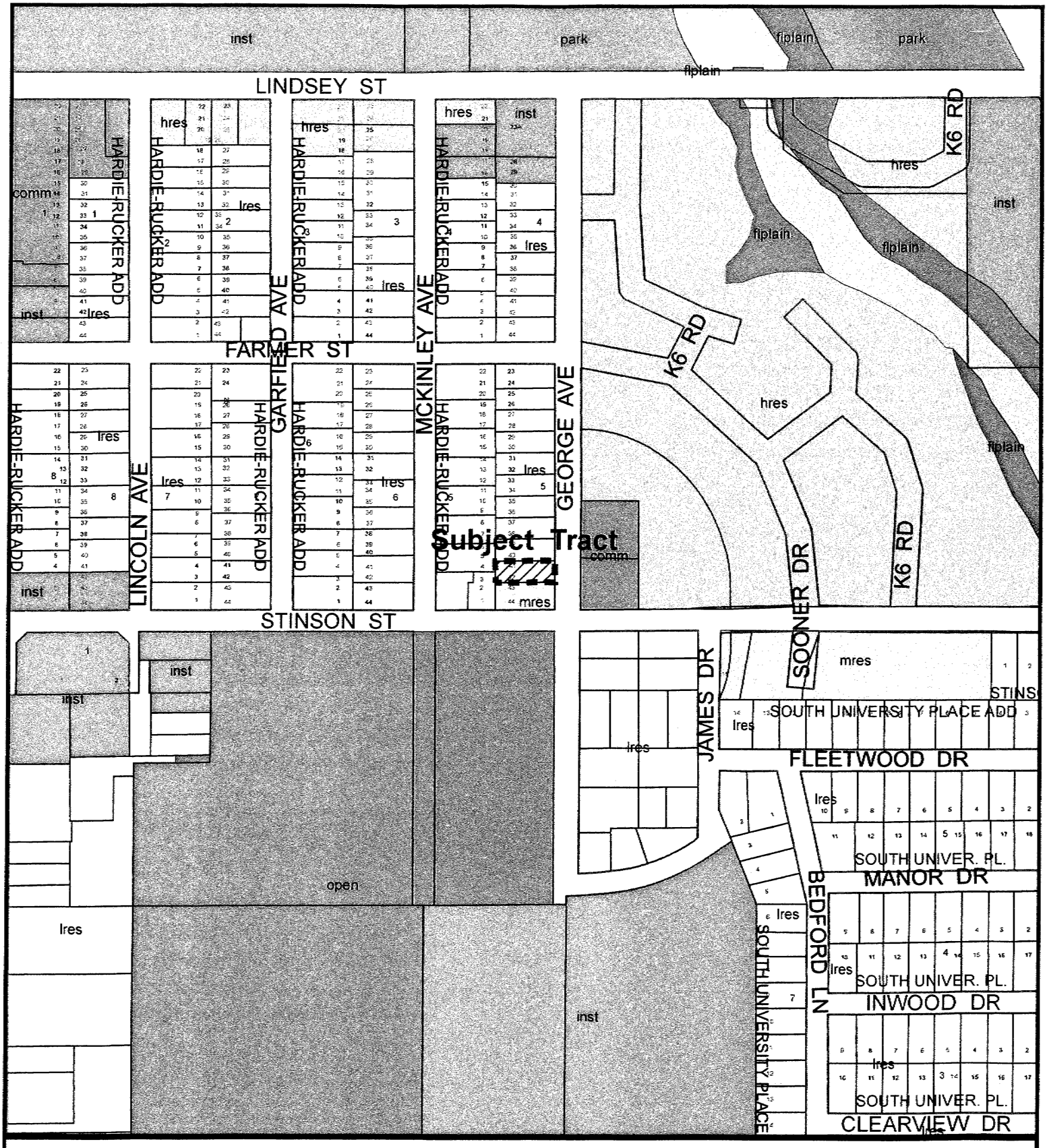
§ 4. That the Council of the City of Norman recognizes the need to control the future growth of the City of Norman; and, that after due consideration has determined that the requested amendment to the NORMAN 2025 Land Use and Transportation Plan should be adopted, and does hereby approve the requested 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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September 10, 2013

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Subject Tract

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40-2

RESOLUTION NO. R-1314-45 ITEM NO. 6a

STAFF REPORT

ITEM: Bill Woods requests an amendment to 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.

SUMMARY OF REQUEST: The property owner is proposing a single story secondary dwelling unit for the site; the request is to convert the existing single family dwelling unit into a duplex. The proposed unit will be an additional dwelling unit to the west, currently the back yard, of the existing structure. The secondary structure will have a separate driveway entrance on the south side of the parcel and utilize a cross access agreement to allow a shared driveway between the two properties.

STAFF ANALYSIS: The 2025 Plan identifies two criteria that must be examined before a land use designation change is approved.

1. ***There has been a change in circumstances resulting from development of properties in the general vicinity that suggest that the proposed change will not be contrary to the public interest.***

This site is owned by the same property owner that owns the adjoining corner lot directly to the south that is currently vacant. The vacant site to the south is slated for a single story duplex with the front elevation facing south. Therefore, a change in circumstances has occurred within the immediate vicinity that suggests this land use change will not be contrary to the public interest. This proposal is comparable to the neighboring south lot which is proposed for a duplex. Furthermore, this property is across from multi-family dwellings on the southeast corner of George and Stinson and directly east is existing commercial and duplexes. Recently several major infrastructure changes in this neighborhood have occurred that include: widening of Lindsey Street one block north, a new traffic control signal at Stinson and Jenkins, and a new student housing facility that is on the opposite corner of the neighborhood at Lindsey and Jenkins. This indicates an increased need for multi-family dwelling units within the approximate location to the University of Oklahoma and is not contrary to recent development within the vicinity.

2. ***There is a determination that the proposed change would not result in adverse land use or adverse traffic impacts to surrounding properties or the vicinity.***

This proposal is consistent with current land uses within the vicinity and will not create an adverse traffic impact to any of the surrounding properties. One additional dwelling unit for the property can be supported. The new unit will have a separate access from the existing single family dwelling unit; it will be shared with the new proposed duplex to the south thus avoiding additional curb cuts. The change in land use is conforming with surrounding land uses for multi-family dwellings.

STAFF RECOMMENDATION: The criteria used to evaluate a land use change to determine the impacts on surrounding property owners has been met and the general vicinity will not be adversely affected by this proposal. Staff recommends approval of Resolution No. R-1314-45.

Applicant Bill Woods

Location 1418 George Avenue

Case Number PD 13-26

Time 7:00 PM

Attendee	Stakeholder	Address	email	phone
Gene Lavastida	Applicant's architect	710 Asp Avenue	gene@prime-arch.com	226-1394
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

Application Summary. The applicants are seeking to rezone this parcel to R-2 Two Family Residential. The parcel's current zoning is R-1. The current *Norman 2025 Land Use Plan* designation is Single-Family Residential.

Applicant's Opportunity. The applicant is seeking to add a garage apartment to an existing single-family house. The parcel's current R-1 zoning does not allow the addition of a second dwelling unit. In order to provide access to this unit, this also requires a cross-access agreement for the use of the existing driveway with the neighboring property to the south.

Neighbors' Questions/Comments. There were no neighbors in attendance.

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: O-1314-20

File ID:	O-1314-20	**Type:**	Zoning Ordinance	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 41	**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 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 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 adopt or reject Ordinance No. O-1314-20 upon Second Reading section by section.

ACTION TAKEN: _____

ACTION NEEDED: Motion to adopt or reject Ordinance No. O-1314-20 upon Final Reading as a whole.

ACTOIN TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 41

Attachments: Text File O-1314-20.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

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 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:

1	City Council	11/12/2013	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-1314-20

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)

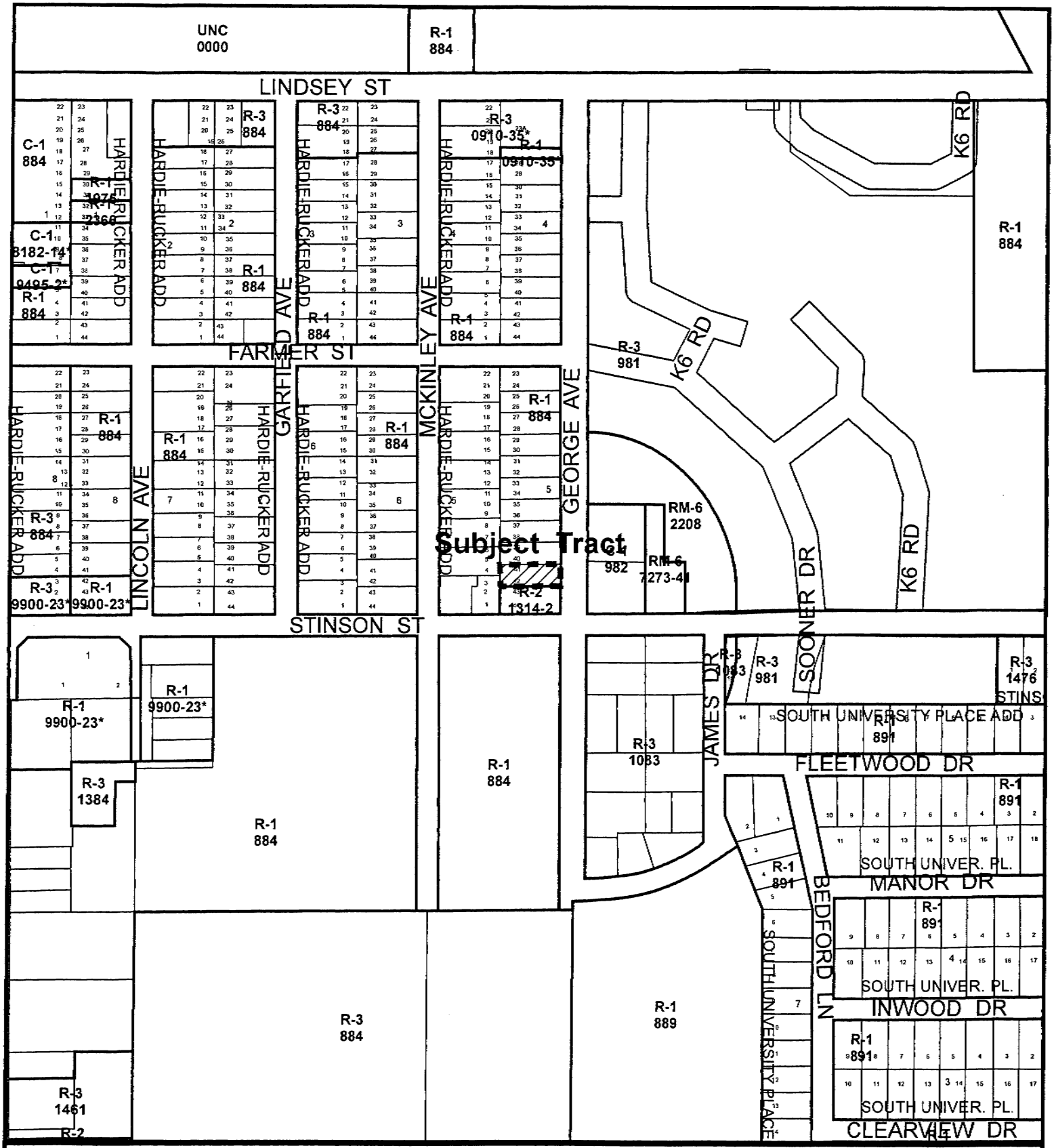
ATTEST:

_____
(City Clerk)

NOT ADOPTED this _____day of

_____, 2013.

_____
(Mayor)



Location Map

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

N
W E
S

September 10, 2013

0 150 300 Ft.

Subject Tract

Zoning

41-2

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.

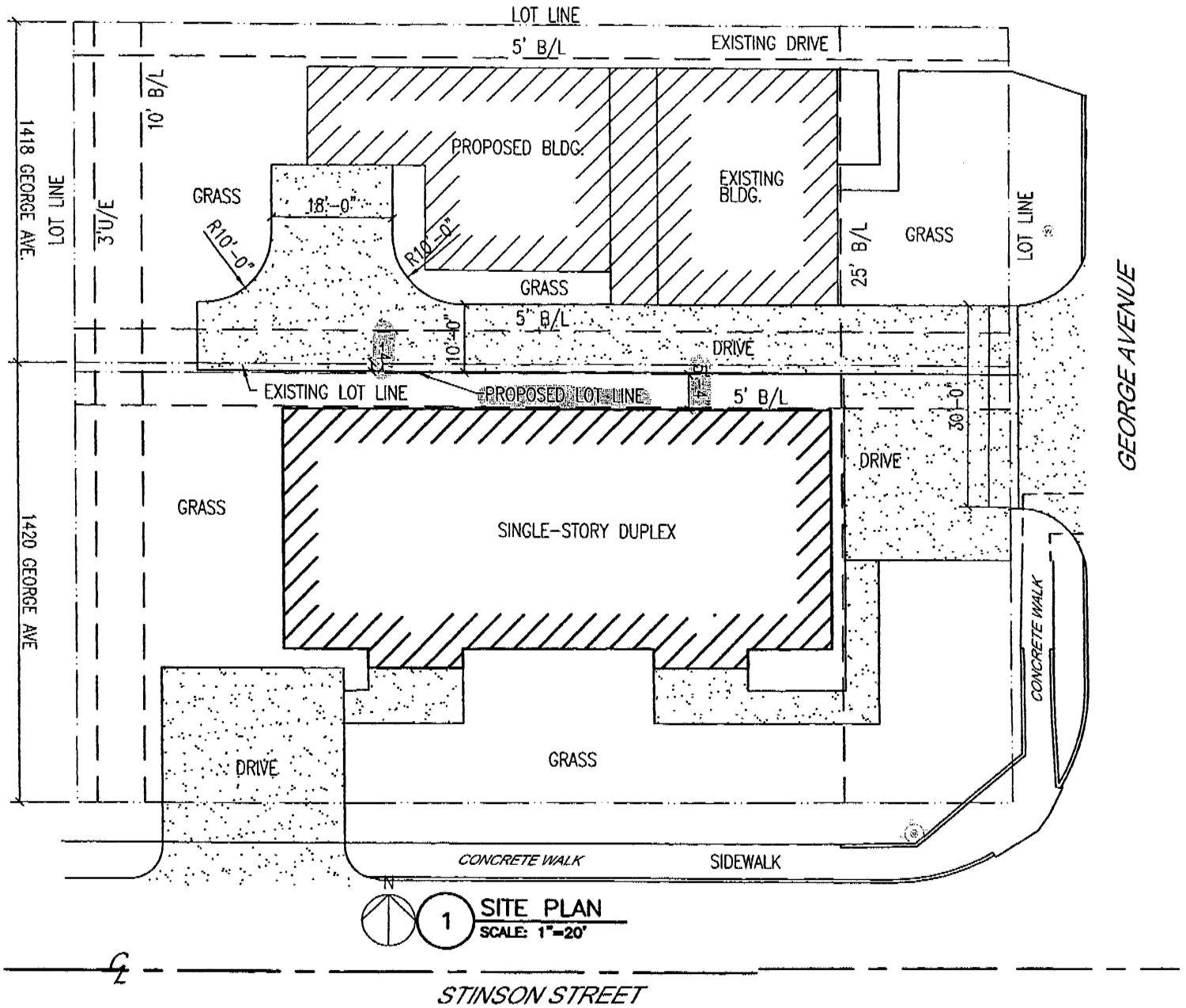
GENERAL NOTES:

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: R-1314-75

File ID:	R-1314-75	**Type:**	Resolution	**Status:**	Non-Consent Items
Version:	1	**Reference:**	Item No. 42	**In Control:**	City Council
Department:	City Clerk Department	**Cost:**		**File Created:**	11/21/2013
File Name:	Notice of election			**Final Action:**	

Title: RESOLUTION NO. R-1314-75: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, GIVING THE SECRETARY OF THE CLEVELAND COUNTY ELECTION BOARD NOTICE OF MUNICIPAL AND MUNICIPAL RUNOFF ELECTIONS FOR 2014.

Notes: ACTION NEEDED: Motion to adopt or reject Resolution No. R-1314-75.

ACTION TAKEN: _____

ACTION NEEDED: Motion to amend Resolution No. R-1314-75 to set the City Council Municipal Election on _____ and the City Council Municipal Runoff Election on _____.

ACTION TAKEN: _____

Agenda Date: 11/26/2013

Agenda Number: 42

Attachments: Text File - setting Election dates.pdf, R-1314-75

Project Manager: Brenda Hall, City Clerk

Entered by: Ellen.Usry@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	11/26/2013					

Text of Legislative File R-1314-75

Body

Council is scheduled to discuss setting the dates for the 2014 City Council elections in its Council Conference on November 26, 2013, prior to their regular meeting. Article II, Sections 5 and 6, of the Charter of the City of Norman provides for the Council to set by resolution in November the dates of the City Council Municipal and Runoff Elections for the following year.

State Statutes, Title 26, §3-101(B), outlines when municipalities may schedule elections each year. Several pieces of legislation were signed into law in May 2011 to improve the voting rights of military personnel, which restricted when elections could be held. The dates available in 2014 for City Council candidate elections are

February 11, March 4, April 1, and June 24, 2014.

The filing dates set by Charter for City Council races are the second Monday, Tuesday, and Wednesday of January (January 13-15, 2014). The 2014 elections will include Wards 2, 4, 6 and 8. Those candidates elected will take their oath of office and their terms will become effective on July 1, 2014.

To comply with the Charter provision, a resolution must be included on the November 26th Council agenda establishing the dates of the 2014 City Council elections and providing notice to the Cleveland County Election Board of said elections. The resolution printed in the agenda includes blanks for the election dates. Council will discuss its preferences at the Council Conference prior to the regular meeting on November 26, 2013. Then at the regular meeting, the Resolution will be amended to insert the dates preferred by a majority of Council.

R-1314-75

A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, GIVING THE SECRETARY OF THE CLEVELAND COUNTY ELECTION BOARD NOTICE OF 2014 MUNICIPAL AND MUNICIPAL RUNOFF ELECTIONS.

§ 1. WHEREAS, Title 26 of the Oklahoma Statutes, §13-102, requires Notice of Election be filed with the Secretary of the Cleveland County Election Board by Resolution of the City Council no fewer than fifteen (15) days before the filing period begins; and

§ 2. WHEREAS, Article II, Section 5, of the Charter of the City of Norman requires that City Council adopt a resolution in November to designate a date for a non-partisan Municipal Election for the election of officers, such election will be held on Tuesday, _____, 2014; and

§ 3. WHEREAS, a filing period shall be opened by the Cleveland County Election Board beginning at 8:00 a.m. on Monday, January 13, 2014, and ending at 5:00 p.m. on Wednesday, January 15, 2014; and

§ 4. WHEREAS, Article II, Section 6, of the Charter of the City of Norman requires that City Council adopt a resolution in November to designate a date for a non-partisan Municipal Runoff Election for the election of officers, such election will be held on Tuesday, _____, 2014, subject to the provisions for the ipso facto election of an officer in the Municipal Election found in Article II, Section 17; and

§ 5. WHEREAS, said elections aforementioned in Sections 2 and 4 shall be held to elect Councilmembers filling Ward position numbers two (2), four (4), six (6), and eight (8) for terms of two (2) years; and

§ 6. WHEREAS, each candidate must be a registered voter of the City of Norman for six (6) months prior to the date of the Municipal Runoff election and in the case of Ward City Councilmembers, a candidate must reside in the ward from which they seek election on the date of filing.

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

§ 7. That notice be given of the 2014 Municipal and Municipal Runoff Elections by transmittal of this Resolution to the Secretary of the Cleveland County Election Board.

PASSED AND ADOPTED this 26th day of November, 2013.

ATTEST: _____ Mayor

_____
City Clerk